

Planning bill go before NSW parliament

15th May 2008, AAP

Draft legislation that will overhaul NSW's planning laws has been submitted to parliament following months of debate over the controversial changes.

Planning Minister Frank Sartor has fought tooth and nail for the amendments since he released a discussion paper last November detailing 83 possible reforms.

Councils are upset about some of the proposed changes, however, and say they need more scrutiny.

Mr Sartor says he aims to reduce red tape and the time it takes to approve the largest and most significant projects.

The same goes for the smallest approvals, which come from residents and make up the majority of development applications.

"Under the changes, the time taken by state agencies to comment on development applications will be more than halved from current averages to just 21 days," Mr Sartor said in statement.

Joint Regional Planning Panels, comprising three state-appointed members and two council nominees, will give consent authority on residential developments over \$50 million and commercial or retail developments over \$20 million.

Designated developments over \$5 million, including Crown projects and private infrastructure such as hospitals, waste facilities and schools, will also be assessed and approved by the panels.

If no panel has been appointed for a region, the Planning Assessment Commission will be the consent authority.

Where applications require a decision by a state agency, officers will have three weeks to respond, and councils can proceed without them if no response is given.

And where duplication exists across multiple pieces of legislation and regulation, development applications will be subject to approval under just one act.

"That's why we will remove up to 1,000 unnecessary requirements in state and local planning instruments," Mr Sartor said.

On minor development applications, more of them will be assessed through council and private certifiers, instead of coming before council meetings for approval.

Those applicants who dispute a decision would have their case reviewed by a planning arbitrator in a move to avoid the lengthy and costly process of appearing before the Land and Environment Court.

Mr Sartor said up to 50 changes to the proposed amendments were included, but some would have no effect on the controversial legislation.

The proposal that would allow private land to be compulsorily acquired for urban renewal projects has been scrapped.

In interviews last month, the planning minister said the power to force someone to sell up and move out was already contained in existing legislation.

The amendment was designed to further clarify the government's powers after ambiguities allowed Parramatta's billion-dollar civic project to be stalled by a few commercial property owners.

The Local Government Association (LGA) and the Shires Association of NSW challenged the government to take its "pro-developer" laws to residents.

"Many people don't understand the laws and we don't think the government does either," LGA president Genia McCaffery said in a statement.

"These are the biggest changes to local planning laws in almost 30 years and they need more scrutiny."

Urban Taskforce Australia, which represents prominent property developers, said the reforms must address the state's housing shortage.

Only 29,000 new homes were built in NSW last year - the lowest level since statistics were first recorded in 1980, task force chief executive Aaron Gadiel said.

The legislation is not expected to be debated before June, when state parliament resumes.

AAP