

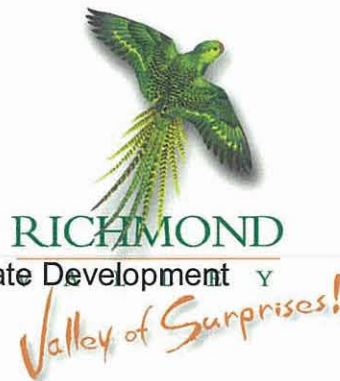
Submission
No 15

INQUIRY INTO NEW SOUTH WALES PLANNING FRAMEWORK

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DWS 305612 AJ:NP

The Director
Standing Committee on State Development
Legislative Council
Parliament House
Macquarie Street
SYDNEY NSW 2000



Dear Sir

Submission – Inquiry into the New South Wales planning framework

I refer to your recent invitation to make a submission to the call for submissions to the Inquiry into the New South Wales planning framework and hereby submit a submission on the behalf of Richmond Valley Council.

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,

The recent legislative changes to the NSW land use planning system have been met with mixed emotion. Council acknowledges and supports the need for reform of the NSW land use planning system; however many of the recent changes and future proposed changes may not have their desired effect. One of the main drivers for the recent reform was to streamline the current processes and reduce the time taken for approvals by reducing the “red-tape” and duplication.

Richmond Valley Council believes many of the recent changes have actually made many processes more difficult and time consuming, as well as taking some of the approval powers away from the Local Government and placing them in the hands of the State.

These recent changes to the NSW land use planning system were expedited with great haste with little formal consultation and due consideration of the potential effects to the stakeholders. Council supports the Inquiry’s Term of Reference to consider the need for any further development the NSW planning legislation and hopes this will facilitate timely and carefully considered changes to the existing system if they are required.

the implications of the Council of Australian Governments (COAG) reform agenda for planning in New South Wales,

Council has no objection to the COAG reform agenda which supports a national approach to planning and development requirements. However, a national system would require a certain degree of flexibility so that local and regional variations could be recognised.

All correspondence should be addressed to:

**The General Manager,
RICHMOND VALLEY COUNCIL**

Administration Office: Cnr. Walker St. & Graham Place (Locked Bag 10) CASINO NSW 2470

duplication of processes under the Commonwealth Environment Protection and Biodiversity Act 1999 and New South Wales planning, environmental and heritage legislation,

Council supports the removal of any duplication between the Commonwealth Environment Protection and Biodiversity Act 1999 and New South Wales planning, environmental and heritage legislation. The removal of duplication from the existing process will facilitate faster approval times and reduce complexity.

climate change and natural resources issues in planning and development controls,

Council has already started taking steps regarding climate change, however believes the Government should be taking the lead in relation to legislative and policy change. To date, there has been much discussion on the topics of natural resource issues and climate change but little by way of concrete actions and solutions put forward to address these issues.

appropriateness of considering competition policy issues in land use planning and development approval processes in New South Wales,

Council does not consider competition policy issues should be the domain of the development approval process. It should not be the responsibility of local or state government to get involved in competition issues in a free market which is driven by economic forces such as supply and demand.

regulation of land use on or adjacent to airports,

Richmond Valley Council owns two (2) unlicensed aerodromes which are currently in operation. These aerodromes result in adjacent and surrounding properties having planning restrictions in relation to obstacle limitation surfaces. Given the abovementioned aerodromes are unlicensed and of small scale, any further regulation of land use is considered unnecessary.

inter-relationship of planning and building controls,

As the NSW land use planning system becomes more complex, the need to have a congruent relationship between planning and building controls is crucial. Council supports this Term of Reference as the NSW planning system could benefit from any legislative changes which would improve the integration of building and planning controls.

implications of the planning system on housing affordability.

Like the issue of climate change, Council has been taking steps in relation to affordable housing and recognises the social benefit which could be derived from such policy changes. Traditionally, affordable housing has been the domain to State Government authorities such as the Department of Housing.

The recent move to thrust this responsibility to local government is of great concern. Many Council's, particularly those in regional areas, are ill-equipped to take on the responsibility of affordable housing. Council believes the State and/or Federal government should be taking the lead in relation to affordable housing, particularly legislative and policy changes.

Any future legislative or policy changes pertaining to affordable housing should not detrimentally impact on the planning system, particularly in relation to the heads of consideration outlined in Section 79c of the Environmental Planning & Assessment Act 1979 (as amended). Affordable housing policy should not result in planning requirements which would facilitate the approval of sub-standard dwellings with limited amenity and a reduced level of services such as public transport.

In conclusion, Richmond Valley Council is generally supportive of the Inquiry's Terms of Reference, in particular those relating to reducing duplication of processes under various Commonwealth and NSW legislation, climate change and affordable housing. Council would like to thank the Standing Committee for the opportunity to make a submission to the Inquiry into the New South Wales planning framework.

Should you have any further enquiries regarding this submission, please contact Angela Jones, Manager Planning & Development, at Council's Casino Administration Centre, Cnr. Walker Street and Graham Place, or telephoning (02) 6660 0273.

Yours faithfully



Brian Wilkinson
GENERAL MANAGER