

22 August 2008

Policy and Systems Innovation
NSW Department of Planning
GPO Box 39
Sydney NSW 2000

E-mail: assessments@planning.nsw.gov.au

Dear Sir/Madam

Re: Repeal of Concurrence and Referral Provisions

As you would be aware, the Urban Taskforce has consistently argued for planning reforms that simplify the approval process by cutting unnecessary regulation.

The Department's *Local Development Performance Monitoring Report* found that in 2006-07, NSW government departments took about 48 days to consider applications referred to them - which added to overall development assessment times. This is one of the reasons the average time for local councils to approve a development applications was 76 days.

Many development applications often take up to 9-12 months to get resolved. Some even take years to get sorted out. The extra costs imposed by the delay can add up to 15 per cent of total project costs. Up to \$4 billion annually is being thrown down the drain because of an inefficient planning system.

The exposure draft of the *State Environmental Planning Policy (Repeal of Concurrence and Referral Provisions) 2008* is an excellent example of the sort of reform we have been calling for.

We welcome the removal of more than 1,300 separate requirements that force councils to hold up development applications while State government agencies are consulted. The introduction of the SEPP will remove duplicative and unnecessary concurrence and referral requirements. It will streamline the plan making and development assessment processes. This simplification will help untangle planning rules and allows councils to get on with job.

The Urban Taskforce agrees that environmental protection and the preservation of local amenity can be properly considered without the need for an endless paper shuffle between government agencies. The integrated development process more than adequately covers development assessments requiring input from other state agencies. Furthermore, section 79C of the *Environmental Planning and Assessment Act* continues to require that local councils consider the broader environmental, social and economic impact of developments whether there is a formal concurrence or referral provision to a state agency or not.

This kind of reform is essential if the NSW property development industry is to recover from its current lows. These reforms give local councils the opportunity to get on with the job assessing development applications on their merits. The change helps curtail the micromanagement of local councils by some government agencies. It's long overdue.

Most of the requirements being removed are obsolete. Many of these requirements duplicate other approval requirements – meaning that the same State government authority has to issue two separate approvals for the same development. There is already a wealth of guidelines that local councils can use to decide whether a development should be approved.

We note that many existing requirements for councils to get the approval of State government agencies will still continue, but new strict deadlines will be imposed on State authorities. We welcome the impending introduction of a new requirement for NSW government agencies to speak up with any concerns within 21 days of council asking for their opinion. We're particularly pleased that if government agencies do not respond, the new rules will 'deem' state approval to be granted.

We congratulate the Department for taking this initiative and by insisting that some 1,373 concurrence and referral provisions in existing environmental planning instruments be deleted, another blockage in the planning system has been removed. However while this proposal is a great start, more work needs to be done on cumbersome rules relating to the Roads and Traffic Authority and RailCorp.

The Urban Taskforce looks forward to continued dialogue with the NSW Department of Planning and if we can be of any further assistance, please feel free to contact me on telephone number (02) 9238 3955 or email: admin@urbantaskforce.com.au

Yours sincerely

Urban Taskforce Australia

A handwritten signature in black ink, reading "Aaron Gadiel". The signature is fluid and cursive, with a long horizontal stroke extending from the bottom of the name.

Aaron Gadiel
Chief Executive Officer