



# Planning Reform in NSW

Green Paper 2012

September 2012



# Key themes

## EDO NSW best practice planning

- Ecologically sustainable development (ESD) as the overarching objective
- Mechanisms for achieving environmental outcomes (to value, maintain and improve our natural capital)
- Genuine and meaningful public participation throughout the planning process
- A comprehensive legislative framework for effective strategic planning
- Improved integrity of environmental impact assessment
- Mechanisms to mitigate and adapt to climate change, including in strategic plans
- Mechanisms for ensuring accountability and improved enforcement

### Community Participation

Effective community participation in planning at the strategic stages

1. **Public Participation Charter** to require the appropriate level of community participation in plan making and development assessment
2. **Strategic community participation** to enable effective and early community participation
3. **Transparency in decision making** to increase public access to the evidence base for decisions
4. **Information technology and e-planning** to simplify and improve community access to planning information and processes

### Strategic Focus

Increased emphasis on strategic planning as the basis for all planning outcomes and to remove duplication

5. **NSW Planning Policies** replace *SEPPs* and *Section 117 Directions* and provide practical high level direction
6. **Regional Growth Plans** to align strategic planning with infrastructure delivery
7. **Subregional Delivery Plans** that affect immediate changes to zones, are based on evidence in *Sectoral Strategies* and linked to *Growth Infrastructure Plans*
8. **Local Land Use Plans** with strategic context and performance based development guidelines
9. **New Zones** to capture investment opportunities and preserve local character

### Streamlined Approval

Faster and less complicated Development Approval as issues are resolved strategically

10. **Depoliticised decision making** with development decisions streamed to independent experts
11. **Strategic compliance** to allow development that complies with strategic planning to proceed
12. **Streamlined state significant assessment** to deliver major projects sooner
13. **Smarter and timely merit assessment** with requirements matching the level of risk
14. **Increasing code assessment** to reduce transactions costs and speed up approvals for complying development
15. **Extended reviews and appeals** to increase the accountability of decision makers

### Provision of Infrastructure

Linking planning and delivery of infrastructure to strategic planning for growth

16. **Contestable infrastructure** to enable greater private sector participation
17. **Growth Infrastructure Plans** to link strategic plans with infrastructure provision
18. **Affordable infrastructure contributions** to provide a fairer and simpler system to support growth
19. **Public Priority Infrastructure** to streamline assessment for major infrastructure delivery

### Delivery Culture

20. **Chief Executive Officers Group** to provide a whole of government approach to implementation

21. **Regional Planning Boards** to oversee regional and subregional strategic plan making

22. **Mandatory performance monitoring** to publicly track performance towards achievement of strategic plans at all levels

23. **Organisational reform** to resource strategic planning and improve the culture of planning at all levels

# Overview of proposed reforms

- Chapter 1. Introduction
- Chapter 2. The case for change
- Chapter 3. Objectives
- Chapter 4. Community & stakeholder engagement
- Chapter 5. Strategic planning
- Chapter 6. Development assessment & compliance
- Chapter 7. Infrastructure planning & coordination
- Chapter 8. Delivering a new planning system
- Chapter 9. Next steps

# Chapter 2. The case for change

## *What is proposed?*

### *Potential strengths:*

- Recognition of community concerns and lack of confidence
- Draws on independent expert review
- Commitment to broad reform of laws and delivery culture

### *Potential concerns:*

- Potential imbalance in policy drivers for the reforms: “streamlining” process to reduce costs, and focus on “better economic outcomes”
- No equivalent goal “better environmental outcomes”

# Chapter 3. Objectives

## *What is proposed?*

### *Potential strengths:*

- “The achievement of sustainable development will remain the main objective of the Act”

### *Potential concerns:*

- “The achievement of sustainable development will remain the main objective of the Act”

# Chapter 4. Community & stakeholder engagement

## *What is proposed?*

### *Potential strengths:*

- Public Participation Charter
- Commitment to early community engagement – strategic planning
- Transparent decision-making
- E-planning
- Appeal rights “will be maintained”

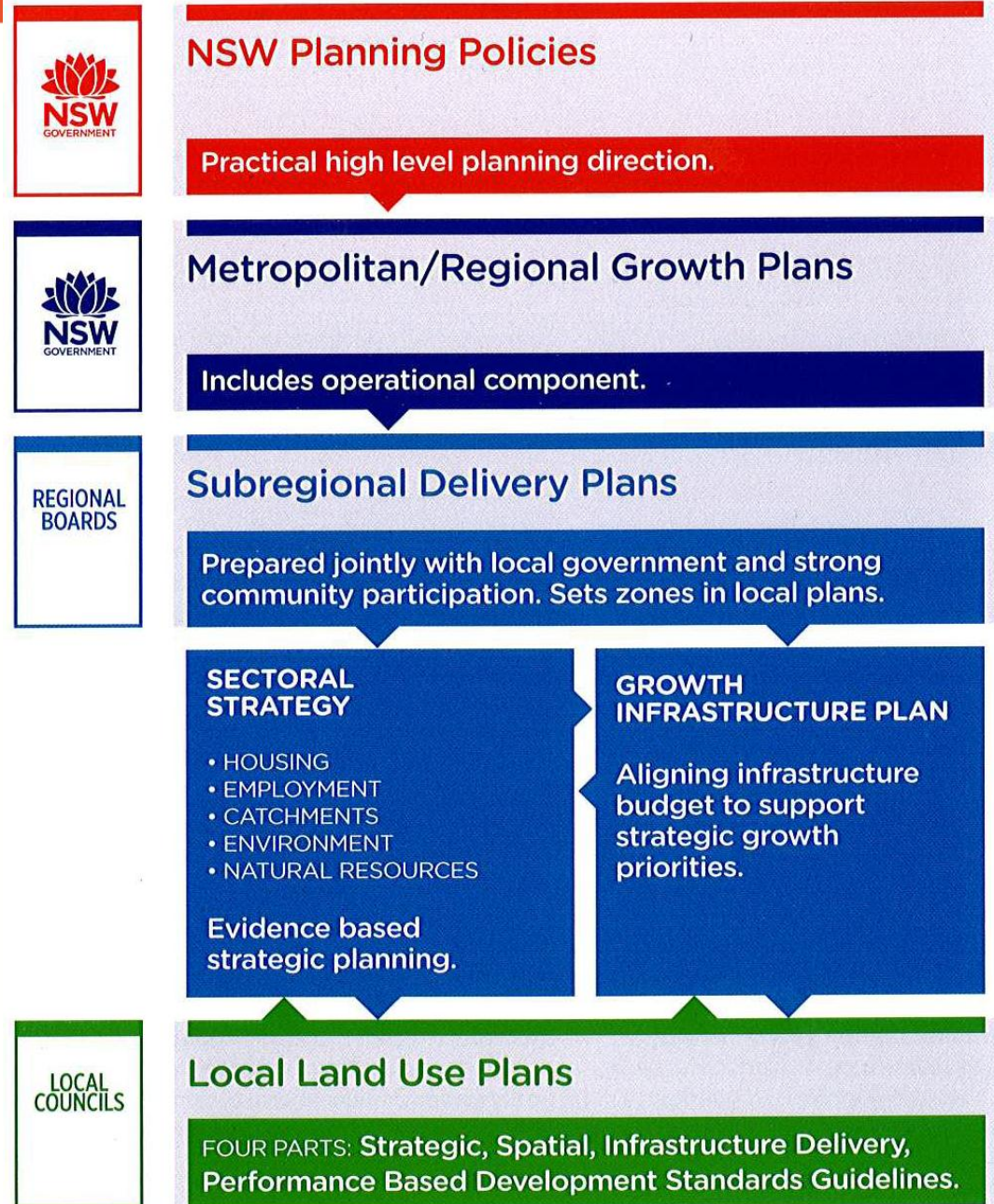
### *Potential concerns:*

- Iterative consultation after strategic planning is completed?

FIGURE 6 MAJOR STRUCTURAL CHANGE AT ALL LEVELS OF THE PLANNING SYSTEM

# Chapter 5. Strategic planning

*What is proposed?*



### ***Potential strengths:***

- Legislative framework for strategic planning
- Community engagement in strategic planning
- Evidence base
- Promoting triple bottom line outcomes
- Consideration of cumulative impacts

### ***Potential concerns:***

- State policies - Loss of protections in current SEPPs?
- Regional Growth Plans
- Local land use plan implementation undermining strategic plans?
- Removal of concurrences
- Guidelines & sectoral plans – compliance not required
- New zones – flexible ‘enterprise zone’



# Chapter 6. Development assessment & compliance

## *What is proposed?*

### *Potential strengths:*

- Community engagement for a range of development assessments
- Accreditation of consultants
- E-planning
- 'Depoliticised' decision-making

### *Potential concerns:*

- Fast tracking state significant development – how will this differ from Part 3A?
- Less public input at project level & new proponent rights
- What will be in the Codes?
- 'Strategic compliance' certificates
- Removal of concurrences & 'deemed approvals'
- Spot rezonings & non-compliant development

# Chapter 7. Infrastructure planning & coordination

## *What is proposed?*

### *Potential strengths:*

- Early strategic consideration of infrastructure projects

### *Potential concerns:*

- ‘fast-tracking’ infrastructure projects must not be at the expense of community or environmental outcomes.
- Concept plan approvals
- Need explicit recognition of the value of ‘green infrastructure.’

# Chapter 8. Delivering a new planning system

## *What is proposed?*

### *Potential strengths:*

- Commitment to greater evidence-based planning and cultural change
- Improved transparency, monitoring and accountability
- Whole of government approach – CEOs group
- Regional Planning Boards

### *Potential concerns:*

- Need for a range of regulatory tools & improved compliance and enforcement
- Need requirement for reporting against sustainability indicators

# Chapter 9. Next steps

- Submissions on the Green Paper due **Friday 14<sup>th</sup> September**
- White Paper
- Exposure Bill

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