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Draft South East and Tablelands Regional Plan

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Dear Mr Musgrave

RE: Draft South East and Tablelands Regional Plan

Thank you for providing the Office of Environment and Heritage (OEH) the opportunity to comment on the draft South East and Tablelands Regional Plan (draft RP). We have reviewed the draft RP as well as attending all of the Local Government workshops held with the Department of Planning and Environment during the exhibition.

We have provided detailed responses in Attachment 1 which includes details on the following matters:

- Amendments to High Environmental Value (HEV) and Corridors mapping
- Threatened species
- Aboriginal Cultural heritage
- Climate change and renewable energy
- More direction in resolving land use conflicts

Overall we support the intent and direction that the draft RP provides, and welcome any opportunity to work with the Department of Planning and Environment on the final draft.

<u>HEV and Corridors Mapping</u>

We strongly support the inclusion of the HEV and corridors mapping into the draft RP. The mapping provided has been done according to the best available information and using a method that has been endorsed by both OEH and Department of Planning and Environment (DPE) Executive. Further justification for the need to retain the HEV mapping in the final document can be found at Attachment 2.

While we note the desire to make the draft RP a concise document, we request that the corridors mapping be placed on a stand-alone map from the HEV map, as much of the detail gets lost at the region-wide scale when they are both included.

Since the provision of HEV mapping for the draft RP, new ground truthing and mapping has been done. We are using this new information to update the mapping. The ACT Government has

also made a submission, requesting that their HEV mapping be included for the ACT to provide consistency and assist strategic planning to achieve meaningful conservation outcomes.

Should you wish to discuss the contents of this letter further please contact Miles Boak on (02) 6229 7095 or by email at miles.boak@environment.nsw.gov.au.

Yours sincerely

29/09/16

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Attachment 1 – Detailed response to draft South-east and Tablelands Regional plan

Goal	Direction Action	Current draft text	OEH recommended text/comments
Introduction			Key principles are supported, particularly in relation to renewable energy and recognising the implications of a changing climate support inclusion of renewable energy as a priority growth sector (in the Vision)
1		(p17) To manage this growth sustainably, efficient transport connections need to be available to link homes to jobs and services'	Support
	D 1.1	(p18) The availability of water will continue to be a key driver and limiting factor on the amount and location of any additional urban development in the Greater Capital.	Add the following paragraph: *In the ACT and Greater Capital maximum temperatures are projected to increase with climate change and projected rainfall changes have the potential for negative impacts like increasing floods, droughts and bushfires, as well as erosion due to changes in rainfall intensity. Infrastructure built today will need to consider the climate projections for the near (2030) future and in some cases the far (2070) future.*
	A 1.1.4	(p20) A long term approach is needed to identify future growth options for the region…….and a better approach to biodiversity and rural land uses.	Add the following paragraph: *Existing and new infrastructure will need to be designed for capacity to operate under future climate variability.'*
2		(p23) after paragraph 4 '…..and the protected waters of the south coast.	Add the following paragraph: *The region's natural environment presents a number of challenges for hazard management and planning. Major existing hazards such as floods, storms, bushfires and droughts are expected to increase in frequency and intensity with climate change.*
	A 2.1.1	(p24)	Strongly support the wording and intent of this Action.

	A 2.1.2	(p25) …identifying environmental corridors that expand on and link different habitats is a critical step towards securing ecological connections and their long term viability, particularly in the context of long term climate change.' …provide regional biodiversity corridor mapping and methodology to planning authorities as appropriate, including the likely future impacts of climate change on biodiversity, threatened species, endangered ecological communities and key threatening processes.'	Add the following paragraph:*, particularly in the context of long term climate change.'* Add the following paragraph: , *including the likely future impacts of climate change on biodiversity, threatened species, endangered ecological communities and key threatening processes.*

	A 2.1.3	(p25) Prepare a comprehensive Koala plan of management for the Cooma- Monaro Local Government Area.	Need to include the following to address the significant Koala population in Wingecarribee: *Prepare a comprehensive koala plan of management for the Snowy Monaro Regional Council and Wingecarribee Shire Council Local Government Area* *A koala research project in the Wingecarribee Shire Council Local Government Area has identified significant koala populations in a number of areas within the Southern Highlands. Council has deferred resolution of strategic land use rezonings throughout the shire until 2017 while a new vegetation map, koala habitat and corridor map and high environmental value map are produced to inform land use planning.* *In 2015 the Southern Highlands Koala Conservation Project commenced as a collaboration between Wingecarribee Shire Council, NSW Government and the University of Sydney. The project has involved extensive koala surveys and capture and tracking of wild koalas on both public and private land.* *The project has found low to medium density koala populations throughout the shire. Wingecarribee Shire Council intends to incorporate the outcomes from the project to guide future land use planning as well as develop a comprehensive koala plan of management under State Environmental Planning Policy No. 44 – Koala Habitat Protection.* *The NSW Government will: Support Wingecarribee Shire Council to develop and implement a Koala Plan of Management.*
	Figure 4 Environmental values	(p26) The ACT is currently shown as a solid grey colour which does not provide any context of the biodiversity values which are important as both habitat and corridors within the region.	OEH will provide updated HEV and Corridors mapping to reflect more recent mapping. The ACT Government will provide HEV and Corridors mapping to be included into Figure 4.

2 cont.	D 2.2	(p28) The environmental, social and economic values…	Add: *, sea level rise and storm surge* to read - of these coastal environs can be affected by over-extraction of water, contamination, sea level rise and storm surge, and conflicting land uses such as urban expansion.
	A 2.2.1	(p30) The NSW Government will: Work with Eurobodalla and Bega Valley Shire Councils to develop urban growth area maps to guide sustainable growth on the Far South Coast.	With the reduction in the rural minimum lot size in Yass and the identification of areas within a one hour commute to Canberra being identified for growth it would be good to extend this mapping across all of South East and Tablelands.
	A 2.2.3	(p30) 'identify areas affected by coastal hazards, both now and into the future' 'tools… to support coastal communities to increase their resilience to existing and emerging coastal hazards and threats' 'new urban releases away from high flood hazard areas, high coastal erosion/inundation risk hazard areas and designated waterways consistent with the plans; and complete the coastal reform program, to address community concerns related to coastal hazard management.'	Support Support Strongly Support
	D 2.3	(p33) 'build the region's resilience to natural hazards and climate change.'	Support
	A 2.3.1	(p33) Risk management of flooding and other hazards	Support
	A 2.3.2	(p33) Build on regional understanding of projected climate impacts	Support
	D 2.4	(p34) 'uncertainties of drought and climate change' in relation to long term planning for water supply	Support
		(p34) identification of Yass Valley and Upper Lachlan LGAs as having water security issues intensified by a changing climate.	Support

	A 2.4.2	(p35) reference to 'legislative, climate variability and other requirements' with regard to preparing integrated water cycle management strategies.	Support
	A 2.5.1	Conserve heritage sites when preparing local planning controls.	Support
3	D 3.1	(p41) …For the rest of the year, the tourism industry promotes more diverse recreational activities.	Add the following sentence: *Managing climate impacts will be particularly important.*
	D 3.2	(p43) Biosecurity risks should be considered in planning for this region, for example, the expansion of residential development into rural areas increases the risk of animal and plant pests and diseases affecting food production, the environment (particularly wildlife) and human health.	Add the following paragraph: *Managing the risks and opportunities of a changing climate for the primary industries will also be important with regards to changes in productivity and emerging market opportunities.*
	A 3.2.1	(p43) The NSW Government will.	add dot point: *Add climate hazard and exposure mapping to current strategic land mapping*
	Figure 5		Should include the high voltage powerlines The wind power generation sites need to be updated to reflect the latest applications. OEH can provide this information.
	A 3.2.2	(p46) reference to 'climate variability' in relation to increasing biosecurity risk.	Support
	D 3.3	(p46)	Need to provide some direction about how land use conflict will be resolved between minerals and energy and high environmental value or future urban activities. Ideally this plan would make a decision about which land use takes precedence. Add the following after the first paragraph: *The South East and Central Tablelands has the best wind resource in the state. The South East has a well-developed transmission grid to get the energy to Sydney, Victoria and the Riverina, which makes it ideal for large scale renewable energy development.*

3 cont	A 3.3.1	(p48) reference to 'implement the NSW Renewable Energy Action Plan'.	Support Add the following text between first and second paragraph: *OEH recently published a survey titled Community Attitudes to Renewable Energy in NSW (OEH 2015). It found that for South East region, 90% of participants supported using renewables to generate electricity in NSW and 82% believed NSW should increase the use of renewables over the next five years.*
	A 3.3.2	(p49) particularly NSW Government will develop 'analytical tools to map large-scale renewable energy potential'. 'work with councils and industry to identify and support opportunities for smaller-scale renewable energy projects such as those using bioenergy, supporting greater energy security within the region.' 'identify new opportunities for renewable energy industries.'	Support
	A 3.3.4	(p56) the identification of 'potential local and cumulative environmental or social impacts and benefits of the proposed activity' in relation to lead-in stage of mineral and energy projects.	Support
4		(p61) The built environment of neighbourhoods will be integrated with the landscape, open space, public transport, walkways and cycleways to encourage healthy living and community interaction.	Add to the end of sentence: *, and to manage the impacts of a changing climate.*

4 cont	A 4.1.1	(p63) 'Councils should plan for… The NSW Government will:	Include the following to read: the mix of housing that suits the projected growth, changing demographics (such as an ageing population), ***changing climate***, and market demand in their area….Other council activities such as streamlining assessment processes, or planning for local infrastructure and town centre revitalisation ***(including managing urban heat islands)*** will also promote development opportunities. After the last paragraph add: *In the future demand for a variety of aged care housing will increase, so steps need to be taken to provide greater housing choice for people as they age and to allow for aging-in-place. The particular vulnerability of the aged to increasing temperatures needs to be planned for. Any new facilities should be appropriately located, in close proximity to existing services and facilities, and located on land minimized for the impacts of hazards including floods, heatwaves and bushfires.* Add dot point: *Promote climate adapted housing and energy efficiency.*
	A 4.1.2	(p64) Protect agricultural and environmental land by avoiding the impacts of rural residential development.	Strongly support
	D 4.2	(p64) Demand for the region's health facilities is expected to increase due to…	Include the following to read: the aging population, ***changing climate,*** overall population growth and the substantial seasonal influx of tourists.'
	A 4.2.2	(p65)The NSW Government will: undertake school asset planning to better understand where and when additional schools may be required.	Second dot point should be added: *Apply an appropriate zoning (SP2 – Education) in local plans to ensure that the land remains available when needed.*
	A 4.3.1	(p67)	Add dot point: *Manage urban heat island effects*

4 cont	D 4.4	(p67) …neighbourhood planning principles	Add dot points: *Climate appropriate and low cost energy efficient housing* *Neighbourhood design to minimise exposure to climatic hazards like floods, heatwaves and fires*.
	D 4.5	(p68)	Add after 1st paragraph: *In the South East the number of hot days is projected to increase with climate change and projected rainfall changes have the potential for negative impacts like increasing floods, droughts and bushfires, as well as erosion due to changes in rainfall intensity. Infrastructure built today will need to consider the climate projections for the near (2030) future and in some cases the far (2070) future.*
	A 4.5.1	(p68) sustainable model for community transport	Support
	A 4.5.3	(p69) improved transport connectivity for urban centres and towns	Support

Attachment 2 - Regional Plans and High Environmental Value (HEV)

Why include HEV in Regional Plans?	
Independent Panel Recommendation 15 EP&A Act s75AC(2)(a)	The Independent Biodiversity Legislation Review Panel (Final Report, December 2014) recommends that biodiversity objectives and priorities, including state-wide initiatives, are incorporated in Regional Growth Plans and Subregional Delivery Plans, instead of in separate Regional Conservation Plans (report Recommendation 15). This recommendation has been accepted by Government. The *Environmental Planning and Assessment Act 1979* (75AC(2)(a)) requires that the regional plans include or identify the basis for strategic planning in the district, having regard to economic, social and environmental matters. To assist in delivering the above requirements, OEH has developed: • Consistent state-wide criteria to define environmental matters of state significance to be considered up-front in strategic planning (High Environmental Value (HEV)). • An integrated layer of the best available spatial data to map areas of HEV. OEH recommends that regional plans include: • An explanation of the HEV criteria • Directions and actions to identify and protect HEV • A regional scale map of HEV using best available data.
Strategic planning	The HEV criteria provide a consistent state-wide approach to recognising environmental values that are linked to existing legislation, policy and intergovernmental agreements so they can be considered early and impacts are avoided in the strategic planning process. This will help achieve better strategic outcomes and provide greater certainty and reduce delays at the development application stage. It is essential that regional plans incorporate appropriate directions and actions to identify and protect HEV and ensure the up-front consideration of HEV in strategic planning.
Regional plan consistency	The HEV criteria, mapping and associated actions provide a consistent framework for addressing environmental objectives and priorities in regional plans.
HEV criteria and mapping – things to know	
Accepted methodology	The HEV criteria reflect existing provisions under legislation, policy or intergovernmental agreement. The HEV criteria are consistent with the approach used in BioMetric-based regulatory decisions (i.e. the terrestrial biodiversity Native Vegetation Assessment Tool (NVAT) for the NSW Property Vegetation Planning System under the *Native Vegetation Act 2003*) and other accepted biodiversity assessment methodologies including

	the Framework for Biodiversity Assessment under the NSW Offsets Policy for Major Projects, the BioBanking Assessment Methodology and the Biodiversity Certification Assessment Methodology. For further information on how each of the HEV criteria relate to existing provisions and assessment methodologies, see *Developing maps of high environmental value for strategic planning – mapping and governance guide*.
Best available spatial data	OEH has compiled an integrated layer of the best available spatial data to support planning authorities to identify HEV. Although some spatial data in some areas is highly accurate, there is significant variability in environmental data across the state. As with all map products, the HEV data is an essential desktop assessment tool to inform decisions about future land use from a landscape/regional scale. The HEV mapping should be used in a similar way to other mapping resources (such as bushfire hazard, flooding, salinity) to help inform the strategic planning process. The purpose of these resources is to 'flag' areas that may contain values or hazards for which early consideration is essential to inform decision making and provide greater certainty for the community and planning authorities.
What to include in regional plans	
HEV Explanatory Note	The Office of Environment and Heritage has developed criteria to define high environmental value to provide a consistent framework to identify environmental matters of state significance. The criteria reflect existing provisions under legislation, policy or intergovernmental agreement. The criteria are: - existing conservation areas, including national parks and reserves, marine parks, declared wilderness areas, Crown reserves dedicated for environmental protection and conservation, and flora reserves; - native vegetation of high conservation value, including vegetation types that have been over-cleared or occur within over-cleared landscapes, old growth forests and rainforests; - threatened ecological communities and key habitats; - important wetlands, coastal lakes and estuaries; and - sites of geological significance. The Office of Environment and Heritage has compiled an integrated layer of the best available data to support planning authorities to identify areas of high environmental value. The regional scale map at Figure x provides guidance on where high environmental values occurs in the landscape. Councils should contact OEH for further information and to obtain the most recent spatial data for their area.

Directions and actions to identify and protect HEV	Directions and actions in regional plans should address the need to: • Support planning authorities to undertake strategic, landscape-scale assessments of biodiversity. • Identify and map areas of environmental significance, with reference to the HEV criteria and particularly in areas proposed for land use change or intensification. • Implement the 'avoid, minimise, offset' hierarchy by striving to avoid and minimise impacts from zoning intensification and development on areas identified as HEV, and ensure appropriate offsets or other mitigation mechanisms for unavoidable impacts. • Ensure planning proposals consider impacts on biodiversity by using an appropriate assessment methodology to achieve strategic conservation outcomes and not defer impact assessment to the development application stage. • Ensure that existing protections for environmental values in areas identified as HEV be at least maintained and, where possible, enhanced. • Identify and include offset strategies for future development and growth areas. *Note:* Directions, policies and actions have been structured and expressed differently in draft regional plans. The above principles will need to be adapted to the final structure of plans and responsibilities allocated.
HEV map	Regional plans should include a regional scale map of HEV as a visual representation to reinforce the need to consider HEV up-front in strategic planning and target development and growth to areas that avoid impacts on HEV. Local planning authorities should be encouraged to obtain the most recent spatial data from OEH.
Further information	For further information on HEV and regional plans, please contact the relevant OEH regional office.