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Thank you for the opportunity to provide feedback on the issues paper of the Government's review of the *Environmental Planning and Assessment Regulation 2000* (the Regulation).

We note that the purpose of conducting a comprehensive review of the Regulation is to:

- Review administrative burden and increase procedural efficiency
- Reduce complexity
- Establish a simpler, more modern and transparent planning system.

While we support a planning system that is fairer, more efficient and more transparent, we share the concerns of the Independent Commission Against (ICAC) about the need to safeguard against a reliance on the processing time for Development Applications (DAs) as a chief measure of the success of a planning system. It noted in its 2012 report, [Anti-Corruption Safeguards and the NSW Planning System](#), for example, that “over recent years, a perception has been created that economic considerations, such as job creation, have dominated state government planning decisions. This perception has in part been created by the government's publishing of comparison data concerning local council development assessment processing time.”

We recommend that the Government incorporate ICAC's corruption prevention safeguards in its review of the Regulation in order to create a planning system that:

- Provides certainty
- Balances competing public interests
- Insures transparency

- Reduces complexity, and
- Encourages meaningful community participation and consultation
- Allows for third-party reviews

We also note that the review is seeking feedback on how the regulations should be reformed to "achieve the objects of the EP&A Act 1979 and the Government's relevant policy priorities, including: increasing housing supply to meet current and future needs of the State and facilitating faster and more efficient housing approvals, including through the uptake of the complying development pathway."

We only support faster and efficient housing approvals if adequate safeguards are put in place to protect the rights of affected residents and/or the wider community to make objections to DAs within reasonable time frames.

We should strongly object to extending complying development pathways to medium density housing. Councils are best placed to assess the cumulative impacts of these types of development on neighborhood amenities, eg parking, road congestion, community facilities and parks.

Re 2.6 Notification of internal review decision

We support requiring a Council to notify any person who made a submission of the result of the review.

Re 2.7 Classes of designated development

We don't support changes to the current classes of designated development or a weakening of the criteria to assess their impact on 'environmentally sensitive areas.' These types of developments require additional community and expert scrutiny because of their potential scale, nature and adverse environmental impacts, especially if located near sensitive environmental areas such as wetlands.

Re 2.8 Definition of an environmentally sensitive area in Schedule 3

We don't support weakening the definition of an 'environmentally sensitive area' in Schedule 3. We advocate for the continuation of the use of specific locations or environmental criteria for some classes of development.

3.1 Requirement for public agencies to make their environmental assessments publicly available.

We support a requirement for public agencies to make their environmental assessments publicly available.

5. Development Contributions

Section 94 contributions - We believe these types of contributions should be used sparingly because they have the potential to usurp local development controls by allowing additional storeys or additional dwellings in exchange for local infrastructure contributions. The contributions may not be just compensation for the adverse environmental impacts.

Section 94A levies - We support the requirement for a nexus to be demonstrated between the development and the infrastructure funded by the levy.

Voluntary Planning Agreements (VPAs) - We agree with the idea that planning authorities and developers consider practice notes when parties enter into a VPA. We also support measures to improve the transparency and understanding of the public benefits of VPAs.