



Planning Legislation Updates 2017
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

28 March 2017

Dear Sir/Madam

PLANNING LEGISLATION UPDATES

I am writing in response to the draft planning legislation updates of the Environmental Planning and Assessment Act 1979 currently on exhibition.

Council has reviewed the information currently on exhibition and provides the following comments.

Council supports increased community participation in the planning system particularly around strategic planning and supports the preparation of a community participation plan as part of its broader community engagement strategy that is required to be prepared under the Local Government Act. However, Council has strong objections to any requirement for the notification of all development applications for a minimum of 14 days. Currently Council only notifies those applications where there is a legislative requirement to do so, where it is considered that the proposed development may impact on adjoining property owners or there is likely to be significant public interest. There is significant cost and time implications for the notification of all development applications for Council and applicants. Council believes that it is best placed to determine which development is required to be notified given its knowledge of its community.

Council supports the review of all concurrences and referrals existing under the current Act. Council would also encourage the Department to continue its review of the Murray Regional Environmental Plan No 2 which is outdated and contains a significant number of referral and notification requirements which have not been updated since the plan was made. These referral and notification requirements were superseded by the introduction of integrated development. Council notes the powers to be given to the Secretary of the Department to resolve conflicts between State government agencies in relation to advice, concurrence and general terms of approvals and hopes that this will assist in its consultations with these agencies.

Council supports the introduction of the Inland Code to simplify the application of complying development standards for rural NSW. The current Housing Code does not always reflect development types that occur outside of metropolitan areas. It also supports the creation of Part 6 which will move the building regulation and certification out of Part 4 of the Act. The certification requirements in NSW are complex and the new Part 6 means that all legislative requirements will be easily accessed.

Should you have any further enquiries in relation to this matter, please do not hesitate to contact Council's Manager Environmental Services, Julie Rogers on (03) 5898 3111.

Yours Sincerely



John Harvie

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