



BUILDING A BETTER NEW SOUTH WALES

GETTING OUR ACT TOGETHER





An efficient and transparent planning system is crucial to economic growth in NSW. Each year the urban development industry sustains jobs for more than 500,000 people and generates \$49 billion in revenue to the state.

UDIA NSW has advocated for comprehensive planning reform. Now that the State Government has committed to a rewrite of the Planning Act, there is a valuable opportunity to return certainty and confidence to developer investment in this state.

The plan proposed by UDIA NSW in this document maximises that opportunity. It is constructive, realistic, and is backed by the industry experience of more than 500 of our members.

GOALS FOR THE NEW PLANNING SYSTEM

UDIA NSW has identified four main components required in the new Planning Act:

- > Strategic Planning: The Act should feature strategic development plans that provide clear policy direction and define objectives. These plans should foster the state's economic growth and balance this growth with positive social and environmental outcomes.
- > Plan Making: The Act should place greater emphasis on consultation in plan making, so there is a co-ordinated approach that addresses all stakeholders including the community. This approach should bolster industry certainty to invest in development projects.
- > Assessment and Determination: The Act should set out an assessment and determination process for development projects that is efficient, transparent. The process should be streamlined, define clear roles and responsibilities for all parties, and provide for the use of new technologies.
- > Implementation and Management: The Act should ensure accountability in the planning system by setting out defined measurement, review and management of the planning system's performance.

STRATEGIC PLANNING

The new Planning Act must align its strategic planning provisions with the state's economic development plans, population growth forecasts and demographic changes. The provisions should identify infrastructure needs, and the timeline of those needs. Strategic planning should address the preparation of regional and metropolitan strategies and balance environmental, social and economic impacts. The metropolitan strategies need to include provisions to stimulate urban renewal in strategic locations.

UDIA NSW believes the role of strategic planning, with clear objectives and direction, needs to be enshrined in law to the state's economic growth.

PLAN MAKING

The new Planning Act must include a plan-making process that is both inclusive and transparent. It should set out the consultation requirements for all stakeholders including State and Commonwealth Government agencies, local government, land owners and the community. The plan-making provisions should address the preparation of:

- > Local Environmental Plans
- > Development Control Plans
- > Contribution Plans
- > Voluntary Planning Agreements

UDIA NSW believes a focus on plan making will inspire more confidence and certainty in the planning system by including:

- > Local Environmental Plans that enable strategic planning outcomes. They should use a common language and the same principles throughout the state, but also allow for the flexibility to include locally-based solutions.

- > Planning instruments that stand alone without references to other instruments.
- > A reduction in the number of State Environmental Planning Policies (SEPPs), which add an extra layer of complexity to core planning instruments. The SEPPs that are retained should enable the construction of critical infrastructure to support development projects.
- > A process to attract private capital and investment in the development sector via transparent planning agreements between developers and consent authorities.
- > A simplified development contributions regime that spans a broader contribution base, with agencies, councils, developers and the broader community active participants in the preparation of plans.

ASSESSMENT AND DETERMINATION

Efficient assessment and determination of development proposals should be based on merit against the relevant planning controls. The standardisation of planning instruments will reduce subjectivity, assessment time and compliance costs, improving project affordability and increasing investment certainty. There must be prescribed time frames for each stage of the assessment and determination process.

UDIA NSW believes the new Planning Act should simplify the assessment and determination of projects by:

- > Nominating a single assessment authority that is responsible for a particular category of development.
- > Ensuring there are assessment and determination provisions for State Significant Developments.
- > Allowing assessment and consent of a project at the plan-making stage, without the necessity of providing delivery and construction details during that stage.
- > Limiting community consultation and agency concurrence to the plan-making stage, rather than allowing it at the development assessment stage.

- > Replacing the term 'exhibition' with the term 'notification' when a development proposal is released for consultation, to place focus on local and temporary impacts during delivery, rather than on seeking objections to a proposal.
- > Depoliticising the assessment process and supporting the use of independent and expert panels.

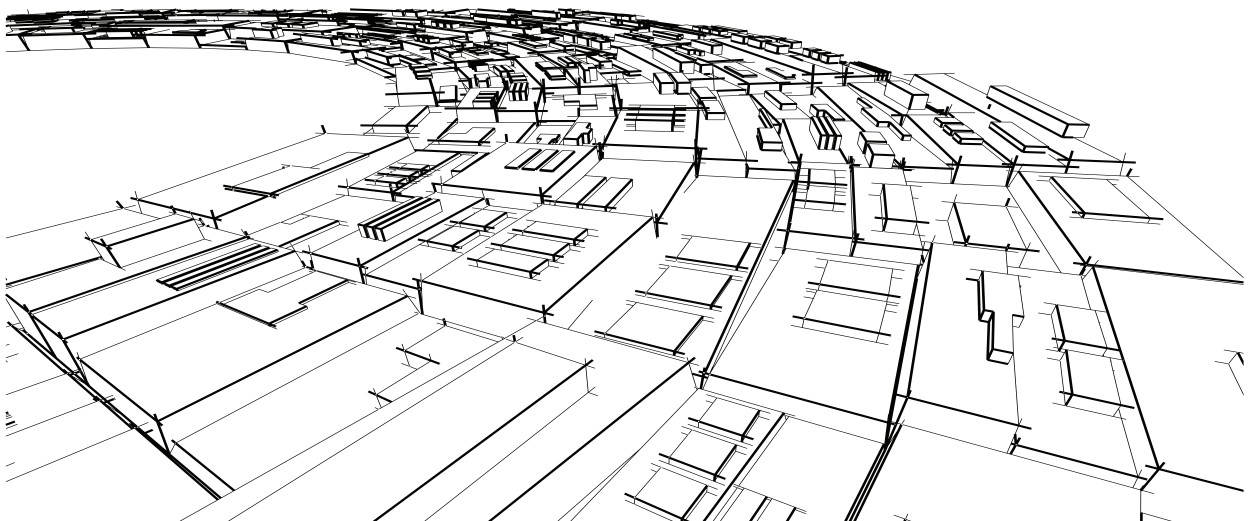
IMPLEMENTATION AND MANAGEMENT

Proper implementation and management of the planning system will create efficiency and transparency by ensuring all the impacts of state legislation are considered and the system's performance is measured, reviewed and managed.

UDIA NSW believes this should be achieved through:

- > Mechanisms within the new Act for review of, or appeal against, determinations stipulating grounds, time frames, avenues and eligible parties.
- > A review of the efficiency and efficacy of the new Act and the appropriate amendments being made to the Land & Environment Court Act and the Local Government Act.
- > Greater reliance placed on the use of codes and certification for construction and delivery.
- > Use of new technologies to aid efficiency and transparency throughout the assessment process.
- > The creation of benchmarks and targets to allow measurement, review and management of the system.
- > Using a single schedule within the Act for all savings and transitional provisions.

UDIA NSW believes that the Government has a tremendous opportunity to fix the NSW planning system by adopting the measures outlined above, to create a new Act that will encourage investment and growth in NSW.





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ABOUT UDIA NSW

The Urban Development Institute of Australia NSW (UDIA NSW) represents the interests of the urban development industry in NSW. UDIA NSW aims to secure the viability and sustainability of the urban development industry for the benefit of our members and therefore the communities that they create.

UDIA NSW represents the leading participants in the urban development industry with more than 500 member companies including developers, financiers, consultants, property managers, planners, builders, manufacturers, and state and local government bodies. A quarter of these members are based in regional NSW.

UDIA NSW members are represented by an elected Council of 13 leading industry practitioners who are responsible for the strategic direction of the Institute. UDIA NSW also has an extensive committee and regional chapter structure that involves more than 300 of the development industry's key stakeholders in policy formulation.

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