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HORNSBY CONSERVATION SOCIETY INC.

Department of Planning
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Planning legislation updates 2017
NSW Department of Planning and Environment
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Submission on the Environmental Planning and Assessment Amendment Bill 2017

Dear Sir/Madam.

Hornsby Conservation Society supports ecological sustainable development (ESD) being retained in the objects of the EPA Act, but we are concerned that by amending the object's wording, it could undermine the important established principles of ESD, including the precautionary principle, conservation of biodiversity, the polluter pays principle and intergenerational equity.

The expansion of exempt and complying development means that a greater range of development can now be carried out without community consultation. Exempt and complying development should be limited to genuinely low impact development.

The legislation on Local Strategic Planning Statements needs to include clear provisions on how the community is to be engaged in developing these statements.

Hornsby Conservation Society is concerned that Local Planning Panels will make decisions instead of councils, contradicting the Coalition's promise to return *planning powers to local communities, by mandatorily removing powers from publicly elected officials*. This could result in the State Government overriding local councils and local communities.

Standardised Development Control Plans (DCPs) could provide consistency, but flexibility needs to be incorporated and the standard DCP must be developed in *consultation with local communities*.

Hornsby Conservation Society opposes the new 'step-in' powers for the Secretary for Integrated Development as there is a real risk that the environmental impacts of development won't receive the same scrutiny as intended by the existing prescribed assessment criteria.

Environmental approval requirements should be restored for State significant development.

Hornsby Conservation Society is concerned that public hearings of the Independent Planning Commission will override judicial merits review. Public hearings are not as rigorous or equitable as court hearings. Third party merit appeal rights must be fully restored.

Additional internal review rights for proponents will introduce imbalance in the planning system as there are no equivalent rights for the community and will result in a lack of transparency and accountability.

It is unclear how the new powers to alter conditions of consent to allow 'transferrable' conditions will work in practice. These conditions should not be altered to *reduce the scope of monitoring or environmental auditing.*

The EPA Amendment Bill 2017 fails to deliver positive outcomes for the environment and communities. The rules on biodiversity offsetting need to be strengthened, areas of high conservation value need absolute protection and strategic planning and development assessment processes need to better consider and respond to the impacts of climate change.

Hornsby Conservation Society supports ecological sustainable development, like for like biodiversity offsetting, transparency and accountability in planning regulations, better protection for areas of high conservation value and endangered communities and species. *Positive outcomes for the environment need to be included in the EPA Amendment Bill 2017.*

Yours faithfully,

A handwritten signature in cursive script that reads "Richard Mason".

Dr Richard Mason

President