Ms Gabrielle Kibble  
Chair  
Independent Review of the Sydney City Council, Central Sydney Planning Committee (CSPC)  
GPO Box 3415  
Sydney 2001  
email: paula.poon@planning.nsw.gov.au

Dear Ms Kibble,

Thank you for inviting the Planning Institute of Australia (PIA) to make a submission to the Independent Review of the Sydney City Council, Central Sydney Planning Committee (CSPC). This submission is made by the NSW Division of the Planning Institute.

The CSPC is a well established and respected panel constituted under the City of Sydney Act with important planning responsibilities that affect the City, including the determination of development applications with a construction value of over $50 million. As far as the Planning Institute is concerned it has performed this function with a high degree of professionalism and integrity, and indeed performs this role very well. The Institute supports the Development Assessment Forum's (DAF) model, also adopted by COAG, which includes in principle support for expert planning panels of this nature. The CSPC is a model example of how this panel system can operate well, with a consistent track record going back some 22 years.

The Institute also generally supports the make-up of the panel, comprising a cross-section of relevant expertise. Most importantly PIA supports the recognition given to, and the inclusion of, planning expertise with the inclusion of the Director-General of the Department of Planning, or his delegate, on the Committee. The inclusion of elected representatives of the Council is also most important to the success of the Committee, and in bringing to the table the essential perspective of the local community.

The Central Sydney Planning Committee was established, as its name clearly indicates, to deal with planning matters affecting Central Sydney due in no small part to the State significance of the Sydney CBD and the crucial role it plays in the NSW, and indeed the Australian economy. With the amalgamation of the former councils of the City of Sydney and South Sydney the work of the CSPC has extended into the wider geographic area of the combined council.

Another potentially relevant change to the NSW planning system with the reforms introduced in 2008 has been the introduction of the Planning Assessment Panel (PAC) and Joint Regional
Planning Panels to decide certain development applications, most notably those of a larger nature.

The Institute supports the continuation of the CSPC as currently constituted, notwithstanding the PAC and JRPP system recently introduced. This support is in recognition of the State significance of the Sydney CBD and the demonstrated success of the Committee in conducting its affairs. It is a well understood and functioning system and we see no reason for changing it, at least as it affects the Sydney CBD.

There are, however, two possible areas that we believe should be considered in any review of the CSPC. Firstly there is a case, in our opinion, for reducing the CSPC’s reach to that of Central Sydney, as originally constituted. This would mean that decision-making for the areas outside would be subject to the same system operating in other parts of NSW, that is decision making by Council for 'local development', the JRPP for 'regional development' and the PAC as permitted under the Environmental Planning & Assessment Act and the Minister’s delegations. This provides for greater consistency of decision-making at the regional level, and a uniform system across local government.

The second area that needs consideration is the role of the CSPC, assuming it remains, in the plan making process. The City of Sydney Act seems to provide that the preparation of LEPs, or planning proposals, is a joint responsibility of the CSPC and the Council. Should there be a disagreement between the two bodies it is not clear which has ultimate decision-making responsibilities. In our view this should be clarified and we would submit that the Council of the City of Sydney have responsibility for the plan making process for all areas of the City consistent with that of other councils, except in the case of the State significant area of Central Sydney. In Central Sydney the CSPC should have ultimate responsibility for LEPs and planning proposals, in consultation with the Council.

Should you have any queries about this matter please do not hesitate to contact me.

Yours sincerely

Tony McNamara

NSW President