

Submission
No 99

INQUIRY INTO NEW SOUTH WALES PLANNING FRAMEWORK

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8 April 2009

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

Dear Sir,

Inquiry into the NSW Planning Framework

Reference is made to your letter dated 20 March 2009 advising, inter alia, that the Committee has resolved to continue to receive submissions to the Inquiry beyond the formal closing date.

Council's submission relates to the first item of reference concerning the need for further development of the NSW planning legislation over the next 5 years, and the principles that should guide such development.

Council wishes to submit the following comments:

1. Private Certification:

The Building Professionals Board needs to be given additional resources to keep the Private Certifiers under control. Unfortunately, Private Certifiers are still getting away with breaches of the Environmental Planning and Assessment Act 1979 and the Regulations as they are not subject to the same levels of control as Council Building Surveyors.

2. Plan Making

The recent introduction of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 without proper consultation is proof that the centralised and standardised approach to plan making seen in recent years may need re-thinking. Also, the Standardised Instrument (LEP) Order could result in LEPs that are not what the Council or community wants, but nonetheless must have. Only time will tell whether new LEPs based on the standard template will actually be easier to use than existing LEPs.

Another issue in plan making is the time delays and inconsistencies of the NSW Department of Planning (DoP) in commenting on the various stages of plan making. The DoP clearly need more town planning staff who are in tune with regional and rural issues, not just issues applicable to areas "east of the Great Dividing Range".

3. Proposed Accreditation of Council Building Surveyors by the Building Professionals Board

Please find a copy of Council's submission in respect to this matter. Also attached is a copy of a report prepared by Council's Director of Development to the 17th March 2009 Ordinary Meeting of Council concerning the above proposal.

Council appreciates the extension of the time period for the making of submissions to the Inquiry and trusts that Council's submission will be considered.

Yours faithfully,



Bruce Fitzpatrick
General Manager

Attachment