

# 10 Ideas

## FOR A BETTER PLANNING SYSTEM IN NSW

1

PRESUMPTION FOR GROWTH

2

ECOLOGICAL SUSTAINABLE DEVELOPMENT

3

STATE LEADERSHIP ESSENTIAL

4

LOCAL COMMUNITIES INVOLVED EARLY

5

JRPP'S DETERMINE MAJOR PROJECTS

6

CODE ASSESSABLE FOR MANY PROJECTS

7

ENCOURAGE MIXED USE ZONING

8

CUSTOMER FRIENDLY PLANNING PORTAL

9

SIMPLIFY INFRASTRUCTURE LEVIES

10

REDUCE LITIGATION

# 10 Ideas from around the world

## **1. Queensland Sustainable Planning Act and code assessable 2009**

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The SPA came into being on 18 December 2009. It was the result of a review of the previous planning act – the Integrated Development Act of 1987. The Queensland planning system appears to be more in favour of growth than the NSW system, with a particular focus on the use of “code assessable” determinations for many projects. Where projects conform to code requirements they are not advertised. The SPA includes a focus on proactive state management, standardisation and risk-based assessment.

<http://www.legislation.qld.gov.au/LEGISLTN/CURRENT/S/SustPlanA09.pdf>

## **2. Productivity Commission research report on planning, zoning and development assessments April 2011**

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This 500 page report compares the planning systems of all Australian states and territories and makes key recommendations. The Commission undertook a number of surveys about community attitudes to increased populations and the relationship between local councils and the state government. New South Wales was bottom of the list in both surveys. The report comes up with recommendations on the involvement of communities in planning, the need for broader zoning definitions, the use of risk-based assessment and of the value of independent panels in assessment.

<http://www.pc.gov.au/projects/study/regulationbenchmarking/planning/report>

## **3. Localism Act – United Kingdom 15 November 2011**

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This act has been brought in by the conservative government to get local communities more involved in government issues and to reduce the centralised national role. While the act signifies a shift in power away from central government

towards local people, this is on the basis of taking a responsibility for national issues like population growth.

<http://www.communities.gov.uk/documents/localgovernment/pdf/1896534.pdf>

## **4. Draft National Planning Policy Framework – United Kingdom July 2011**

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This framework goes with the Localism Act and as such it appears to balance the shift of power to local bodies. The framework has a clear presumption in favour of development and stresses the need to work within national policies that cover population growth.

<http://www.communities.gov.uk/publications/planningandbuilding/draftframework>

## **5. Civic Limits: How much more involved can people get? ResPublica – United Kingdom July 2011**

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This research document contributes to the debate around the Localism Act and looks at what mechanisms are available for involving communities in government issues including planning. There is some interesting analysis of the various groups in the community that do get involved in issues ranging from the passionate to the bystanders.

[http://respublica.org.uk/documents/kpg\\_ResPublica%20Civic%20Limits.pdf](http://respublica.org.uk/documents/kpg_ResPublica%20Civic%20Limits.pdf)

## **6. Planning System Review – Victoria June 2011**

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The Victorian Minister for Planning has established an expert advisory group to overhaul the planning system in Victoria. He has called for a new planning system that is more transparent, simpler, with clearer rules and more certainty in outcomes. 547 submissions are available on-line including the Planning Institute’s submission with proposals for streamlined assessment, risk-based decision making, growth

management, urban consolidation and performance based zoning.

[www.dpcd.vic.gov.au/planning/panel-sandcommittees/current/vpsmac](http://www.dpcd.vic.gov.au/planning/panel-sandcommittees/current/vpsmac)

## **7. Planning portal – United Kingdom**

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The planning portal in the United Kingdom gives consumers easy access to the planning system. Detailed planning information is available on any site in the country and the site includes private suppliers who can help the community work through the system.

[www.planningportal.gov.uk](http://www.planningportal.gov.uk)

## **8. Corenet online submissions – Singapore**

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The Construction and Real Estate Network Project in Singapore provides a one-stop online submission process that has been operating for over 12 years.

[www.corenet.gov.sg](http://www.corenet.gov.sg)

## **9. Urban Land Development Authority – Queensland**

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The ULDA is a focussed urban renewal authority driving many projects across Queensland. It has some skilled staff and is responsible for planning approvals over sites it controls. The ULDA has been able to tackle difficult projects and achieve quality outcomes in good timeframes.

[www.ulda.qld.gov.au](http://www.ulda.qld.gov.au)

## **10. Growth area infrastructure levies – Victoria**

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The Growth Area Authority in Victoria has been able to reduce infrastructure levies to a level well below those in NSW. This has been partly due to a program of master plans that define infrastructure across greenfield sites at an early stage.

<http://www.gaa.vic.gov.au/gaic/>

# 10 ideas for a better planning system in NSW

## 1. Presumption of growth

Planning is essentially about managing change, about looking ahead to future scenarios. By most predictions NSW will grow, particularly in urban areas, and could grow faster than currently assumed. The United Kingdom draft National Planning Framework is based on a presumption for growth and for development. Currently NSW is 33% of the population but only 24% of national building activity. We must catch up to the rest of Australia and do this by encouraging growth.

## 2. Ecological sustainable development

The major objective of the planning act should be to encourage ecological sustainable development. This should be based on the definition developed by the World Commission on Development of 1987 that defined sustainable development as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”

## 3. State leadership essential

NSW has dropped dramatically over recent years from its leadership role in Australia. In the decade up to the 2000 Olympics our contribution to national GDP was 27% but in the next decade the state’s contribution dropped to 14.5%. Clearly the state government must take a leadership role in lifting the state’s economy. The state must lead with strategic planning, encouraging large projects and having delivery methods to drive growth as well as providing essential infrastructure.

## 4. Local communities involved early

At the early strategic planning stage local communities must be very involved in helping shape the character of their local areas. This will lead to local environmental plans that set the planning parameters for development in local government

areas. These plans however, need to be consistent with state policy on the delivery of sustainable development, as is the proposed policy in the UK. Local plans need to be based on a standard template. New processes of involving communities need to be developed that involve more than the activists.

## 5. Joint Regional Planning Panels determine major projects

The Joint Regional Planning Panels (JRPP’s) are a combination of state appointees and local government representatives. As they cover a larger area than individual councils they take a bigger picture view of how growth is managed and are less swayed by local activists. The Urban Taskforce believes that the JRPP’s should determine all SEPP 65 apartment buildings and all buildings above \$5 million. They should also have their own staff seconded from councils and the state to build better relations.

## 6. Code assessable for many projects

Once communities have agreed on the key drivers of the character of a precinct, height, setbacks and floor space ratios, then projects should be able to be assessed against these criteria without further public involvement. In Queensland many projects, including very tall buildings, that fit the codes agreed by local communities, are assessed as “code assessable” projects with no requirement to go back to the community. There should always be a merit based assessment process for projects outside code requirements but this will take more time.

## 7. Encourage mixed-use zoning

The Productivity Commission report into planning was concerned about the overly prescriptive definitions used for zoning in many planning systems. They supported a more flexible system that responded to the continually changing market place as new industries and jobs developed. The

commission supported broad based uses over prescriptive definitions. Clearly, some zoning controls are required but the innovation of the market place must not be restrained by over regulation.

## 8. Customer friendly planning portal

NSW needs a sophisticated, customer friendly, planning portal like that in the United Kingdom that anyone can access at any time. Some good work has been undertaken in developing the electronic housing code but far more is required to lift the state to world’s best practice. Existing systems in councils should be linked into a state wide customer focussed portal.

## 9. Simplify infrastructure levies

The current system of Special Infrastructure Contributions (SIC) and Section 94 contributions is not working. It seems to be based on building up all the costs that could possibly be required for future infrastructure and requiring the developer of land to fund this. The problem is that these extra costs often make a project unviable as it increases costs above what the market can pay. Victoria seems to have a simpler, lower cost system and NSW could learn from this.

## 10. Reduce litigation

Since the EP&A Act began in 1979 a whole new industry has grown around disputes coming from a complex and unclear planning system. The Urban Taskforce is concerned that loose definitions, vague aims and objectives and even well meaning guidelines are leading to disputes that end up in the courts, at great cost. The amount of litigation can be reduced by having far more projects considered under complying codes or as being code assessable. A planning system that is based on a presumption for growth and that has much more certainty through code definitions is likely to lead to less disputes.

Detailed submission [CLICK HERE](#)

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The Urban Taskforce has prepared a detailed submission on the Planning Review in NSW which is available on our website.

[www.urbantaskforce.com.au](http://www.urbantaskforce.com.au)

