



22 November 2017

New Planning System
GPO Box 39
Sydney NSW 2001

Dear Sir/Madam

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION REVIEW

Thank you for the opportunity to contribute to the development of a new planning system for NSW. At its Ordinary Council Meeting on Wednesday 25 October 2017 Council resolved to make a submission on the Environmental Planning and Assessment Regulation Review.

Council welcomes the opportunity to provide input on the proposed planning framework. Council's specific comments are contained herein:

Modern and Accessible Regulation

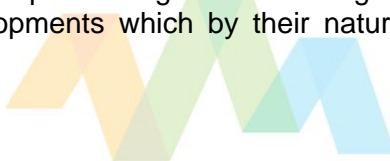
Council supports changes to legislation that make it easier and more convenient for stakeholders to have input into planning matters. The ability to make electronic submissions via a variety of means is supported, it does however remain important that full names and contact details are provided to enable further information to be sought when necessary. Similarly, there is a need for consent authorities to be able to publish documents electronically, for example notifications of development consents under Section 80 and designated development notifications under Clause 80. The ability to notify applicants and submission makers by electronic media would result in significant time, resource and cost saving to consent authorities. The ability to exhibit required documents electronically would also result in significant cost savings for applicants, particularly those that involve the production of Environmental Impact Statements.

Existing Provisions

Council supports the development of a single Development Control Plan format, however there must be the ability for Councils to insert local provisions, character statements, strategic objectives and intent where relevant. It is recognised that a standardised format and common definitions makes it easier for applicants who undertake work across a variety of Council areas.

Fees

The fees for the submission of applications has not been reviewed for many years and does not reflect the true cost of assessing applications. Fees for all applications need to be set in accordance with the true cost of processing and assessing applications. This is particularly relevant for designated developments which by their nature are more complex and time consuming.



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Planning Certificates

The role of planning certificates needs to be clarified, many certificates (Section 149(2)) are simply an addendum to a contract for sale with little regard paid to their contents. This information is easily obtainable through the NSW Planning Portal. However, certificates that contain additional information pursuant to Section 149(5) provide additional information which Council deems relevant to the property; in doing so the information to be included is unclear and inconsistent across councils. In instances such as this, certificates become complex and lengthy. Council is not suggesting that certificates not be issued, rather that guidance be provided on the information included pursuant to Section 149(5) and how it should be provided. Similarly, the fees for providing the additional information do not reflect the resources taken to research and provide that information. Nonetheless, standard certificates pursuant to Section 149(2) should be able to be obtained electronically through the NSW Planning Portal.

General

The underlying theme in the reforms is an emphasis on quick turnaround times and less delays. This will only work with recognition from the development industry of the importance of pre-lodgement consultation, adherence to minimum standards and provision of full and appropriate information. Whilst input into the planning system is appreciated this is often the cause of delays. Many Councils have systems in place, for instance in DCPs, where certain types of developments or development in certain zones is not subject to notification; Council considers it a retrograde measure to reintroduce mandatory notifications where communities have accepted current practices, particularly when complying and exempt development is not subject to the same measures.

Similarly, the community participation statements and charter is seen as duplicating existing frameworks that achieve the same objectives. The introduction of the Integrated Planning and Reporting framework has resulted in significant development and investment in Community Engagement frameworks. These frameworks should be utilised and greater co-operation or appreciation of legislative impositions between planning and local government agencies should be encouraged rather than duplication.

Yours sincerely

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