NSW POSITION STATEMENT

New Planning Act for New South Wales

Background

The current planning legislation in NSW no longer meets its core function of promoting an effective planning system for the State. The planning system has become complex and is progressively orientated towards development control at the expense of strategic planning, resolving environmental concerns and public participation. The Environmental Planning and Assessment (EPA) Act 1979 is over 30 years old and has been significantly amended in recent years. Further amendments to the EPA Act will be counter productive and will compound the current problems that are being experienced with the Act due to;

- its excessively complex framework;
- conflicts between the aims of the Act and its implementation;
- failure to address contemporary environmental and community planning issues; and
- the continuing frustration by professionals, the industry and the community about the approvals process.

An overhaul of the current Act is not the solution. Numerous ad hoc amendments since its commencement have been the cause of much of the current dysfunction of the Act. A new Act is the solution.

The formulation of a new Act and its subordinate legislation will take time and dedication of resources and there will need to be political bi-partisan support for change. The Institute will work with other professional associations and industry groups as well as politicians of all political parties to make the new planning legislation a robust and simplified instrument that will serve the people of NSW well into the future.

Position Statement

PIA NSW promotes a new administrative and legislative framework to create an environment in which human settlement and its demands are reconciled with the preservation of the natural environment and heritage.

PIA NSW seeks to ensure that where land is to be developed, it is in the context of proper consideration and assessment of environmental and sustainability issues through simple and user friendly procedures and practices.

PIA NSW calls on the State government to provide for a pre-eminent process of strategic planning, assessment and review as a prelude to statutory forms of land use control.

PIA NSW supports a collaborative rather than adversarial approach to development assessment where the level of assessment, community consultation and the determination process is related to the complexity of the development proposed.

PIA NSW believes in the provision for citizen engagement at each stage in the strategic planning decision making process and mandating regular reviews of all statutory instruments.

PIA NSW promotes the inclusion of an independent system of judicial and merit review.