

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

Dear Sir

SUBMISSION – A REVIEW OF COMPLYING DEVELOPMENT IN GREENFIELD AREAS

Ref: ab/PT/SF18

Tamworth Regional Council (TRC) appreciates the opportunity to provide feedback regarding the review for a greenfields code SEPP. The simplification of code requirements is welcome for new housing developments.

Tamworth Regional Council has supported the vision of a regional or western NSW Codes SEPP and remains dedicated to achieving this aim. The proposal for a greenfields SEPP has been aimed at masterplans where lot sizes are smaller in size and width. However our region embraces a different, less densely populated lifestyle.

Tamworth Regional Council does not support the proposal for complying development approvals for development over easements, nor prior to registration of subdivision.

Deferred commencement for Complying Development Certificates – The proposal to permit deferred commencement for complying development will result in invalid certificates due to commencement of work prior to conditions being met.

The justification provided includes a dwelling development where the allotment is not yet registered. A condition would be imposed that work would not commence until such time as the allotment is registered. While this may expedite construction works within metropolitan areas, it serves little purpose in regional areas.

The average time taken for complying development assessments across the state is 22 days. Tamworth Regional Council takes less than 10 days to issue an approval. In circumstances such as that presented, our clients may submit their application prior to the registration of the allotment. While the application is not formally accepted a preliminary assessment may be undertaken. This ensures that once registration occurs, the complying development certificate may be accepted and approved in very little time.

Alternatively a Development Application is lodged for the purpose of deferred commencement. The average time to assess and approve this type of development in the Tamworth Regional Local Government area is significantly less than the state average. The assessment period is more than likely to reflect that of an average complying development assessment.

This proactive can-do approach and willingness to assist applicants and the industry is likely applied by most regional and rural councils within NSW if requested.

The issue of Complying Development Certificates with deferred commencement will only encourage the commencement of work where conditions have not been met. This will result in the

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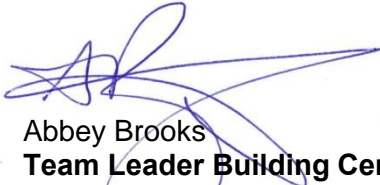
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need for additional enforcement resourcing. The building industry and developers in regional areas such as Tamworth apply the ideal that it is better to ask for forgiveness rather than permission.

Tamworth Regional Council does not support deferred commencement of Complying Development.

It is clear that change is needed to simplify code requirements. However, regard for the differences between metropolitan and regional areas needs to be considered. Thank you again for the opportunity to provide feedback on these key matters. If you require any further input, please continue to consider Tamworth Regional Council as a relevant stakeholder.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Abbey Brooks', written over the printed name and title.

Abbey Brooks

Team Leader Building Certification

Contact: (02) 6767 5720

16 June 2017