

**Submission  
No 7**

## **INQUIRY INTO REGIONAL PLANNING PROCESSES IN NSW**

**Name:** Cr Duncan Dey

**Date received:** 11/12/2015

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# Submission to NSW "Inquiry into regional planning processes in NSW"

**Your Terms of Reference:** regional planning processes in NSW, and in particular:

- (a) opportunities to stimulate regional development under the planning framework including through legislation, policy, strategy and governance,
- (b) constraints to regional development imposed by the planning framework, and opportunities for the framework to better respond to regional planning issues,
- (c) the suitability of a stand-alone regional planning Act,
- (d) the effectiveness of environmental planning instruments including State Environmental Planning Policies and Local Environmental Plans (including zoning) to stimulate regional development, and opportunities to improve their effectiveness,
- (e) opportunities to increase delegations for regional councils in regard to the planning making processes,
- (f) opportunities for strategic planning to assist in responding to challenges faced by communities in regional areas including through Regional Plans,
- (g) opportunities for government-led incentives that promote regional development,
- (h) pathways to improve decision making processes for regional development proposals, including increasing the use of complying development, improving negotiation processes for voluntary planning agreements, and reducing costs associated with assessment, and
- (i) any other related matter.

## **Your Press Release:**

'We would like to hear the experiences of the community, businesses and organisations regarding planning processes in regional areas and how these processes might differ from the processes in major urban areas such as Sydney and Newcastle. For example should the same planning processes for building a house in Bondi apply in Broken Hill?' said the Hon Greg Pearce MLC, Chair of the State Development Committee.

Mr Pearce continued 'The Government's recent changes in November to fast-track complying development assessments in 110 rural and regional local government areas is a good example of the strategies that might contribute to the growth and revitalisation of regional communities in New South Wales'.

'We are seeking ideas that will stimulate regional development and reduce the time and complexity of the planning approval process while maintaining community expectations regarding the environment and the economic aspirations of local businesses', Mr Pearce concluded.

The closing date for submissions has been extended to Friday 5 February 2016. Submissions should be lodged online at [www.parliament.nsw.gov.au/statedevelopment](http://www.parliament.nsw.gov.au/statedevelopment). The committee will hold a public hearing in Sydney on 11 March 2016 with regional hearings to be held later in 2016.

## **My Submission:**

Regional Planning has to date been 'top-down' experience, with the State setting development targets to be met by Council's who already have their own plans.

Good Regional Planning would involve State supporting (i) analysis of local community desires: (ii) collaboration between local communities and in particular across Councils; and (iii) a reduction in State interference.

In my area, all local planning intent has been overridden by the State rezoning a new release area that defies all logic as well as all Council Resolutions on the matter but clearly suits the developer.

The success of regional planning would be made more likely if the State stepped back from its role in selectively overriding local planning decisions.

Yes, the same planning process should apply in Bondi as in Broken Hill. That process should be that local communities determine areas that can be developed through their LEP process as they see fit. Next they should determine the nature of the development. Lastly, they should determine without State interference whether any particular Development Application is approved or refused.

I ask why would this be different in Bondi from in Broken Hill? The social, environmental and economic factors would be different but not the planning process itself. And where those factors are regional, then regional cooperation and consideration would be appropriate if driven by the region.

If the Minister believes that fast-tracking development contributes to the growth and revitalisation of regional communities, it would be great for him to demonstrate where and under what circumstances. It would also be great to examine the negative impacts of fast-tracking development. These could include disempowerment of communities or poor social, environmental and economic outcomes.

The State could stimulate regional development by funding local infrastructure in needy areas, and thus enabling the following:

- labour efficiency by providing adequate or in some cases any public transport;
- internet efficiency by providing decent connectivity;
- planning efficiency by not looking over Councils' shoulders.

Reducing the complexity of planning processes will work against community expectations regarding the environment, thus jeopardising the economic aspirations of businesses. And by the way, the planning process is not a "planning approval process". Not all Applications are approvable.

Reducing the time that good planning takes is really easy. Allow adequate funding of the assessment process by not capping assessment fees to such low levels that the planning process is subsidised by the ratepayers of a Local Government Area. Better still, support adequate and fast assessment with State funding. It is rare that Council planners are idle, hence there is a queue.

In relation to the ToR,

- (a) the planning framework does not hinder opportunities to stimulate regional development. That is a myth as discussed above.
- (b) the planning framework worst constrains regional development by encouraging the purveyors of poor development proposals to go over the heads of local communities to Big Brother.
- (c) the suitability of a stand-alone regional planning Act would depend on how it differed from the current arrangements. If as implied by the press release it got rid of 'red tape', it would be a step backwards and not suitable.
- (d) environmental planning instruments like SEPPs and LEPs do stimulate regional development by giving a local community certainty as to who can do what where. Businesses that require large Lots, proximity to certain services or have other needs can find them. If they can't but wish to pursue them in an area lacking, they can present a case for change but such consultation takes time. The effectiveness of SEPPs, LEPs, and other planning instruments would be improved by empowering local communities to determine for themselves who does what where ... by encouraging and funding the planning consultation processes.
- (e) delegation would be great. Increase it by decentralising planning funds to regional Councils.
- (f) there are good opportunities for strategic planning through Regional Plans if carried out as I describe in the second and other paragraphs of My Submission (see above).
- (g) there are good opportunities for the State government to lead with incentives that promote regional development. My Submission above describes approaches that would work.
- (h) the best pathway to improve decision-making processes for regional development proposals is to adequately fund the assessment of them. Increasing the use of complying development just takes power away from communities and increases resentment, including towards unaware incoming businesses.

The concept of reducing costs associated with assessment smacks of demolishing the assessment process. This is the exact opposite of what I recommend.

Negotiation processes for voluntary planning agreements would be improved by them being open to the public.

Yours faithfully, Duncan Dey

(submitted through your website on 11 December 2015)