

# NSW PLANNING SYSTEM REVIEW

# WHITE PAPER

## SUBMISSION GUIDE

### NSW Planning Reforms: White Paper and draft Planning Bill released

The NSW Government has recently released its White Paper and draft Planning Bill outlining a new planning system in NSW.

The White Paper, draft Planning Bill and other important information, is available on the Department of Planning and Infrastructure's website:

[www.planning.nsw.gov.au/a-new-planning-system-for-nsw](http://www.planning.nsw.gov.au/a-new-planning-system-for-nsw)

### To comment on the proposals set out in the White Paper and draft Planning Bill:

- Upload your submission or use the online feedback tool on the Have Your Say website:  
[www.engage.haveyoursay.nsw.gov.au/newplanningsystem](http://www.engage.haveyoursay.nsw.gov.au/newplanningsystem)
- Post your submission to New Planning System, Department of Planning and Infrastructure, GPO Box 39, Sydney NSW 2001

**The closing date for submissions is 28 June 2013.**

**This guide is intended to assist our members and supporters to make a submission on the proposals outlined in the White paper.**

The guide includes the following information:

Page 2	Letter template
Pages 3-4	Outline of key issues for the environment and communities
Pages 5-12	Additional information and talking points

- You may use the dot points included to help you write your own submission.
- It is often better to personalise your submission – you are encouraged to use your own words as much as possible and include your own local experiences and own concerns.
- Short submissions are acceptable – a one page letter with key dot points is enough to get your message across.

For further information, visit our website ([www.nccnsw.org.au/campaigns/planning](http://www.nccnsw.org.au/campaigns/planning)) or contact the Nature Conservation Council of New South Wales on [policy@ncc.org.au](mailto:policy@ncc.org.au) or (02) 9516 1488.

# LETTER TEMPLATE

**1. Place your personal details at the top of your letter and include the date**

*(Please note in your submission if you wish to have your personal details withheld)*

Your Name  
Your Street Address  
Your Suburb and Postcode

Date

**2. Address your submission to:**

New Planning System  
Department of Planning and Infrastructure  
GPO Box 39, Sydney 2001

Dear Sir/Madam,

**3. Include an introductory paragraph**

*Example*

I am a resident of .... / I am a member of ... / I have experience in ... /  
I welcome the opportunity to comment on the White Paper and draft Planning Bill.

**4. Provide a clear statement outlining your position**

*This is important because the Department is likely to analyse the submissions received in response to the White Paper and if you want your submission to count as an objection you should make this clear. For example:*

I do not support (many of/a number of) the key proposals set out in the White Paper and draft Planning Bill. In particular:

**5. Outline your comments on the White Paper and draft Planning Bill**

- *Refer to the outline of key Issues talking points in this submission guide*
- *Where possible, highlight local examples to support the general principles in your submission*

**6. Sign your name at the bottom of the letter**

Yours sincerely,

Your Signature  
Your Name

**7. Lodge or post your submission**

- Lodge online at [www.engage.haveyoursay.nsw.gov.au/newplanningsystem](http://www.engage.haveyoursay.nsw.gov.au/newplanningsystem)
- Post to the New Planning System Team, Department of Planning and Infrastructure, GPO Box 39, Sydney 2001.

## OUTLINE OF KEY ISSUES FOR THE ENVIRONMENT AND COMMUNITIES

I do not support the Government's White Paper and draft Planning Bill. In particular, I have significant concerns with the proposals outlined in the White Paper and urge the Government to address these concerns before the Planning Bill is introduced into Parliament:

### Ecologically Sustainable Development

1. **I do not support the removal of Ecologically Sustainable Development (ESD)** from the NSW Planning System. Decision makers must be required to exercise their functions under the planning system in accordance with the established principles of ESD.

### Community Participation

2. **The Community Participation Charter must be supported by precise and enforceable legislative provisions for community participation in the draft Planning Bill.** The provisions must establish community participation requirements at each stage of the planning process, including the development assessment stage.

### Strategic Planning

3. **The strategic planning principles in the draft Planning Bill should establish clear outcomes-based objectives for achieving environmental and social outcomes.** It is not enough to simply have regard to environmental and social considerations; the planning system must establish outcomes-based environmental and social objectives (for example, maintain and improve water quality and catchment health to identify and protect environmentally sensitive areas) in order to effectively protect the environment and people's way of life.
4. **Existing environmental protections must be carried over into the new system.** Environmental protections in existing planning instruments and policies are based on decades of research and experience, and these important protections must not be weakened or lost in the transfer to the new system.
5. **The Government must confirm its support for evidence based strategic planning** by ensuring that there is a consistent and reliable base data set across NSW, and making this available to all users of the NSW Planning System.
6. **I do not support proposals to reduce the number of environment zones under the new planning system.** Environment protection zones, as part of existing Local Environment Plans, have provided fundamental protection for our natural areas in NSW for nearly 30 years, and their continued use is necessary for the conservation and management of environmental values.
7. **I do not support the proposal to introduce strategic compatibility certificates.** It is not appropriate to allow developers to override existing planning controls while strategic plans and local plans are being developed under the new system.

8. **I do not support the proposed composition of subregional planning boards.** The proposal to include up to four representatives and an independent chair appointed by the Minister does not return planning powers to the community. Further, the provisions of the draft Planning Administration Bill must ensure that persons with appropriate expertise in ecology, conservation and natural resource management are on each board.

#### **Development Assessment**

9. **I do not support the proposal that 80% of all development in NSW will be determined as complying or code assessment development,** with limited environmental assessment and no community consultation. Complying and code assessment should only be available for those types of development that are genuinely low impact.
10. **The new planning system must prescribe clear and objective criteria for decision making, including clear criteria for merit assessment.** Continued use of broad discretionary powers will continue to breed community distrust in the NSW planning system.
11. **I am encouraged by efforts to improve the quality of environmental impact statements,** including proposals to strengthen the offence relating to false and misleading information. The Government should commit to introducing a scheme for accreditation and independent appointment of environmental consultants.

#### **Transparency and Accountability**

12. **I do not support the provision that seeks to prevent third party environmental appeals or judicial review proceedings.** This severely limits the circumstances in which community members can initiate merit review proceedings or use the open standing provision to remedy breaches of the Act. It is also contrary to Governments statements about improving accountability and transparency in the NSW planning system.

## ADDITIONAL INFORMATION AND TALKING POINTS

### 1. ECOLOGICALLY SUSTAINABLE DEVELOPMENT

Current position: Section 5(a)(vii) of the *Environmental Planning and Assessment Act 1979* (EPA Act) provides that an object of the Act is to encourage ecologically sustainable development (ESD). ESD is defined in the EPA Act by reference to s6(2) of the *Protection of the Environment Administration Act 1991*, and refers specifically to key principles of ESD including the precautionary principle, intergenerational equity, conservation of biological diversity and the polluter pays principle.

Proposed change: The White Paper and draft Planning Bill remove all references to ESD. Instead the new Planning Bill includes an objective to promote economic growth and environmental and social well-being through sustainable development (draft Bill Part 1, 1.3). The Planning Bill states that sustainable development is achieved by the integration of economic, environmental, and social considerations, having regard to present and future needs, indecision-making about planning and development. There is real concern that decision makers will not be required to exercise their functions under the new planning system in accordance with the established principles of ESD.

Suggested talking points:

- I do not support the removal of Ecologically Sustainable Development (ESD) from the NSW Planning System.
- Decision makers must be required to exercise their functions under the planning system in accordance with the principles of ESD, including the precautionary principle.
- The Planning Bill must define Sustainable Development with reference to the principles of ESD. I would support the continued use of the definition in the *Protection of the Environment Administration Act 1991*.
- The new planning system should make the achievement of ecologically sustainable development the overarching object of the new planning system. In this regard I note the recommendation of the Independent Commission Against Corruption that the new planning system should provide guidance on the priority to be given to competing objectives (see *Anti-Corruption Safeguards and the NSW Planning System*, Independent Commission Against Corruption, February 2012)

### 2. COMMUNITY PARTICIPATION CHARTER

Current position: The EPA Act and regulations set out key requirements for public participation in plan making and development assessment, including provisions relating to notification and exhibition of draft plans and development proposals.

Proposed changes: The new planning system proposes to shift the emphasis of community participation to the strategic planning phase and reduce community participation at the development assessment stage by having 80% of all development approved as code or complying development with no community consultation. The draft Planning Bill introduces a community participation charter that sets out seven principles that must underpin community engagement and requires planning authorities to prepare community participation plans in accordance with those principles. While Part 1 of Schedule 2 contains ancillary provisions relating to minimum exhibition periods and notification, the provisions for strategic planning or development assessment in the Bill could be strengthened to include clear legal requirements, for example to respond to submissions and provide reasons for decisions

Suggested talking points:

- The Community Participation Charter must be supported by precise and enforceable legislative provisions for public participation in the draft Planning Bill.
- The provisions must provide for community comment and participation at each stage of the planning process and establish requirements in relation to consultation, notification, provision of information, consideration submissions, providing reasons for decisions and appeal rights.
- Complying and code assessment should only be available for those types of development that are genuinely low impact. The examples given in the White Paper, including industrial buildings up to 20,000m<sup>2</sup>, alterations and additions to commercial buildings, and proposals for up to 20 townhouse dwellings, cannot be said to be genuinely low impact development. It is not appropriate to let these types of development proceed without any opportunity for community input into the development proposals.
- The draft Planning Bill provides the Minister with substantial powers to make or amend strategic plans or make, amend or replace any planning control provisions of a local plan without community consultation. I do not support unrestrained planning powers that would allow the Minister to override local planning initiatives developed in consultation with the community.
- I am particularly concerned that these broad powers could be used by the Minister to make or amend planning codes, with no input from the community, effectively removing any level of community input for up to 80% of development in NSW.
- The first of the regional growth plans (the draft Metropolitan Strategy) has been prepared and is on exhibition before the new system is even in place. It has not had the “significant community participation” the White Paper declares Regional Growth Plans will have.

### **3. STRATEGIC PLANNING PRINCIPLES**

Outline of White Paper proposal: The White Paper proposes a major shift towards evidence-based strategic planning. It suggests that the transformation to upfront planning is the key tool for better facilitating the delivery of housing and jobs in right locations, while protecting and managing the environment and people’s way of life. The White Paper and draft Bill set out 10 strategic planning principles that will underpin strategic planning (Part 3, Section 3.3 of draft Bill). The strategic planning principles suggest that strategic plans should be prepared having regard to environmental and social considerations.

Suggested talking points:

- The strategic planning principles in the draft Planning Bill should establish clear outcomes based objectives for achieving environmental and social outcomes; it is not enough to simply have regard to environmental and social considerations.
- Outcomes based objectives are important in setting the framework in which decisions are made and providing key performance indicators for performance monitoring and evaluation.
- For example, strategic plans should identify and protect sensitive areas, improve or maintain biodiversity and ecosystem function, improve or maintain catchment health and water quality, ensure the sustainable use of prime crop and pasture land, plan for scientifically anticipated impact of climate change, and consider and minimise the cumulative impacts.

- This would be consistent with the Recommendation 8 in the Independent Panel's report *The Way Ahead for Planning in NSW*. Recommendation 8 proposes clear outcomes based objectives for strategic planning.

#### 4. EXISTING ENVIRONMENTAL PROTECTIONS

Current position: Existing environmental planning instruments and policies include:

- *State Environmental Planning Policies (SEPPs)* (including Regional Environment Plans that are deemed SEPPs) – SEPPs are statutory instruments that contain environmental controls that play an important role in protecting some of our most vulnerable species and habitats.
- *Local Environment Plans (LEPs)* - LEPs play an important role in environmental protection and natural resource management. For example, the *Standard Instrument (Local Environmental Plans) Order 2006* (Standard Instrument) contains a number of compulsory and model provisions intended for environmental protection, including environmental protection zones, waterways zones, restrictions on exempt and complying development in environmentally sensitive areas, protection afforded to heritage conservation, provisions relating to acid sulphate soils, natural resources sensitivity and natural hazard mapping.
- *Regional Strategies* - are in place for eight areas of regional NSW and have been prepared in partnership with state and local government, communities and business. These strategies play an important role in identifying and protecting high conservation areas
- Other environment and planning policies including *Strategic Regional Land Use Policies* and the *NSW Coastal Policy*.

There is a real concern that the environmental protections established in these planning instruments and policies over the past 30 years are at risk of being weakened or lost during this transition process.

Proposed change: The White Paper proposes to replace existing environmental planning with a new suite of documents including NSW Planning Policies, Regional Growth Plans, Sub-regional Delivery Plans and Local Plans. While the Government has given some indication that the relevant development control provisions in SEPPs, strategic regional land use plans and section 117 directions will be carried across into relevant sections of Local Plans, it is unclear how other environmental protections will be carried across and there is still potential for protections to be weakened or lost in the process.

Suggested talking points:

- I am concerned that important environmental protections established in existing environmental planning instruments over the past 30 years are at risk of being weakened or lost during the transition to the new planning system.
- It is not just protections in State Environmental Planning Policies that are important. There are important environmental protections in all levels of strategic plans and environmental policies in the current system.
- For example, the *Standard Instrument (Local Environmental Plans) Order 2006* (Standard Instrument) contains a number of compulsory and model provisions intended for environmental protection, including environmental protection zones, waterways zones, restrictions on exempt and complying development in environmentally sensitive areas, protection afforded to heritage conservation, provisions relating to acid sulphate soils, natural resources sensitivity and natural hazard mapping.
- In developing new statutory instruments and local plans the Government must ensure that existing environment protections are retained, and where necessary improved, and remain legally enforceable, in the new planning system.

## 5. EVIDENCE BASED STRATEGIC PLANNING

Outline of White Paper proposal: The White Paper proposes a shift to upfront evidence based strategic planning, with a focus on achieving sustainable development outcomes. However, the White Paper and draft Planning Bill provide no clear explanation of what evidence and data will be required to underpin effective strategic planning.

### Suggested talking points:

- The Government must confirm its support for evidence based strategic planning by ensuring that there is a consistent and reliable base data set across NSW, and making this making data and information available to all users of the NSW Planning System.
- A reliable and robust data base does not exist across all regions in NSW. The Government must commit to undertaking significant preliminary work to develop and complete a reliable data set across all elements for NSW, before it can begin the task of preparing strategic planning documents.
- This robust and reliable data set must be available to all user of the planning system to enable all persons to effectively engage in meaningful community participation.

## 6. ENVIRONMENT ZONES

Current position: The current Standard Instrument Land Zone Matrix includes four environmental zones (E1 National Parks and Nature, E2 Environmental Conservation, E3 Environmental Management, E4 Environmental Living) providing various levels of protection for environmentally sensitive land and land that has special ecological, scientific, cultural or aesthetic attributes.

Proposed change: The White Paper and draft Planning Bill propose having fewer and broader zones with a diversity of land uses permitted in each zone. It is proposed to assimilate the existing environmental zones as follows:

- Environment Protection and Hazard Management (incorporating E1 National Parks and Nature Reserves, E2 Environmental Conservation and W1 Natural Waterways)
- Rural (incorporating RU2 Rural Landscape, RU6 Transition and E3 Environmental Management)
- Residential (incorporating R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R5 Large Lot Residential, RU5 Village and E4 Environmental Living)

### Suggested talking points:

- I do not support proposals to reduce the number of environment zones, and to reclassify E3 and E4 zoned land as rural and residential respectively.
- Environment protection zones, as part of existing Local Environment Plans, have provided fundamental protection for our natural areas in NSW for nearly 30 years, and their continued use is necessary for the conservation and management of environmental values.
- Identifying and managing environmental values through land use planning is vital for the proper conservation and management of biodiversity and natural resources. It is at this spatial level that there can be a robust assessment of environmental values, and identification and protection of areas of high conservation value, including endangered ecological communities, critical habitat and wildlife corridors.



- Environmentally sensitive areas of NSW must be given proper protection through appropriate zoning that restricts and/or prohibits certain kinds of development.

## 7. STRATEGIC COMPATIBILITY CERTIFICATES

Outline of White Paper proposal: The Government will introduce strategic compatibility certificates that will allow developers to apply to the Director General for a certificate certifying that the carrying out of specified development on specified land is permissible with development consent, despite any prohibition for the carrying out of the development under the planning control provisions of the local plan. Although it is intended that strategic compatibility certificates will only be available as an interim measure, provisions for strategic compatibility certificates are in the draft Planning Bill.

Suggested talking points:

- I am strongly opposed to the proposal to override existing environmental planning instruments using Strategic Compatibility Certificates.
- This proposal will have the effect of allowing development to proceed before key strategic planning processes (in particular, the preparation of a subregional plans and local land use plans) have been completed, and will centralise power in the Director-General for Planning.
- The White Paper highlights the important role that communities, councils and agencies will have in preparing evidence-based subregional delivery plans and local plans. It is inappropriate for the State to override existing local planning controls and the strategic planning processes to allow development to proceed contrary to local planning provisions and before evidence-based plans have been developed in consultation with the community.
- Councils have done a significant amount of work to develop local environment plans and it is expected that much of this work will be carried over to the new system. There is no reason why existing legislation and/or policies cannot remain in force until subregional delivery plans and local land use plans are put in place.
- Further, I do not support the proposal to allow only proponents to appeal decisions relating to the issuing of a strategic compatibility certificate, but not the local community.

## 8. SUBREGIONAL PLANNING BOARDS

Outline of White Paper proposal: The new planning system will establish subregional planning boards that will oversee the preparation of subregional delivery plans. The subregional delivery boards will comprise of:

- A representative from each council in the region
- Up to four state representatives or expert advisors
- An independent chair appointed by the Minister for Planning and Infrastructure with the concurrence of Local Government NSW.

Suggested talking points:

- I do not support the proposed composition of subregional planning boards.
- The proposal to include up to four representatives and an independent chair appointed by the Minister does not return planning powers to the community.

- Further, the provisions of the new planning system must ensure that persons with appropriate expertise in ecology, conservation and natural resource management are on each board.

## 9. CODE ASSESSMENT

Current position: The *Environmental Planning and Assessment Act 1979* includes provisions for exempt development (no consent required) and complying development (certain development that complies with development standards and for which a complying development certificate has been obtained from a council or accredited certifier). In late 2012 the Department of Planning and Infrastructure proposed amendments to the *State Environmental Planning Policy (Exempt and Complying Development Codes)* which would allow exempt and complying development on environmentally sensitive land, and expand the scope of complying development to include new industrial buildings up to 20,000m<sup>2</sup> and additions and expansions to shops or commercial office buildings to be assessed as complying development.

Proposed changes: The White Paper indicates Government's intention to move ahead with proposals to expand complying development to including new industrial buildings up to 20,000m<sup>2</sup> and additions and expansions to shops or commercial office buildings to be assessed as complying development. It is proposed that these developments be approved by an accredited certifier or council in 10-25 days. The Government is also proposing to introduce a new development track called 'code assessment'. Councils will be the consent authority for development that proceeds as code assessed development. The type of development that could be approved as 'code assessment' includes proposals of up to 20 townhouses or villas, multi-unit or commercial development, mixed use development within a town centre, and retail, commercial or industrial development on land zoned for those purposes. If development proposals comply with established codes, then council will not be able to refuse the development proposal and there will be no community consultation and minimal environment and social assessment.

### Suggested talking points:

- I do not support the proposal that 80% of all development in NSW be determined as complying or code assessment development, with limited assessment and no opportunity for the community to comment on development applications.
- Complying and code assessment should only be available to those types of development that are genuinely low impact. The examples given in the White Paper, including industrial buildings up to 20,000m<sup>2</sup>, alterations and additions to commercial, and proposals for 20 townhouse dwellings, cannot be said to be genuinely low impact development.
- The 80% goal for complying and code assessable development in the White Paper is based on a report suggesting that 80% of all developments approved in NSW have a construction value less than \$290,000. The construction value of development does not correlate to potential impacts, and therefore it is not appropriate to determine what would low impact development' based on construction value.
- It is inappropriate to remove community consultation processes and appeal rights for a potentially large number of development applications. This is inconsistent with commitments in the *NSW 2021 State Plan* to increase opportunities for people to look after their own neighbourhoods and environments (Goal 23) and restore confidence and integrity in the planning system (Goal 29).
- Some developments which may be considered 'minor' in a highly developed urban area may have significant impacts in areas of environmental sensitivity such as waterways, lakes, coastal, forest, heath, woodlands and wetlands.

- Code based assessment does not provide a mechanism for assessing the cumulative impacts of a myriad of ‘minor’ developments, which, when considered in isolation, have minimal environmental impacts, but when considered on the whole, lead to “death by a thousand cuts” for the environment.

## 10. CLEAR AND OBJECTIVE CRITERIA FOR DECISION MAKING

Outline of White Paper proposal: The White Paper and draft Planning Bill do not address community concerns regarding wide, discretionary decision making powers in the planning system that have led to the community losing confidence in the planning system and have historically led to environmental and social considerations losing out to economic interest.

### Suggested talking points:

- I am concerned that the White Paper and draft Planning Bill continues to support wide and discretionary decision making powers in the planning system.
- This is contrary to the recommendation made by the Independent Commission Against Corruption in its February 2012 report *Anti-Corruption Safeguards and the NSW Planning System*, that the NSW Government ensures that discretionary planning decisions are made subject to mandated sets of criteria that are robust and objective.
- Decision making powers under the new planning system must be subject to clear and robust decision making criteria. This approach has the benefit of reducing uncertainty, ensuring decisions are evidence based and transparent, ensuring decision makers are accountable and restoring the community’s confidence in the planning system.
- Clear and objective decision making can also help achieve environmental outcomes. For example, an objective decision making framework could require development to meet certain threshold tests (such as an ‘improve or maintain’ test or ‘net benefit’ test) for key environmental values, including biodiversity, native vegetation, catchment health and water quality, energy and water use, climate change and pollution.
- Established methodologies could be established to support the decision making process (as is done under the *Native Vegetation Act 1993* or *State Environmental Planning Policy (Sydney Drinking Water Catchment)* 2011. Methodologies to support objective decision making can be streamlined through using of information technology and ePlanning processes.

## 11. IMPROVING THE QUALITY OF ENVIRONMENTAL IMPACT STATEMENTS

Current position: Under the current planning system environmental impact assessments in support of development applications are prepared by environmental consultants engaged by proponents for development. Concerns have been raised by both the community and other stakeholders about the reliability and validity of information contained in environmental impact statements and assessment reports provided by applicants for development. Concerns have been raised about both the accuracy of the data and the ability for consultants hired by the proponent to provide fearless and independent commentary.

Proposed change: The White Paper suggests that the stakeholders expressed differing views about proposals to accredit consultants preparing environmental impact statements. The Government says it will continue to work with stakeholders to examine different accreditation models and alternative solutions to issues raised. The draft Planning Bill also proposes to strengthen the offence for providing false and misleading information in support of a development application

Suggested talking points:

- I believe the most effective way of ensuring the integrity of environmental impact assessments is to break the nexus between the developer and the environmental consultant. So long as developers continue to directly pay the consultants there is the risk of bias, undue influence and unethical practices.
- There are additional benefits of ensuring that environmental impact assessments are reliable and accurate. For example, it may reduce the extent to which the consent authority would need to assess the adequacy of the information, saving both time and money. It may also provide an opportunity for reliable information provided in environmental assessment reports to be captured in an integrated data system and reused in other processes.
- I support proposals to strengthen the offence for providing false and misleading information in support of development applications, including in support of development applications.

## 12. REVIEW AND APPEAL RIGHTS

Current position: Under the *Environmental Planning and Assessment Act 1979*:

- Third party merit appeal rights are available those people objectors of designated development (except in circumstances where there has been a public hearing of the Planning Assessment Commission – this exception continues despite the repeal of Part 3A).
- There is an open standing provision that allows any person to initiate judicial review proceedings for a breach of the Act.

Proposed change: The White Paper suggests that applicant and objector merit appeal rights will remain unchanged in the new system and that the open standing provision will remain. While these appeal rights are carried over into the new system, the draft Planning Bill also contains a provision for the exclusion of legal proceedings which has the potential to limit the circumstances in which those appeal rights can be used. Furthermore, proponents are provided with expanded review and appeal rights with respect to rezoning applications and applications for strategic compatibility certificates.

Suggested talking points:

- I do not support the provision that seeks to prevent third party environmental appeals or judicial review proceedings. This severely limits the circumstances in which community members can initiate merit review proceedings or use the open standing provision to remedy breaches of the Act.
- Provisions that limit appeal third party merit appeals and judicial review rights contrary to statements by Government promise that there will be improved accountability and transparency in the new planning system, and will do little restore community confidence in the NSW planning system.
- I do not support pre-gateway review rights introduced into the planning system in November 2012. These review rights not only continue to support proponent initiated rezoning proposals but adds another layer to an already complicated process. The public benefit of introducing such review rights is unclear. I am also opposed to review rights for proponents seeking strategic compatibility certificates for similar reasons.