

INQUIRY INTO NEW SOUTH WALES PLANNING FRAMEWORK

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Inquiry into the New South Wales Planning Framework

Summary

Planning is an essential part of creating healthy, happy, sustainable communities. Many of the houses we build will still be around in a hundred years, so should be designed on energy efficient, environmentally sustainable principles. The current Planning Framework needs substantial reform to ensure this can be achieved, and also allow local people the opportunity to ensure development is suited to the local environment and meets local needs.

Details

The Terms of Reference for this inquiry include:

- (a) the need, if any, for further development of the New South Wales planning legislation over the next five years, and the principles that should guide such development,
- (d) climate change and natural resources issues in planning and development controls,
- (g) inter-relationship of planning and building controls, and
- (h) implications of the planning system on housing affordability.

These objectives are inter-related. For example, the city of Armidale is located in the relatively cold climate of the Northern Tablelands. Our current housing stock is not particularly suited to our climate, so is costly to run, generates excessive greenhouse gas emissions and adversely impacts our health, because many households rely on firewood for heating. The resultant air pollution causes severe problems, with many days in exceedence of the advisory PM2.5 limit. The mistakes that have been made will cost millions of dollars and take several decades to fix.

Need for improved environmental sustainability by allowing local councils to require higher standards of thermal efficiency and passive solar design than required by BASIX

The Planning Framework needs to focus on environmental sustainability and allow Councils to set appropriate standards for the local area. While BASIX may have improved the standard of buildings in metropolitan areas, its requirements are simply not adequate for our region.

Further development of the planning system is therefore needed to reduce its complexity and return it to its core principles - community involvement and comprehensive environmental assessment. Communities that wish to improve sustainability, and reduce living costs for householders by setting higher standards of thermal efficiency and passive solar design than required by BASIX should be allowed to do so. After full community consultation, local councils need powers to set appropriate standards in their LEPs and DCPs.

Consultation is cheaper than conflict resolution

The current changes to the requirements for exempt and complying development will result in buildings that materially affect a neighbour's lifestyle or enjoyment without any opportunity for consultation. For example, householders who install solar panels on their roofs expect that neighbouring developments will not overshadow them. If neighbours are not consulted, amicable win-win solutions, such as slightly repositioning the proposed building or minor changes to the roof design will not be considered. The result is a less harmonious and happy community. To avoid these problems, planning processes should encourage and indeed require consultation whenever a development is likely to affect other people's health or enjoyment of their property.

Approve in haste, regret for decades, perhaps even centuries

The current requirements place too much emphasis on the speed of approving developments, rather than the need to get them right. In the context of buildings and developments that should last for hundreds of years, a few extra days spent considering the proposals is a wise and cost-effective investment.

Approvals should not last indefinitely

One problem with the current system is that developments that were approved many years ago, when standards were lower, go ahead without re-approval at a later date. To avoid this problem, approvals should be allowed to have a specified time limit, e.g. 5 years.

Charter of Good Planning

A seminar on planning identified the following important principles that should be considered as part of the process of reforming the planning system:

Community participation, rights and empowerment (e.g., notification, right to know, right to affordable appeal)

Transparency/openness

Fairness/inclusiveness

Accountability (at all levels, from local governments to the minister)

Free from corruption (ban developer donations, access for all - not based on money)

Local decision-making

Local employment

Responsibility of developers to contribute to public infrastructure

Transport (Transit?) Oriented Development

Sustainable regions (e.g., local food)

Protection of agricultural land

Green spaces and open space

Human scale

Social impact

Cultural impact

Heritage

Diverse communities

Democratic electoral systems

Conservation

Intergenerational equity

EDO's submission

Many of these ideas are embodied in the submission from the Environmental Defender's Office. We wholeheartedly support their view that:

"Further development of the planning system is needed to reduce the system's complexity and return it to its core principles - community involvement and comprehensive environmental assessment;

The principles of ESD should be the guiding principles of the Act to ensure sustainable outcomes and bind the terms of decision-making;

Significant reform to the Environmental Planning and Assessment Act 1979 is needed to introduce a new framework for major projects, ensure broad community consultation, limit exempt and complying development and to strengthen environmental impact assessment provisions"

Local planning for local people

Planning is an essential part of creating healthy, happy, sustainable communities. Many of the houses we build will still be around in a hundred years, so should be designed on energy efficient and environmentally sustainable principles. The current Planning Framework needs substantial reform to ensure this can be achieved, as also allow local people the opportunity to ensure future development is suited to the local environment and meets local needs.

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