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SUBMISSION TO NSW EPA CLIMATE POLICY AND ACTION PLAN

Total Environment Centre welcomes the significant development represented by this Draft Policy and Action Plan and the recognition that the government has a statutory duty to address climate change through its EPA management powers.

The core of the Draft Policy is the proposed **three key pillar** framework:

1. ***Inform and plan****: continually improving as we listen, provide support and report*
2. ***Mitigate****: reducing greenhouse gas emissions*
3. ***Adapt****: adapting and building resilience to a changing climate*

It will be crucial that all three are pursued vigorously and in particular, that in view of the climate emergency, with the world 'hurtling towards Paris target overshoot' (UN Emissions Gap Reports 2022: The Closing Window) – the mitigation actions chosen will bring about effective and sustained improvements. Soft policy such as inform should not be the bulk of activity in this critical decade.

The Draft Action Plan:
• sets the context of how the EPA's Climate Change Policy will be delivered;
• explains how to read the actions – in terms of co-benefits, regulatory approach, timing and measuring success;
• identifies continuing and new actions for the three key pillars; and,
• notes potential for stronger regulatory responses in the future.

<u>Specific Comments</u>

1. While **partnerships** are regarded as important, the list is narrow and we recommend the whole of government be targeted.

2. There is a lack of clarity about the power and impact of the EPA to ensure significant forward progress. For example, the Planning Department plays a major role in the carbon footprint of urban areas, in particular new developments. However, the Place and Design SEPP which contained key provisions to make urban areas more climate friendly and resilient was dumped. How will the EPA remedy this?

   Similarly the lack of mandatory climate change considerations into major project assessments is an impediment.

3. Decisions on new and existing urban form, current polluting industries and major new fossil fuel projects that are made in the next three years as the EPA 'listens, consults and gathers data' will have lasting impacts and should be targeted now with regulatory action by the EPA and relevant departments (eg DPE, GCC and 'net zero cities'). In some cases enough could well be known already and delay should not be necessary.

4. This work will require the EPA to be clear and rapid in its response. While we generally support the Draft Action Plan's '**inform and plan**' 3 continuing actions and 10 new actions as a necessary process – it should be accelerated and based on scientifically informed targets upfront. It should not drag resources away from the urgent task of mitigation.

5. As noted above TEC recommends the greatest focus on **Mitigation**. The new and continuing actions in the Plan need to be massively invested in as they will lead to systemic change, quickest. In this regard the EPA's culture will require refreshing and be less pragmatic (ie, responding to industry too much) and deliver more environment protection. A central role should be played by **Protection of Environment Policies**. Targets that are enforceable will play an important role.

6. Two particular areas which should receive attention are: land clearing and offsets. The EPA should use every power it has to reduce land clearing and instil avoidance of offsets (such as replanting in preference to retention of mature vegetation). We also urge caution about waste to energy, as recycling in a circular economy is far better than the linear conversion to a one time energy output. We note that WtE requires long term contracts that can cannabalise recyclables.

7. Clearly **Adaptation** is necessary as we are already observing the human and natural world impacts of climate change, whether from flooding or urban heat. This is a particular area where other agencies such as health and planning can play an important role by advocating and funding, to improve existing activity and structures.

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Director
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