Draft Upper Hunter Strategic Regional Land Use Plan and Draft New England North West Strategic Regional Land Use Plan

Submission by Planning Institute of Australia (NSW Division)

The Planning Institute of Australia (PIA) is the peak body representing professionals involved in planning Australian cities, towns and regions. The Institute has around 4,500 members nationally and around 1,200 members in New South Wales. PIA NSW plays key roles in promoting and supporting the planning profession within NSW and advocating key planning and public policy issues. This submission has been prepared on behalf of PIA NSW by members of the Institute.

Introduction

The NSW Division of the Planning Institute of Australia (PIA NSW) welcomes this opportunity to lodge this submission on the Draft Upper Hunter and New England North West Strategic Regional Land Use Plans (Draft Plans). It is noted that the Draft Plans are components of the State Government’s Strategic Regional Land Use Policy. Other components of this broader Policy include the Draft Aquifer Interference Policy, requirements for proponents of mining and petroleum developments to submit Agricultural Impact Statements and a host of other initiatives.

The State Government recognises that multiple initiatives staged over time are required to address land use conflicts in the regional areas of NSW. PIA NSW thoroughly endorses this approach and regards Strategic Regional Land Use Plans as one of the most important components of such a Policy. PIA NSW has therefore carefully reviewed the Draft Plans so that this submission might assist the State Government in adopting and implementing more robust and effective Strategic Regional Land Use Plans for the Regions. PIA NSW has also recently released a Position Statement on Land Use Conflict in the Upper Hunter Region¹.

Whilst PIA NSW understands and supports the urgency in resolving conflicts and potential conflicts between mining and agriculture and the impacts on economic development in NSW, the Institute is concerned that this initiative comes at a time when the entire planning system is soon to be replaced. Therefore, the preference for PIA NSW is that the draft Policy be considered in conjunction with the Planning System Review. That said there are some comments that PIA NSW would like to make relating to the Draft Policy Statement as follows:

Strategic planning framework

The purpose of a Regional Strategic Land Use Plan should be to consider the broader, cumulative and longer term impacts of development. It should also be to provide the framework to make complex land use decisions within the region which will reduce land use conflict and enhance the potential to secure sustainable land use outcomes for communities when measured in social, economic and environmental terms.

By adopting the well established strategic planning approach of nominating land uses for specific areas over the 25 year timeframe of the Draft Plans, the community and industry can move forward with greater certainty. A Strategic Plan does not preclude alternate land uses infinitum; rather it focuses investment decisions and the subsequent development in priority areas over a specific timeframe.

**Proposed gateway process**

The major weakness in the Draft Plans is that they do not provide a ‘strategic’ direction for land use. The mapping of current land uses provides a valuable baseline for planning; however the Draft Plans do not identify the location or nature of desired future land uses. The Draft Plans fall short of providing the strategic direction so desperately needed in the Regions and instead only succeed in adding an extra layer to the planning process known as the gateway process. This process will promote the continued assessment of development proposals on a case by case basis rather than introduce a strategic framework within which land use decisions can be made.

The Draft Plans will add extra time, cost and greater uncertainty to regional land use decisions by adding an additional assessment process to the already overly complex NSW planning system. The additional ‘gateway’ assessment process does not provide greater certainty for any of the stakeholders whether they are industry groups, local communities or government agencies. There is no methodology proposed for accurately considering the cumulative impact of a development, rather simply a proposal to develop such a methodology.

**Land use mapping**

Without a map of future land uses, merely referencing areas as ‘unsuitable’ or ‘priority’ for different land uses is inadequate. Use of these types of subjective terms plagues the NSW planning system’s credibility, transparency and reliability. The current NSW Planning System Review has highlighted the need for a simpler assessment system, more certainty, improved transparency and better strategic planning linked to infrastructure provision. This Draft Plan does not achieve these objectives.

**Funding and delivery**

One of the major criticisms of the existing Regional Strategies is that they fail to provide a plan for the delivery of critical infrastructure within the regions they cover.

The Draft Plans similarly fall down in this regard and merely have an Action (Action 4.1) necessitating the preparation of a funded Infrastructure Plan for the region. In fact, many of the actions listed in the Draft Plans are simply a list of the essential elements of the Draft Plans which have not yet been prepared. These initiatives should have been included in the Draft Plans to allow for a better understanding of how effective, or otherwise, the Draft Plans may be in achieving their goals of providing a “framework to support growth, protect the environment and respond to competing land uses, while preserving key regional values over the next 25 years.”

Another critical missing component of the Draft Plans is the absence of a methodology to undertake Cost Benefit Analysis. There is a long list of actions to prepare future guidelines or strategies, including guidelines for voluntary planning agreements for mining projects, preparation of guidelines for assessment of impacts on human health from dust emissions, preparation of an Upper Hunter Strategic Biodiversity Assessment, preparation of Biodiversity Offsets Data Base, etc.

In addition, many of the actions in the Draft Plans call for reviews of existing plans and guidelines including the review of the Industrial Noise Policy, the review of the Synoptic Plan for Integrated Landscapes and the review of the guidelines for Community Consultation for Mining Projects. The Draft Plans therefore require a number of reviews which relate to State Government policies which apply all over NSW, not just in the Upper Hunter and New England North West.
In total there are 30 actions listed in the Upper Hunter Draft Plan. Many of these are already underway and therefore there is no need for a Strategic Regional Land Use Plan to be adopted to have these actions implemented. Actions requiring councils to identify employment lands, future residential lands and land for community infrastructure do little to progress regional planning as these actions are already being taken by local councils.

PIA NSW believes that significant revision of the Draft Plans is required before they would be suitable for adoption and implementation. As these are likely to be the first Strategic Regional Land Use Plans to be adopted in NSW, it is critical that they set a high standard for other Plans to follow. At present they can be considered inadequate in a number of fundamental respects. PIA NSW therefore urges the State Government to undertake further work on the Draft Plans in line with the feedback provided in this submission prior to it being finalised.

PIA NSW is pleased to have had the opportunity to make this submission on the Draft Strategic Regional Land Use Plans. PIA NSW would be pleased to discuss any aspect of the points raised in the Submission with the Departmental Officers.

Planning Institute of Australia
(NSW Division)
10th May 2012