HUNTER REGIONAL PLAN

Callicoma Waterfall Carrowbrook Hunter Valley

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INTRODUCTION

This Plan has been prepared by the Hunter Environment Lobby to outline future directions for the improvement of the economic, physical and social environment of the Hunter Region.

The Plan presents a comprehensive package of measures which to ensure sustainable and ecologically compatible development. It identifies the major issues that face the Hunter Region over the coming decades and the means by which these problems may be addressed in land use planning.

The Plan is an update of the HREAP 1995 which was presented to the NSW Government as part of the process of preparing Hunter Regional Environmental Plan 1989. It also takes into account the outcomes of the Hunter Regional Forums held in 2003 and 2004, and the statements agreed. The Plan has been based on an assessment of the resources of the Hunter Region, and the natural and economic constraints which apply. It is primarily concerned with land use constraints.

ISSUES FACING THE HUNTER REGION OVER THE NEXT 20 YEARS

While many of the major issues facing the region are global or national in their context, these require specific local and regional actions if they are to be solved, including land use responses.

The most significant issues to be faced are as follows -

1. **Climate change and global warming**

   There is a need to reduce emissions of carbon dioxide and other "greenhouse" gases primarily by reducing fossil fuel usage and promoting more energy efficient land use. In addition, there is a need to regulate coastal development, to increase the area of land covered by native forests, and to allow agriculture and natural ecosystems to adapt to projected climatic changes.

   Energy consumption must be reduced, and sustainable energy sources (e.g. solar, wind power) utilised. Efficient use of energy produces significant economic benefits as well as reducing environmental impacts.

2. **Accessibility and public transport**

   The existing transport pattern poorly addresses the Hunter Region's dispersed settlement structure and the long term need for efficient transport between and within urban centres. Extreme car dependency makes the region economically vulnerable and inefficient, and is reducing liveability

through congestion and poor air quality. This must be changed through appropriate land use planning and public transport measures.

3.   Demographic and employment changes

Population ageing and the progressive transition away from coal mining employment will affect the region's economic and settlement structure. As a consequence, new services will need to be provided, and globally competitive lifestyle and employment opportunities need to be generated to retain residents and attract new skills and economic investment.

4.   Biological Diversity

The present biological diversity within the Hunter Region must be protected. Controls must be introduced to ensure that there is no extinction of any plant or animal species or that species and their habitat are not threatened or endangered. There must be a program to retain native habitat and connectivity, to protect significant natural areas in reserves, and to ensure appropriate management of all remaining native vegetation and biodiversity.

5.   Land Degradation and contamination

The productive capacity of soils, forests, rivers and water catchment areas must be maintained. Degraded land must be rehabilitated.

Production of toxic waste must be reduced and eventually eliminated. Long term storage or dispersal of toxic waste should not be permitted. All toxic waste which is currently in storage should be reprocessed into substances which are harmless to the environment.

6.   Sustainable Agriculture

Agricultural productivity and viability underpins the rural areas of the Hunter Region. Conventional agricultural practices must be reassessed so as to take into account their environmental impact. In particular, use of harmful chemicals must be phased out and alternative practices developed.

7.   Re-allocation and rehabilitation of coal mining land

Mining leases and licences in the Hunter Region require comprehensive review, with a view to re-allocating and rationalising areas mined as part of a progressive phase out of the use of non-renewable resources. There should be no new coal mines developed, and the existing mining footprint should not be extended. Progressive rehabilitation and re-use of coal mining

land must be part of any regional plan. Regular monitoring of progress or otherwise on coal affected catchments must be recorded and publicized.

8.   Health and Social Issues

Community health and social well being are closely related to environmental conditions, which in turn are tied to the distribution in society of income, wealth and education. There should be a fair distribution of resources, with more emphasis given to environmental education.

9.   Sustainable Economy

There is a need to develop a sustainable economic transition to an environmentally desirable future, as identified in this plan. In particular, restructuring of industry needs to take advantage of opportunities presented by new technology and the encouragement of entrepreneurial environmental activities. Use of financial incentives and taxes is a key component of an appropriate economic system.

10.   Regional Identity

The region is defined by water catchment and administrative boundaries. However, there is also a regional social identity. This identity must be retained and strengthened so that residents relate to the land and environment where they live, and is a prerequisite for long term sustainable development.

It is important to recognise the special characteristics of the region. These are its industrial and mining base, its significance in energy production, natural and wilderness areas, and expertise in rehabilitation of mined land.

A PLANNING PHILOSOPHY FOR THE HUNTER REGION

Future development within the Hunter Region should meet the following criteria -

1.   Long-term Sustainability

Human activities should not interfere with the ability of natural ecosystems to provide benefits (of whatever kind) to society indefinitely. Such a strategy would also generally correspond with the most efficient use of resources.

2.   Minimal Environment Impact

Consumption of non-renewable energy should be minimised. Pollution should be minimised and resources recycled to the maximum extent consistent with available technology. There should also be incentives to improve technology and management practices.

3. **Environmental Assessment of Activities**

Rigorous environmental and health assessment must take place before decisions are made which may affect the environment. The environmental assessment process should include adequate provision for public comment and also education.

4. **Enforcement of Environmental Laws and Standards**

Environmental laws and standards must be made more stringent, and compliance must be enforced. A public program of monitoring of environmental quality is essential in order that the achievement of objectives is measured.

5. **Economic Production**

The worth of economic production should be measured by its real benefit to the community, and not simply by private monetary returns. Development should as far as possible have a favourable benefit/ cost ratio in social and environmental terms.

The real cost of environmental damage should be reflected in the market price of goods and services so as to influence consumer demand and market supply. This could be achieved by financial incentives for environmentally appropriate production, or by taxes on goods which have significant environmental costs.

A key economic objective is to maximise and increase the efficiency in the use of resources.

In the long term it may be desirable to aim towards regional self-sufficiency in terms of economic production and consumption.

6. **Equitable Distribution of Resources**

Development should be consistent with improving the equitable distribution of wealth, income and resources between all members of the community in the Region. In addition, development should be consistent with improving the distribution of wealth to the Hunter Region with respect to other regions of Australia. Currently, the level of wealth in Hunter Region is not commensurate with the level of wealth generated by the Region.

Freehold rights in land must nevertheless be maintained in order to allow fostering of an ethic of long-term land husbandry and protection. Private development rights therefore need to be moderated by obligations to carry out sustainable use and environmental management of land.

7.   Maintenance of Diversity

The diversity of land use, biological organisms, natural ecosystems and culture should not be reduced.

All of the above criteria are mutually reinforcing. They form a basis for ensuring that the aims of this plan can be implemented.

PLANNING STRATEGIES

An inter-related set of planning strategies has been formulated. They address the identified planning issues and philosophies and are divided into specific policy areas as follows-

1.   Population
2.   Economic Development
3.   Land Use and Settlement
4.   Natural Resources
5.   Nature Conservation
6.   Transport
7.   Health and Community Services
8.   Education
9.   Environment Protection

1.   Population

(a) Definition:

The number of people living in and utilising the region.

(b) Objectives:

- There should be a limitation on population growth, based on the environmental capacity of the region and the maintenance of environmental standards, while acknowledging that consumption of resources needs to be the rule in setting limits.

- There should be a progressive stabilisation of population to a sustainable level. In the meantime, any increase in population should coincide with an equivalent decrease in the per capita environmental impact, so that there is no overall increase in environmental deterioration. The 2010 levels of environmental degradation should be a base against which future population increases should be measured.

(c) Policies:

- The resident population of the region should not exceed a maximum of 700,000 people, or if it does, decrease environmental degradation.

- There is a need to accommodate overspill of population from the Sydney Region, but environmental objectives must not be compromised.

(d) Implementation:

- Further ongoing research to determine the regional carrying capacity.

- Monitoring and documentation of the existing environmental condition of the region.

- Financial incentives to encourage smaller families, and user pays charges for environmental resources.

- Education, provision of economic and social security.

2. Economic Development

(a) Definition:

Economic development relates to the financial and entrepreneurial aspects of production of goods and services, including policy for employment, taxation, incentives, and penalties.

(b) Objectives:

- All new development must be carbon neutral.

- All economic development will be subject to environmental assessment.

- Priority will be given to economic development utilising regional resources.

- Priority will be given to development directly seeking to produce for the local region.

- Priority will be given to the integration of industry with other uses such as community services and housing.

- Economic development is to be subject to environmental constraints and must generate no environmental costs, and meet the other objectives outlined in the plan.

(c) Policies:

- No new industry will be allowed to generate any waste products which cannot be fully recycled using known technologies. Existing industries

will be required to progressively implement full recycling of waste over 15 years.

- Manufacturers of products are to be made legally responsible for the environmental impact of the use of their product from the time of production to final disposal or recycling.

- Small-scale home-based low-impact enterprises will be allowed in any location.

- Concessions will be granted to industries re-using waste products.

- Responsible corporate citizens will seek to promote economic development which -

  - produces products which last well and can be repaired locally;

  - can be safely disposed of in the environment;

  - utilise renewable natural resources;

  - are skill intensive;

  - utilise the best of high and low technologies.

- Encouragement of firms investing in environmentally desirable activities within the region, through rating and taxing concessions.

- There is a need to recognise and to build upon the natural advantages of the region (location, expertise in land management and rehabilitation, energy technology, tourism, national parks and wilderness areas).

  The following commercial opportunities are seen to exist-

  - further processing and value added to raw materials produced locally;

  - healthy food production and marketing;

  - arts and crafts;

  - renewable energy technologies (both development and utilisation);

  - recycling;

  - ecologically sustainable tourism

  - land rehabilitation

- Taxation and financial incentives to promote local industry and technology.

(d) <u>Implementation</u>:

- Readjustment of corporations law, rating and taxation to provide financial incentives for environmentally preferable activities.

- Active incentives (eg tax concessions) for employment in environmentally sustainable activities, especially in alternative energy technology and land rehabilitation and management.

- Establishment of a regional economic development agency with suitable representation of environmental interests, to ensure that economic development priorities fully take into account environmental priorities.

3. Land Use, Housing and Settlement

(a) <u>Definition</u>:

Land is needed for production of primary products, residential settlement, transport and other economic development.

(b) <u>Objectives</u>:

- In conjunction with the strategies for other policy areas to accommodate the Hunter Region's need for land.

- To identify priorities for land use based on the capability of the land to accommodate land use without adverse environmental impact.

- To ensure new buildings are carbon neutral and in urban areas that new buildings and infrastructure do not contribute towards urban heating in summer.

(c) <u>Policies</u>:

- In all new building approvals, local government authorities should be required to make an energy assessment of each new building constructed as part of the normal approval process.

- New dwellings shall be constructed of environmentally acceptable building materials which are recyclable. An evaluation of the likely health and environmental impacts of a proposed building is to be made prior to formal approval.

- All new urban subdivision of land shall result in the creation of allotments which permit correct orientation for energy-efficient housing design.

- There shall be upgrading of public transport services and promotion of forms of travel which minimise the need for private cars. In conjunction with such action there will be complementary locational policies for land use and settlement which increase the accesibility of employment, retailing and recreation services by bus and rail services. Locational policies will thus seek linear and multiple-nucleated location patterns rather than dispersed location patterns which encourage further use of private cars.

- Higher density urban development shall be encouraged so as to achieve more efficient use of land. New residential development should attempt to dramatically increase the amount of employment, retail and recreation services which are within walking or cycling distance of people's home.

- Local environmental plans controlling land use are to be amended to allow multiple use land use zonings so as to allow a greater range of uses in residential areas, subject to strict environmental acceptance criteria.

- Coal fired power stations within the region are to be phased out by 2040 and development incentives are to be provided to support carbon neutral development projects.

(d) Implementation:

- Criteria are to be developed for assessing healthy and environmentally acceptable buildings.

- Restrictions shall be placed on the amount of land area in urban situations that can be covered in hard, non permeable surfaces. Taxes shall apply in urban areas based on the proportion of the site that is covered in hard surfaces.

- Promotion of energy efficient housing designs through payment of grants and encouraging assessment of energy efficiency by local government authorities.

- No additional land to be rezoned for urban development along the coastline.

4.   **Natural Resources**

(a) Definition:

These are resources provided by the environment and utilised by human activities for economic and social benefits. There are two fundamentally distinct categories of natural resources -

(i)   Renewable resources - water, forests, fisheries, rangelands. In theory at least, these are fully renewable if managed properly.

(ii)   Non-renewable resources - coal, gravel, other minerals, soil.

(b) <u>Objectives</u>:

- Sustainable use of renewable resources shall be progressively phased in.

- More efficient use of non-renewable resources shall be implemented. Appropriate pricing of non-renewable resources will be introduced as a means to ensure greater efficiency is achieved.

(c) <u>Policies</u>:

- There will be no further construction of large water storage dams within the Hunter Region. River and aquifer health will be monitored regularly and minimum standards adhered to by corporations and water users.

- A programme of reaforestation of cleared marginal or steep agricultural land with species indigenous to the locality will be introduced, together with financial incentives to undertake this work.

- There will be no further logging works (including logging and roads) in old growth native forests on private or Crown timber land.

- There will be no mining or resource extraction within national parks, nature reserves or State Forests.

- Approval of mining proposals will require guarantees that the land will be fully reinstated upon completion of mining (including filling and rehabilitation of final voids).

- Stabilisation of coal production within the Region will be achieved by ensuring that new mines are opened, and existing mine extensions occur only after existing mines are worked out and satisfactorily rehabilitated.

- Within each individual State Forest area there shall be no more timber cut in any 10 year period than can be sustainably produced from that forest over that same period.

- There shall be no grazing leases issued in State Forests.

- There shall be a complete review of nature conservation strategies within State Forests and on Crown Lands to assess additional areas which should be protected within the national park estate. The following areas should be protected as national park -

  (i) Chichester and Masseys Creek State Forests in the Upper Paterson and Allyn River valleys;

  (ii) Pokolbin State Forest;

(iii) Crown lands at Awaba in Lake Macquarie LGA identified as a future conservation area.

- The Hunter Region should be promoted and funded as a centre of renewable energy technology. This would provide an ultimate transition of employment for the existing fossil fuel-dependent workforce.

- Less wasteful husbandry of State Forest timber resources, including better utilisation of timber wastes.

- Programs for revegetation of river and stream banks with native indigenous vegetation.

(d) Implementation:

- Appropriate accounting and pricing of timber products taking into account real costs and values.

- Undertake a review of public land within the region and its conservation value, and whether the land should be reserved and managed for nature conservation.

5. Nature Conservation

(a) Definition:

Relates to the need to preserve natural systems, species and features in perpetuity for their own sake and for the potential benefits they may produce. Natural ecosystems also provide a buffer of natural resources for coping with future environmental changes.

(b) Objectives:

- The present natural diversity of species and systems will be retained.

- Existing natural areas outside the National Park system will not be disturbed except where it can be demonstrated by appropriate assessment that harvesting can take place in perpetuity on a sustained yield basis and where no adverse ecological changes will be introduced to the system.

- As far as possible, natural areas will be allowed to expand so that, by the year 2050, not less than 40% of the Hunter Region as a whole is managed to retain, as far as possible its natural indigenous ecosystems. Of rural land, not less than 25% of each farm holding shall be managed primarily for nature conservation purposes. These responsibilities would be transferable from one farm holding to another.

- Clearing controls should be imposed on native vegetation and plans of management progressively prepared to encourage appropriate management.

(c) <u>Policies</u>:

- New nature reserves will be established at Cranky Corner, the Warkworth Sands area and in additional rainforest remnants along the Liverpool Range.

- There will be a consolidation of the boundaries of existing national parks so the boundaries are suitable for management purposes and ecologically appropriate.

- The highest priority land use for vacant Crown land will be nature conservation.

- Priority will be given to the conduct of research which will document the natural systems and species within the region, and support appropriate management.

(d) <u>Implementation</u>:

- Progressively, legal agreements and land management plans will be made by land owners to ensure sustainable management of natural resources. This should be co-ordinated by the National Parks and Wildlife Service.

- Establish a regional development fund to buy back land for acquisition for conservation purposes.

- Financial concessions (such as local government rate relief, land tax relief) will be given to encourage protection of natural ecosystems on private land.

- Funding is to be sought to document and compile a list of all remnant natural vegetation within the region, in conjunction with a survey of endangered fauna.

- In local environmental plans development consent is to be required for forestry activities and land disturbance in all areas identified as having significant natural ecosystems.

- Appropriate wilderness areas should be proclaimed in all major national parks.

6.   Transport

(a) <u>Definition</u>:

This is the need to move people, goods and services and to provide a communication system.

(b) <u>Objectives</u>:

- To develop a transport system which progressively reduces dependence on fossil fuels.

- To reduce the need for transport as far as possible through land use and settlement location policies.

- To reduce and to minimise the environmental impact of transport and communication systems.

(c) <u>Policies</u>:

- "Traffic calming" strategies will be adopted to reduce the environmental impact of cars on residential areas.

- There will be no new main roads constructed.

- Complete bicycle networks will be provided for all urban areas with more than 10,000 people.

- For short distances use of motor cars (other than solar electrically powered vehicles) will be discouraged.

- To establish an hourly passenger rail service on the Hunter Line to link in with local bus services.

(d) <u>Implementation</u>:

- Support for environmentally friendly transport technologies to be funded by increasing fuel taxes on non-renewable energy sources to a real cost level.

- Establishment of the Hunter LinkRail (Cockle Creek - Kurri Kurri – Maitland) rail connection for passenger and freight services. The route to generally follow existing coal mining rail lines.

- Protect a suitable corridor for an East Coast High Speed Rail network through the Hunter Region.

7.   Health and Community Services

(a) <u>Definition</u>:

Health is an environmental issue because the health of the population is primarily determined by the condition of the environment. Health also relates

to the ability of the population to cope with the physical environment and with social and economic circumstances.

(b) <u>Objectives</u>:

- To minimise the social and economic costs of health care by minimising environmental contamination by toxic substances or virulent organisms, by adopting practices in industry and transportation which reduce exposure to hazard and by giving preventative health measures priority over acute care.

(c) <u>Policies</u>:

- Community education of environmental health issues.

- There will be a progressive program of eliminating all sources environmental contamination by toxic substances, through waste reprocessing and adoption of appropriate technologies.

- Priority is to be given to studies of environmentally related health issues.

(d) <u>Implementation</u>:

- Establishment of a regional environmental health unit to research and develop environmental health programs, to concentrate on preventative health.

- Promote independent research and public information into air quality and health impacts of coal mining and use of diesel fuel in the Hunter Region.

8. Education

(a) <u>Definition</u>:

Relates to community understanding of environmental problems and attitudes, and provides skills necessary to adapt to, cope with and create new and innovative solutions and research.

(b) <u>Objectives</u>:

- To ensure that the public understands the environmental problems faced by the community and can respond in positive ways.

(c) <u>Policies</u>:

- More community-based education with curriculum determined by local community needs and skills.

- More concentration on processes and logic and on personal lifestyle development and practical skills.

(d) <u>Implementation</u>:

- Increased priority to be given to courses at all levels in environmental assessment and management.

- Development of local educational/research expertise in land rehabilitation and management.

- Sponsorship of scholarships/research on regional subjects of environmental priority.

- Introduction of a regional environmental education program and curriculum into all schools in the region, with a regional focus.

9. Environment Protection

(a) <u>Definition</u>:

Relates to the quality of the physical environment necessary for life, notably air quality, water quality, food quality, noise and the assessment of natural and environmental hazards.

(b) <u>Objectives</u>:

- To achieve air, soil and water free from any harmful contamination.

- To adequately assess environmental hazards before any development or activity is carried out.

- To regularly carry out environmental audits.

- To minimise noise levels as far as possible and to ensure that noise levels do not result in harmful effects.

- To set a timetable for the elimination of man-made toxic substances from the environment.

- To prevent an increase in the level of emissions of sulphur dioxide and nitrous oxides, and to reduce 1992 emissions levels by 20 per cent by the year 2000.

- To upgrade environmental monitoring and enforcement.

(c) <u>Policies</u>:

- No new development will be approved where there is any possibility of release of toxic or potentially hazardous substances, unless the proposal represents an improvement to an existing operation.

- New development must demonstrate a net beneficial environmental impact.

- Offenders against pollution, pesticides and hazardous chemicals legislation will be personally and criminally liable.

(d) Implementation:

- Establishment of an independent regional environmental monitoring/land information data bank.

- Survey and monitoring of all existing and former waste disposal sites and preparation of a strategy for ensuring adequate future control to prevent contamination.

- Regional state of the environment reports to be prepared annually.

ADMINISTRATIVE CHANGES

Significant administrative adjustment is required to implement the strategies. Aspects of this which require particular attention are -

1. Administrative change

2. Improvement of information available to the public

3. Public education and media

4. Budget and taxation priorities

5. Public participation and the political process

6. User pays principle

7. Personal Responsibility

1. Administrative Change

A regional Environmental Authority will be established with a specific charter to -

- Control and ultimately eliminate all forms of pollution.

- To ensure the implementation of sustainable land management practices.

- To undertake research and public education.

- To closely liaise with local government in relation to its role as a development approval authority under the Environmental Planning and Assessment Act 1979.

A regional Public Transport Authority will be established with a specific charter to -

- Increase the frequency and connectivity of train services within the region, to underpin a linked network of public transport.

- Actively reduce the use of private cars in urban areas of the region.

- Support the use of bicycles in connection with public transport (especially rail).

- Participate in land use planning and development decision-making to ensure that land use and transport planning are complementary and meet the needs of regional users.

- Monitor and report on regional transport provision and needs, and progress towards the objective of achieving a carbon neutral transport system.

2. Improvement of Information and Accountability

Present policies are based primarily on past practices, many of which are plainly inappropriate for the future and which are not based on substantial research, including many myths.

Environmental research which is appropriate to the region needs to be fostered through public and private institutions, especially in higher education and industry. It is proposed that a regional environmental research fund be established specifically to identify and rectify deficiencies in present knowledge.

There is a need for more accurate measurement of environmental conditions and changes and especially to assess the environmental costs of economic decisions.

3. Public Education and Media

Public education and creation of links between government organisations, community groups and the media needs to form an important part in any environmental strategy.

4. Budget Priorities

All organisations should be required, through their financial accounting procedures, to identify (though not necessarily to quantify) the environmental costs and benefits of their activities. This should form part of auditing requirements, with an ultimate aim

that any activities incurring environmental costs will suffer taxation penalties sufficient to meeting the social cost of rectifying the damage. Conversely, environmental benefits will be granted financial advantages.

5. Public Participation and the Political Process

The co-operation needed to implement beneficial environmental change implies an accountable and responsive government. This itself implies that many innovations are required to the political process to improve public participation in decision making.

6. User Pays Pricing of Resources

The principle of the "user pays" must be implemented more widely, especially in the pricing of electricity and fossil fuels. Concurrently with the introduction of user pays pricing, there needs to be a public information program to explain the desirability and environmental virtue of an equitably-applied user pays pricing system.

7. Personal Responsibility

The principle of personal responsibility and liability for environmental degradation needs to be incorporated into financial and legal arrangements. This will ensure that the costs of environmental impacts can be borne by those that generate them.

GOVERNMENT RESPONSIBILITIES AND PRIORITIES

The priorities for action are as follows:

1. Immediately stop further destruction (eg immediate clearing controls and energy taxes)

2. Change current economic practices to only allow environmentally sustainable economic growth

3. Rectify and restore existing environmental damage

Priority responsibilities for the various levels of government are as follows:

Federal

- Imposition of energy taxes

- Economic restructuring to encourage environmentally sustainable activities

- Constitutional amendments to legally recognise the idea of environmental rights

- Grants to encourage research, acquisition of land and appropriate management to protect biodiversity

State

- Measures to promote reafforestation of land with native species

- Requiring energy efficient, carbon neutral design for all new buildings

- Incorporation of the principles and policies outlined in this plan into a regional environmental plan made under the Environmental Planning and Assessment Act

- Ensuring more ecologically appropriate boundaries for existing national parks

- Establishment of a regional decision making framework to ensure full assessment of environmental impacts of development and change

- Promotion of measures to protect biodiversity

- Promotion of research, investment and job creation in renewable energy, and other technologies that can support a transition to new employment opportunities.

- Promotion

Establishment of a Hunter based Regional Independent Scientific Committee (RISC). This Committee would be an independent scientific and technical panel with administrative support. This would be funded by rates or levies on development (eg 1 cent per tonne of coal produced from the region = $800,000 per annum). The Committee should be linked to research centres such as the University of Newcastle.

The 2004 Forum reaffirmed the need for a regional environmental monitoring program independent of industry, and the lack of reliable information on environmental health. Better regional systems are necessary to be able to identify cumulative impacts. A number of funding options are available to pay for the cost of monitoring

Local

- Giving rate concessions for environmentally desirable land use such as retention of native vegetation

- Implementation of user pays principle for all activities with a significant environmental impact (eg garbage disposal, water, sewerage, roads)

- Requiring energy efficient design for all new buildings given approval

- Properly implementing and enforcing existing planning controls

REFERENCES

Hunter Environment Lobby (1995) Hunter Regional Environmental Action Plan 1995

Hunter Environment Lobby (2003) Maitland Statement and 10 Point Plan, Hunter Regional Forum 2003

Hunter Environment Lobby (2004) Hunter Regional Forum 2004, Outcome Statement

Hunter Environment Lobby (2010) Principles for Mining and Resource Extraction 2010

Lake St Clair Hunter Valley

Hunter Environment Lobby

Proposals for coal mining policies for NSW

SUMMARY

The rapid increase in the scale and extent of coal exploration and mining in NSW is of widespread community concern and is unsustainable. In response, the Hunter Environment Lobby proposes a policy framework to address these issues. Commonwealth, State and local government authorities are urged to review, adopt and implement the proposed policies.

The policy proposals are for coal mining and related activities, and have been prepared by the Hunter Environment Lobby Inc (HEL) following a community forum in Singleton in May 2011 and extensive consultation.

Reforming the way coal mining is initiated, approved and operated is essential if widespread community concerns are to be resolved. A central issue is the nature of governance of the industry and its failure to properly take into account community interests. This requires significant legislative and administrative reform.

Interested groups and individuals within the community are invited to review the policies and to contribute towards their implementation.

BACKGROUND

The Hunter Environment Lobby Inc (HEL) is a non profit community group established to promote environment protection in the Hunter Valley. The objects of HEL are:

1   To promote the protection of the environment of the Hunter Valley, and to be concerned with all matters affecting the natural ecosystems of the Valley;
2   To prevent further degradation of the natural ecosystems of the Valley and to promote the rehabilitation of degraded ecosystems;
3   To encourage ecologically sustainable development, employment, energy use and land management practices;
4   To ensure co-ordinated environmental planning and management of the Valley;
5   To co-operate and exchange information with other groups supporting the above objectives;
6   To achieve the above objectives by all appropriate means.

The group strongly encourages links to other groups with similar interests, and promotes regional networks and education.

Since its establishment in 1992, the group has actively engaged in promoting positive environmental solutions, conduced public forums, reviewed many mining environmental assessments, and made submissions to development proposals.

This policy framework outlines principles, themes and policies that are proposed for the governance of coal mining in NSW.

PRINCIPLES

Three key principles for improving certainty for mining and resource extraction proposals are as follows.

1 Undertake environmental investigations prior to exploration lease

Investigation of key natural resources should be undertaken and be publicly available prior to the issue of any exploration licence or lease. This would include studies of biodiversity, surface and groundwater resources and soil resources. The information would provide baseline information for resource management and identify important issues.

2 Regional land use strategy prior to mining approval

Regional land use strategies should be developed prior to planning approval being given for mines. These strategies must be consistent with local land use strategies where they exist. They would ensure consideration is given to cumulative environmental impacts, provision of infrastructure, and benchmarks for protection of regional natural resources including surface and groundwater, biodiversity and soils. (Terms of reference for regional land use assessments and strategies are outlined in Appendix 1)

3 Integration of land use planning and mining legislation

Current mining legislation conflicts with the objectives of land use planning and other environment legislation. The legislative framework should be integrated to ensure consistent planning, assessment, approval and monitoring processes across legislation. The framework would preferably be nationally consistent, and operated by state governments.

PROPOSED POLICIES

Proposed policies for coal mining in NSW are outlined in the table below. These have been prepared for discussion purposes. Suggestions for additions and amendments are welcome.

Implementation of these policies will need to be prioritised, with some taking precedence over others.

Policies are grouped according to the following themes:

1   Governance - relating to the legislative framework and decision-making arrangements

2   Corporate & financial issues - economic framework and company arrangements

3   Resource exploration - issues arising during exploration and resource evaluation

4   Mine approvals - strategic planning matters and determination of approvals

5   Mine operations - issues associated with mine activities following initial approval

6   Mine rehabilitation - land rehabilitation and mine closure following operations

Theme	Proposed policy
1 GOVERNANCE	
Legislative responsibilities	Undertake a review and update of mining legislation, introducing reforms taking into account the policies below and the *Mining Law in NSW Discussion Paper* (Environmental Defenders Office NSW, 2011).
Division of responsibilities between different levels of government	Clearly define the role for local government in approvals, compliance and monitoring. Some local involvement is essential in maintaining community confidence in enforcement of approvals.
	Establish a new separate statutory authority with responsibility for mine environmental assessment, development approvals, environmental data management, environmental reporting and compliance.
Commonwealth role in mining approvals	Maintain current roles under EPBC Act, but increase role to enable greenhouse gas emissions and consequences to be considered as a matter of national environmental significance.
Mining titles	Initiate an independent public inquiry into mining titles and their relationship with land title.
Community engagement	Approval processes to ensure direct stakeholder and community engagement at key decision making stages, including planning focus meetings, DGR's, review of draft consent conditions, and prior to issue of leases and licences.
2 CORPORATE & FINANCIAL ISSUES	
Influence of direct mining income to the State government on decision-making	NSW Government to provide annual public accounts of the coal mining royalty receipts for each mine, and statements of regional infrastructure expenditure by local government area.
Infrastructure contributions	Ensure that a minimum of 30% of State Government revenue derived from coal mining royalties is returned to the local and regional area as economic, social or natural infrastructure.
Financial arrangements & taxes	Review council rates for mining land and arrangements for funding local infrastructure.
Mine assessment and review trust	NSW Government to establish by legislation a mine assessment and review trust, fully funded by the coal mining industry, to provide financial grants to resource community groups to respond to mining proposals, environmental assessments, and compliance issues. Initially, it is proposed this would be levied at $250,000 for each exploration licence granted plus 5 cents per tonne of product coal produced.
Independent economic review	Undertake an independent economic review of the overall costs and benefits of coal mining to NSW, taking into account social issues.
	Undertake a mine by mine cost benefit and economic analysis of local community impacts of mining when leases are issued, renewed or extended.
Security deposits or bonds	Review and update arrangements for security deposits to recognise water and biodiversity risks and impacts and rehabilitation costs. Security deposit payments are to be made to an independent trust established by legislation.

Theme	Proposed policy
3 RESOURCE EXPLORATION	
Exploration rights and responsibilities	Prepare a charter to define exploration responsibilities to landholders and the environment.
Strategic environmental assessment	Public strategic environmental assessments should be mandatory before exploration licences are granted. These would include risk assessment and a review of cumulative impacts of key issues.
Mining exclusion zones	Exploration licences would not be granted in areas identified in a regional or local land use strategy as inappropriate for mining, and all ground-based exploration prohibited.
Coal seam methane exploration	A moratorium on further coal seam methane exploration and extraction, except in areas subject to existing approved coal mining.
4 MINE APPROVALS	
Strategic land use planning	Establish areas off limits to mining and coal seam methane extraction (mining exclusion zones or 'no go areas'). See Appendix 1 for terms of reference for regional assessments and strategies.
Tenure & leases	Initiate an inquiry into mining titles and their relationship with land title, and the links with approval obligations.
Environmental impact assessment	Environmental assessments should be structured around issues and indicators, linked to quantifiable impact predictions and environmental monitoring programs.
	Environmental assessments should be restructured to concentrated more on impact management, links to monitoring, and project outcomes. This will enable impact predictions to be compared with outcomes.
Approval processes	Reform Environmental Planning and Assessment Act 1979 to ensure mining approvals follow processes and requirements consistent with other major approvals, and comply with local and regional land use strategies.
	Reform the Environmental Planning and Assessment Act 1979 to differentiate approval processes between temporary and transition uses such as mining and permanent land uses.
	Only approve new coal mines and further coal exports where a justifiable need can be demonstrated, and where there is a program is in place for a transition to a renewable energy economy and sustainable long term future land use for the area. This policy would rule out speculative mining developments.
Water issues	All mining operations accessing water must obtain existing water licences.
	Mining exclusion zones should be established to prevent mine subsidence under prescribed streams, water bodies or wetlands. This would allow first workings only, and not long wall or multi seam extraction. This should be reflected in an adopted aquifer interference policy with legislative backing.

Theme	Proposed policy
Water issues (cont.)	Undertake a comprehensive regional study on the impacts of current mining operations on surface and groundwater systems in the Hunter Valley.
Air quality issues	Maintain and expand the existing DECCW regional air quality monitoring program in coal mining areas with data to be integrated in approvals processes.
	Introduce standards for PM 1 and PM 2.5 particulate emissions from coal mines and other coal-based emissions.
Biodiversity issues	Mining proposals and activities to be subject to the Native Vegetation Act 2005 or equivalent legislation.
Biodiversity offsets	Adopt a minimum biodiversity offset area ratio of 10:1 for native vegetation destroyed for coal mining purposes.
	Establish a Hunter Biodiversity Trust funded from a levy on coal mining approvals and/or operations directly resulting in loss of biodiversity. A minimum Trust contribution of $150,000 per hectare of land with biodiversity values to be lost or degraded is proposed, plus an annual production levy.
Greenhouse gas emissions	Include greenhouse gas emissions from coal mines as a matter of national environmental significance under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999, thereby requiring Commonwealth approvals
Consent conditions	Undertake an independent public inquiry into the wording, appropriateness and enforceability of mining approval conditions, including development approval, leases, mine plans and rehabilitation approvals.

Theme	Proposed policy
5 MINE OPERATIONS	
Number of amendments to mining approvals over time	Reform legislation to provide clearer links between environmental assessments, monitoring, and project outcomes to enable impact predictions to compared with outcomes and clearer determination of compliance.
Management & monitoring	Maintain and improve current management and monitoring practice. Reform legislative requirements as outlined above.
Community relationships	Review current community consultative committee terms of reference and structure. Ensure a legislative obligation to provide full information and environmental reporting data to committees, with information subject to the GIPA Act provisions.
Mine Subsidence	Compile mine subsidence data and monitoring results for all mines to provide a publicly available NSW land use subsidence database.

Expand current mine subsidence compensation system to include measures to quantify and compensate for loss of environmental values such as surface water, groundwater, biodiversity and ecological processes. |
| Air quality | Ensure all coal trains to the Port of Newcastle are covered to prevent dust emissions.

Use improved and uniform blasting product to eliminate toxic orange brown blast emissions. |
| **6 MINE REHABILITATION** | |
| Rehabilitation requirements | Establish an independent inquiry into rehabilitation of coal mines and derelict mine sites, and quantify the costs and liabilities associated with rehabilitation. The terms of reference of the inquiry would be to determine the administrative and funding arrangements required to ensure effective and ecologically sustainable land rehabilitation.

Coal mine rehabilitation must ensure that natural ecological processes and systems are retained, enhanced and improved.

Mine rehabilitation reports are to be compiled, reported on , and made publicly available annually by the relevant government agency.

Within each mining complex the annual rate and area of rehabilitation should be not less than the annual rate of disturbance.

Mine rehabilitation plans to be co-ordinated by a strategic landscape scale rehabilitation plan, linked with local and regional land use planning instruments. This could be an update of the 1999 Synoptic Plan for Integrated Landscapes for Coal Mine Rehabilitation in the Hunter Valley of NSW. |

Theme	Proposed policy
Rehabilitation compliance criteria	For each mining complex, rehabilitation criteria are to be determined relating to indicators such as soil stability, hydrology, ecological characteristics, presence of weed species, water quality, land contamination, post mining land use, etc.
Post mining land use	Ensure that measures are in place to ensure that no final voids remain at the completion of open cut coal mining. A new separate statutory authority be established (see above) with responsibility for mine environmental monitoring and reporting including retaining records of land mining history and post mining land use options.
Stakeholder and community involvement	Consultation with stakeholders and the community should form part of the preparation of mine operations plans including rehabilitation compliance criteria .
Information and reporting	Establishment of a public register of rehabilitation and mine operation plans, documenting progressive rehabilitation of mined areas and compliance with commitments.

APPENDIX 1 - Proposed terms of reference for strategic regional land use assessments and plans

TERMS OF REFERENCE

SCOPE

Appropriate area of coverage	Determine the appropriate planning area. This may be based on local government areas, communities of interest or biophysical regions as appropriate.
Key planning issues	Identify key issues to be addressed, especially protection of agricultural land, water resources, biodiversity, infrastructure, heritage and social issues. The relevant assessment scale for each issue needs to be identified. Planning and management components of issues need differentiation.
Strategic planning context	Recognise the planning context and integrate other strategic studies land use plans (eg Upper Hunter Cumulative Impact Study and Action Strategy 1997, Coal Mining Potential in the Upper Hunter Valley - Strategic Assessment 2005), local land use strategies, water management plans, NSW State Plan, etc.
Strategic environmental assessment	Undertake a strategic environmental review including cumulative impact assessment.
Framework for plan implementation	Identify the legal framework for land use plan implementation, including legislative and planning reforms required if appropriate. Provide consistent structure and contents for plan documentation (see below).

PROCESS

Stakeholder engagement	Identify all stakeholders and ensure adequate communication throughout the preparation of the assessments and plans.
Community engagement	Broad community involvement is important in addition to direct stakeholders. This must include local government with final plans linked to local community strategic plans.
Data compilation	Forms part of an analysis of the current situation relating to the history, environmental, economic and social characteristics of the planning area. Data is to be prepared in a form to facilitate ongoing updating.
Identify data gaps	Document data gaps and provide resources for additional studies as required. These may include groundwater or biodiversity studies.
Risk assessment	Undertake a risk assessment of land use issues and potential development activities.
Review present position	Compile a situation analysis report for public comment. The report is to document the decision-making context and to identify options that should be considered in the final land use plan.

PLAN STRUCTURE & CONTENTS (from Singleton & Upper Hunter LU Strategies)

Introduction	
Vision	
Structure of plan	
Planning context	Growth trends
	Planning framework
	Infrastructure and settlement structure
	Biodiversity and natural ecosystems
	Land and water
	Design issues
General aims and objectives	
Urban settlement	Projected population change and land demand
	Identification of areas for future urban expansion
	Infrastructure and service capacity
Village and rural residential development	Provision of adequate land for rural residential development in suitable locations
	Future use and development of villages and service provision
Rural areas	Protection of agricultural land and viability
	Climate change implications for land use
	Rural water quality and availability and protection of catchments
	Areas of coal mining potential and buffer land
	Rural servicing costs and requirements
Environmental values and constraints	Natural hazards
	Land capability
	Biodiversity and natural ecosystems
	Heritage issues, scenic and cultural landscapes
Planning administration and plan implementation	

SPECIFIC OUTCOMES

Identify key environmental and social values	Key values will include productive agricultural land, landscapes, biodiversity, water resources, human settlements, natural and economic infrastructure, etc.
Identify land use priorities	Priority land uses are to be identified and spatially defined.
Identify mining exclusion zones	Map boundaries of areas to be excluded from mining and exploration, such as high value agricultural land or landscapes and biodiversity areas and links.
Social, economic and environmental infrastructure requirements	Identify infrastructure provision such as roads or passenger rail services, etc
Framework for ongoing environmental condition and compliance monitoring	For example improvements to Upper Hunter Air Quality Monitoring Network.
A framework for continuing community engagement	Establishment of terms of reference and arrangements for community consultative committees.
Legally enforceable land use controls	Implement land use controls through local environmental plans or similar planning instruments.

**HUNTER ENVIRONMENT LOBBY INC.
HUNTER REGION FORUM 19th AUGUST 2005
HUNTER FUTURES**

WORKSHOP OUTCOMES AND RECOMMENDATIONS

Hunter Environment Lobby Forum on 19th August 2005 had the workshop theme of 'Building a shared vision and partnerships for justice and sustainability in the Hunter'

Following on from the keynote speakers whose topics included, 'a Just Transition for a Sustainable Hunter'; 'update on the Lower Hunter Regional strategy' and ' the Catchment Action Plan', the workshops provided a place for participants to share knowledge and make recommendations.

The Panel session enabled the presenters to share their issues, visions and proposed actions to implement those themes. The Panel participants represented all sides of the community, from unionists, environmentalists, students, farmers, health and welfare workers and promoters of clean energy.

OUTCOMES and CONCERNS

Group One

1/ **High wages in mining industry contributes to resistance to change.**

2/ **Political voice of small communities adversely affected by the coal/power industry (?political momentum -? any).**

3/ **Democratic rights, ways of unifying local communities.**

4/ **Promotion of green energy, political will on core issues.**

5/ **Conservative State and Federal Govts., e.g. EP&A Act Part 3A plus transport issues, need to claw back rights.**

6/ **River issues - interconnectiveness, working together.**

7/ **River lifeblood of the valley, best possible outcomes of conditions.**

8/ **Definitions of 'just and sustainable', disenfranchisement of ordinary people, level of environmental degradation.**

9/ **Impacts on communities, unequal access to information, wedging issues, e.g. water can be a uniting issue.**

10/ **River gives distinction of region and strong identity, standing up against global market forces and how to link these remote areas.**

11/   Wealth generated doesn't benefit all, poverty, distress and isolation; appears that privilege is increasing.

12/   Climate change – Hunter is an opportunity to turn around CO2 emissions.

Group Two

1/   Cumulative impacts of coal industry.

2/   Need for a transition plan 'past coal'

3/   Internalise the real cost of coal – externalities are not accounted for.

4/   Realistic public transport strategy to achieve a 20% modal share by 2020 (present 5%)

5/   Loss of biodiversity in Lower Hunter.

6/   Capacity of education system to support a 'Just Transition', esp. in coal mining areas.

7/   Engaging wider audience in the strategies for 'Just Transition' so that the broader community is a part of it.

8/   Constrain urban sprawl.

9/   Access to sources of sustainable resources, e.g. solar panels – need to establish a resource centre for alternative energies.

RECOMMENDATIONS

Groups One

Recommendations for Partnerships and policies

1/   Broad community campaign against expansion of coal exports and reduction in coal export. (Rising Tide)

2/   Establishment of an environmental legal aid centre available for community groups. (Uni of Newcastle – Linda)

3/   Local Government, energy conservation action formalise alliances and unified action.

4/ Policy around cars – five year plan of State Govt. and car industry – taxation on buying price of cars for e.g. hybrid cars and small engines advantaged and polluter pays – make green energy more accessible with R & D improvements.

5/ Marine reserves – impacts of high level of clearing in Hunter – greens networkers flag unsustainable developments.

6/ Regional planning does not fall over from political change.

7/ Getting message out so that mainstream media respects the integrity of activists.

8/ Gov't. database of cumulative impacts of homes and properties acquitted for open cut mining and more regulation of DEC staff.

9/ Support convening Hunter communities for clean energy future – partnerships with LG, farmers, environmentalists, unions, etc. – convene community organising schools in Hunter.

10/ (There is) no legislation recognising social justice, for e.g. in Ireland there is poverty proofing and consideration of social impacts of Gov't. decisions – ongoing dialogue between different groups.

11/ Confirm support for Hunter sustainability fund - local procurement of and retraining for mine-workers.

Group Two

1/ That HEL strongly consider endorsing the objective of public transport being 20% of modal transport by 2020.

2/ That HEL promote transferable development rights whereby biodiversity is protected under the Lower Hunter protected lands SEPP.

3/ Lobby for increased resources for education and research for a 'Just Transition'.

4/ That HEL adopt the principles of urban villages incorporating good sustainable design, energy efficiency, public and personal transport and social cohesion, etc.

5 That HEL recommends that Gov't. accounts for rising sea levels in its planning.

Hunter Environment Lobby

Sustainability evaluation checklist

For strategies, plans & major development proposals

This checklist can be used by community groups as a simple guide for evaluating regional or local plans and strategies. It can also be used in relation to major development proposals.

The purpose of the checklist is to help identify those aspects of a plan or proposal that do not promote sustainable outcomes for the region and the locality. These deficiencies can then be conveyed to relevant agencies and decision-makers in a positive way.

Evaluation is grouped under six separate themes:

- economic and urban structure
- biodiversity
- land and water

- environmental design
- social
- planning process.

Each theme presents a set of simple questions relating to specific issues. The adequacy with which each issue is addressed can then be explored and identified, and a simple numerical score applied. These scores can be added up, giving an overall sustainability rating:

100+ points	Nirvana
75 - 99 points	Far-sighted
50 - 74 points	On the road to sustainability
25 - 49 points	Back to the drawing board
0 - 24 points	Back to uni!

Assessment synopsis:

Description:	Review of draft Hunter Regional Plan and draft Plan for Growing Hunter City
Prepared by:	Hunter Environment Lobby (HEL)
Proponent:	NSW Department of Planning and Environment
Date:	February 2016
Evaluated by:	HEL

Evaluation theme:	Score	General comment
Economic & urban structure	2	The plans do not meet fundamental requirements of a regional plan to support a long term economically and environmentally sustainable settlement structure for the region. Key issue missing is regional transport planning.
Biodiversity	3	Biodiversity is recognised as a significant issue, but no planning measures or mechanisms have been included to resolve these issues, and to support protection of regional biodiversity.
Land & water	4	Little attention has been given to land development constraints and land and water issues.
Environmental design	1	Environmental design issues are secondary in importance in a broad regional plan, but should at least have been identified as a consideration for local plan making.
Social	7	Identifies most of the major social issues needing attention, but fails to take measures to support regional identity and governance.
Planning process	8	Normal plan making process has been followed, but there is a lack of data supporting the decisions, and consultation has been superficial.

TOTAL   27

Overall rating   Back to the drawing board

Does the plan promote a sustainable economic and urban structure for the region?

Issue	Has the issue been addressed? Comment on adequacy	Score 3 excellent 2 good 1 neutral 0 inadequate
1a. Does the plan promote a regional economic structure based on renewable resource use?	While the plan does recognise biophysical strategic agricultural lands (Action 2.1.2), it continues to focus on coal and gas extraction, and other extractive resources. The plan fails to support the social, economic and land use framework required for sustainable agriculture, with only limited actions such as mapping and identifying important agricultural lands (Action 2.1.3)	0
1b. Does the plan limit growth in the size of the region's 'urban footprint'?	The plan does not limit the region's urban footprint and proposes an expected population increase in 'Hunter City and its hinterland' by 320,000 to 750,000 people over the next 40 – 50 years. 60,000 new homes will be needed in 'Hunter City' by 2036.	0
1c. Will the layout and density of development support a sustainable transport system?	This is hard to comment on, as no information on transport is included in the plan. The current transport system is already highly car dependent and the fragmented structure of Hunter City is make it even more difficult to support a sustainable transport system.	0
1d. Are major travel generators (retail, commercial, tertiary education, health facilities, entertainment) and residential areas oriented to a regional public transport system (rail, tram or busway)?	Major travel generators are oriented to cars. The only major travel generators with good, accessible, and networked public transport are the University of Newcastle (train and bus) and the proposed new Maitland hospital (train). However, the 2014 closure of the Newcastle rail line has reduced accessibility, especially for the University of Newcastle.	0
1e. Have public transport corridors and interchange sites been identified and reserved?	No public transport corridors have been identified or reserved, although road corridors have been recognised (Action 2.3.1) The high speed rail proposal is identified as an economic opportunity rather than a transport proposal requiring land use decisions (Direction 2.3).	0
1f. Is provision made for sustainable freight transport within and through the region?	This is recognised in the plan as an important economic issue, but no specific actions are proposed (Action 2.3.2).	1
1g. Is provision made for necessary infrastructure to support town centres, local employment, social and recreational facilities?	No specific actions are proposed, only broad statements of support, and the need to work with local councils and communities.	1
Score: Economic & urban structure		**2**

Theme 2: **Does the plan protect the region's biodiversity and its ecological processes?**		
Issue	**Has the issue been addressed?** Comment on adequacy	**Score** 3 excellent 2 good 1 neutral 0 inadequate
2a. Does the plan protect existing habitat?	Plan includes broad statements of intent rather than any new protection. Does not really do anything, and fails to identify additional areas requiring protection such as national park extensions, the Lake Macquarie Coastal Wetlands Park proposal, or Crown lands with native vegetation. Main focus is on improving biodiversity information.	1
2b. Does the plan provide for restoration or reinstatement of degraded habitat?	No attention is given to the need for restoration of degraded habitat. Figure 12 suggests that mining and development will improve habitat connectivity.	1
2c. Does the plan support the protection of regional habitat corridors?	The plan recognises that regional habitat corridors require protection, but it is not clear how the actions in the plan will achieve this (Figure 12).	1
2d.		
2e.		
Score: Biodiversity		**3**

Theme 3: ***Does the plan protect the region's land and water resources from degradation?***		
Issue	**Has the issue been addressed?** Comment on adequacy	**Score** 3 excellent 2 good 1 neutral 0 inadequate
3a. Does the plan address hazards such as flooding, bush fire, coastal hazards, acid sulfate soils, salinity, etc.?	Superficial attention only given to this issue.	1
3b. Does the plan include measures to protect the region's streams, wetlands, waterways, groundwater, estuaries, marine environments and fisheries?	Superficial attention only given to this issue.	1
3c. Does the plan support the retention/ restoration of environmental flows in rivers and streams?	Not considered in the plan. Focus is only on coastal landscapes (Direction 3.2).	1
3d Does the plan promote development on (degraded) 'brownfield' sites rather than (undeveloped) 'greenfield' sites?	Plans are silent on this issue, but it appears that there is less focus on greenfield sites than in the Lower Hunter Regional Strategy 2006.	1
3e. Is provision made for 'integrated' water infrastructure systems that enable treatment and utilisation of stormwater and reclaimed water?	Not addressed in plan	0
Score: Land & water		**4**

Will development be designed according to sustainable design principles?

Issue	Has the issue been addressed? Comment on adequacy	Score 3 excellent 2 good 1 neutral 0 inadequate
4a. Does the plan promote good urban design?	The plan is silent on good urban design.	1
4b. Does the plan promote heritage conservation and protection of scenic landscapes?	There is no mention of heritage conservation or scenic landscapes.	0
4c. Does the plan promote energy efficiency?	The plan is silent on energy efficiency.	0
4d. Does the plan promote water efficiency?	The plan is silent on water efficiency.	0
4e. Does the plan promote waste minimisation?	The plan is silent on waste minimisation.	0
4f. Does the plan address urban noise impacts (main roads/ heavy vehicles/ rail/ airports)?	The plan makes no reference to urban noise impacts.	0
4g. Does the plan promote building durability and adaptability?	The plan makes no reference to building durability and adaptability.	0
Score: Environmental design		**1**

Theme 5:

Does the plan meet the community's social needs and expectations?

Issue	Has the issue been addressed? Comment on adequacy	Score 3 excellent 2 good 1 neutral 0 inadequate
5a. Does the plan provide for local participation, engagement and autonomy in decisions that affect the region?	Community engagement is part of the planning process, but it is hard to gauge how effective this is	1
5b. Does the plan promote local/ regional community identity?	Plan does not recognise the need for promote local/regional identity, and key planning decisions are not locally based, thereby making this more difficult.	1
5c. Does the plan promote equitable access to facilities and services within the region?	Plan does not recognise or promote equity as an objective.	1
5d. Does the plan respect cultural diversity?	Plan does not recognise or promote cultural diversity as an objective.	1
5e. Does the plan take into account indigenous interests?	Direction 4.4 is to strengthen the self-determination of Aboriginal communities	2
5f. Does the plan provide for affordable housing in accessible locations?	Action 4.2.3 addresses this issue but relies on local council housing strategies. Provides little guidance on what is needed.	1
Score: Social		**7**

Theme 6: *Is the plan the product of a sound planning process?*		
Issue	**Has the issue been addressed?** Comment on adequacy	**Score** 3 excellent 2 good 1 neutral 0 inadequate
6a. Does the plan express appropriate objectives?	Plan is based on a vision, directions and actions. Does not have specific objectives, and therefore lacks clear direction. Primarily	1
6b. Is the plan consistent with other plans for the region?	Recognises other regional planning documents, but does not identify existing local strategic plans.	2
6c. Has the plan considered options or alternatives?	No. The plan is primarily a statement of policy rather than reviewing options and a preferred land use pattern.	1
6d. Is the preferred option the best option?	Other options exist, and key land use issues have not been identified.	0
6e. Does the plan apply to the right area? (Should other areas also be included?)	Areas and boundaries identified are vague and the basis is unclear. This is unhelpful in supporting detailed planning.	1
6f. Does the plan consider the cumulative impacts of implementing the plan ('strategic assessment')?	Cumulative impacts of the proposals have not been considered or referred to.	0
6g. Does the plan include adequate mechanisms to achieve its objectives?	The plans are a set of policies to prepare plans, and to guide plan making by local councils. No new mechanisms to achieve the vision are included.	1
6h. Is there a process for reviewing implementation of the plan?	The need for co-ordination and monitoring is recognised in the plan, but the existing governance structure does not support this in practice.	2
Score: Planning process		**8**