

COALITION FOR NSW PLANNING REFORM



Australian
Institute of
Architects



Planning
Institute
Australia
New South Wales
Division



21 December 2015

The Hon Rob Stokes MP
NSW Minister for Planning
GPO Box 5341
SYDNEY, NSW 2001

Dear Minister

PLANNING REFORM

We write as a group that has come together again to advance the reform of planning in NSW. We represent peak bodies committed to the development of the built environment in a consistent, creative and consultative manner. We are requesting an opportunity for a round-table meeting with you and your advisors early in the new year.

In August 2007 our organisations united with other professional, property and business groups to form the Coalition for NSW Planning Reform. We made several representations to the former NSW Government in the succeeding three years. As a result of discussions with then Planning Minister Hon. Frank Sartor the Coalition for Planning Reform gained government support for several substantial planning system improvements, such as the delegation of major project assessments to the Planning Assessment Commission and the creation of the Housing Code and Joint Regional Planning Panels.

Coalition members were enthusiastic supporters of the White Paper and the draft legislation introduced into Parliament by the former O'Farrell Government. This Bill was a major step towards the creation of a well integrated planning system, with a strong emphasis on community involvement in strategic planning and a logical, integrated hierarchy of planning instruments ranging in focus from statewide to local jurisdictions.

We acknowledge and commend the recent initiatives that the current government has undertaken to further improve the planning system, including the creation of the Greater Sydney Commission. We are confident that this is a clear indication that planning reform remains a priority for the Baird Government.

Our preferred position remains for new planning legislation to be introduced as a complete break from the current unwieldy Act. We suggest that this is achievable following further intensive discussions with key community stakeholders, the Opposition and minor Parties.

However, even if new legislation does not eventuate, we wish to take the opportunity to propose some significant initiatives that would improve the functioning of the planning system under the current legislation, while also providing stepping stones towards a more comprehensive overhaul through new legislation at a later date.

We consider there was broad community and industry acceptance of the White Paper reforms, specifically in areas such as strategic planning, community participation and infrastructure delivery. It was mainly in the area of development assessment that the major differences and contentions arose.

We therefore consider that other stakeholders should not find it difficult to embrace many of our suggestions outlined below.

Notwithstanding this, we believe that the more contentious issue of development assessment must also be subject to meaningful reform if NSW is to achieve improved economic, environmental and social outcomes and improved community confidence in the development assessment process.

In summary, our suggestions for priority reforms under the current legislative regime are:

Strategic Planning

- Repeal all current SEPPs and replace them with State Policies and Regional and Subregional Plans (as envisaged in the White Paper);
- Introduce new standard LEPs giving effect to higher order Plans and Policies through s117 directions and incorporating all development controls affecting land; and
- Introduce template DCPs (to standardise general form and content whilst allowing for local customisation).

Community Participation

- Introduce the public participation principles outlined in the White Paper;
- Pilot the implementation of these principles on one of the following:
 - a sub-regional plan
 - a Priority Precinct
 - a major gateway projectto discover and demonstrate how they can work in practice; and
- Introduce methods of measuring community satisfaction.

Development Assessment

- Depoliticise development assessment by the greater use of IHAPs and similar arms-length assessment models;
- Implement complying development assessment models;
- Introduce non-discretionary development standards, particularly in the standard LEP;
- Introduce certification by certified professionals of certain elements of development (e.g. architects verifying the plans for complex buildings and building elements); and
- Introduce other mechanisms to reduce the complexity of low-risk development assessments.

Infrastructure Delivery

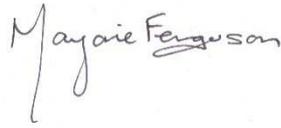
- Implement White Paper reforms under Part 4 Division 6 of the Act.

We look forward to the opportunity of discussing these proposals with you and your advisors.

Yours faithfully



Shaun Carter
NSW President
Australian Institute of Architects



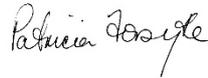
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