From: Jeff Morgan
Sent: Monday, 20 June 2016 11:11 AM
To: State Development
Cc: Lynn Race; Rebecca Main
Subject: RE: Inquiry into regional planning processes in NSW - Post hearing responses - requested by 22 June 2016

Hi Kate / Sam,
Please find below our response to the supplementary questions.

1. Instead of developing of a standalone regional planning act, should a Regional Development SEPP be established that applies to the development of rural activities and rural industries?

This could be taken further. A regional based standard instrument LEP and Code SEPP would be a preferred outcome. Could have a south coast/north coast/ metro/ central west, etc.

2. Inquiry participants stated that there is often a lack of coordination between the local council or Department of Planning, and the various other government agencies that are involved in a particular planning application. The committee has received a recommendation that a one-stop-shop be created for the benefit of planning applicants to improve this process. What is your view on this proposal and how would it work in practice?

The bigger issue is resourcing within agencies. One stop shop or different departments providing responses will both work if there are dedicated resources to ensuring a response is sent and within time.

3. It has been stated to the committee that fixed development consent levies under section 94A of the *Environmental Planning and Assessment Act* are a disincentive to regional development and are typically applied by councils at the maximum rate. Should the Act be amended to provide councils with flexibility to waive charges, particularly where the applicant is investing in a project which will help stimulate local economic activity?

- Disagree, how do you determine who is stimulating the economy and one can argue that all development stimulates the economy. Better offsetting controls in place about what development can be charged levies and the amount, ie is it fair to hit a house with a 1% levy on a lot when the same surcharge may apply to a flat building or multi housing development?

4. Is the current threshold required to trigger the preparation of an Environmental Impact Statement too low? How can the balance be improved to ensure that the environmental impact of a proposal is adequately assessed while not unnecessarily delaying the application process?

- Yes, the thresholds are probably too low. There are certainly a lot of instances where development becomes an EIS because of locational criteria rather than the thresholds. Most of the locational criteria is now handled by integrated development anyway, i.e. distance to riparian corridor is a controlled activity approval and GTA's. An EIS should not really be required when the integrated process covers the issue. Other examples, walkway at north Narooma EIS because of SEPP 14 wetland, helicopter flights in Batemans Bay, threshold is low and noise assessment can deal with issue, an EIS should not be required in addition to this. Another example is a concrete batching plant in industrial zone just because of proximity to wetland.

5. It has been put to the committee that State Environmental Assessment Requirements (SEARs) are often generic and require the applicant to expend time and money on matters which have no bearing on their project. Is this your experience with SEARs? If so, how could this process be improved?

- Usefulness of SEARs is probably OK for state significant development and state infrastructure but for designated development they are questionable. There used to be a publication by the Department about how to prepare an EIS and what needs to be contained in an EIS for a lot of different types of development, i.e. feedlots, extractive industries, etc. The SEARs should be replaced with the old EIS guidelines.

Regards,

Jeff Morgan
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