The Year in Review

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To contact any members of the Committee please email nswmanager@planning.org.au or contact the NSW Division Office on 02 8904 1011

Built Environment

Master of Urban Renewal and Housing

Never Stand Still
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Would you be shocked to discover that most humans have an attention span shorter than a goldfish? It’s apparently true – a recent study by Microsoft found that, on average, we lose concentration after just eight seconds. Eight! The humble goldfish, paragon of concentration, lasts a full nine seconds.

This poses me an immediate challenge. By the time you finish reading this paragraph it’s likely that your mind will have wandered off track, distracted by the ‘ding’ of an incoming message, the flash of an email notification, or a colleague discussing their plans for Christmas. Just thinking about Christmas you’re wavering, aren’t you? Stick with me. We’re not letting that goldfish win if I can help it!

Evidence suggests attention spans are getting shorter and shorter. Microsoft’s report found that, since 2000, average attention spans have dropped from 12 to eight seconds. The culprit? New technologies saturating us with information and feeding our insatiable appetite for constant connectivity.

The digital age, it would seem, has altered our brain’s ability to slow down and focus, often distracting us from the things that matter most.

As I found out the other day, one’s full attention is required to safely navigate Sydney’s slippery sidewalks following a heavy downpour. The take-away message: multitasking on a smartphone whilst walking on wet surfaces can result in public embarrassment. Avoid unnecessary technological distractions at all costs!

As we come to grips with the challenges and opportunities presented by our increasingly digitised lifestyles, publications like New Planner must evolve to remain relevant. Over the past year, the New Planner Editors have worked hard to bring you – our readers – four highly topical issues that we hope have stimulated your interest. We’ve also focused on improving the Journal’s design, giving it a fresher look, and increasing our engagement through social media.

But we also know there’s more work to be done – and that’s where you come in.

In the coming weeks, you will have an opportunity to contribute to the future direction of New Planner by completing an online survey. I encourage you to have your say, and help ensure that New Planner continues to capture the attention of planners, allied professionals – and interested goldfish – far beyond eight seconds per issue!

At this junction in New Planner’s evolution, I feel the time is right for me to step aside as Managing Editor and focus on my other commitments, both within and beyond the Institute. Thank you to the many people – the regular columnists, guest editors, design team and Editorial Committee members – who have supported me so ably over the past year-and-a-half.

In particular, I would like to thank the members of the current Editorial Committee for the many hours they have contributed to make New Planner what it is today.

I leave you in their very capable hands.

Have a merry Christmas and a happy New Year.

Andrew Wheeler PIA (Affiliate), Managing Editor, New Planner
Malcolm Turnbull’s elevation to Prime Minister appears to have brought the Federal Government ‘back into the game’, recognising the importance of planning, particularly of cities, to the economic, social and environmental wellbeing of the nation.

Following the NSW election in March this year, the new Planning Minister, Hon. Rob Stokes, has impressed us all with his erudition and passion for his portfolio. I wish to thank the Minister for his great support for PIA over the last year and, in particular, his willingness to attend so many of our events.

In our recent meetings with the Minister and the Secretary of the Department of Planning and Environment, Carolyn McNally, PIA has continued to strongly advocate the case for ongoing improvements to the NSW planning system, after the stalling of the Planning Bill in late-2013. We have provided the Government with our suggestions for specific reforms that can be implemented under the current legislative regime.

The Government appears committed to ongoing improvements to the planning system, and has a welcome focus on major infrastructure delivery and urban renewal projects.

This year, PIA embarked on an important program on the theme of recognising the “Value of Planning”. Following on from work on the same theme by our UK counterparts the Royal Town Planning Institute (RTPI), this initiative aims to dispel the myth that planning is hindering economic growth through over regulation of development activity. Our thesis is that good planning is in fact a major and essential contributor to economic growth.

We have had a successful program of events in 2015, including the State Conference, Awards, Gala Dinner, and recognition of Fellows and Life Fellows of the Institute, as well as numerous CPD, toolbox, Young Planners, mentoring and other programs and events across NSW. All of these are aimed at advancing the knowledge and professional competency of planners as well as providing professional networking opportunities.

This is my last column in New Planner as NSW President and I am very pleased to be handing over the reins to such a capable person as Marjorie Ferguson, who I know will do a great job in the role. Congratulations also to the new Vice Presidents, Gary Shiels, David Boyd and Jenny Rudolph.

It has been a privilege and a pleasure serving as President for the last two years. I wish to acknowledge the support I have received from the Executive Committee, Sarah Hill, Marjorie Ferguson, Scott Anson and our support team of Maureen Horder and Amanda Maskill. Thanks also to the outgoing Divisional Committee members, whose volunteering efforts have contributed to the success of PIA as a credible and well-regarded voice of the NSW planning profession.

Two significant events have occurred in 2015 that I believe have the potential to be game changers for planning in NSW and Australia. Both the leadership change at the Federal level and the appointment of a new Planning Minister in NSW present some tantalising opportunities for planning and planners.

Malcolm Turnbull’s elevation to Prime Minister appears to have brought the Federal Government ‘back into the game’, recognising the importance of planning, particularly of cities, to the economic, social and environmental wellbeing of the nation.

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PIA NSW has had a busy year in 2015. Commencing with the lead up to the state election in March, getting planning onto the political agenda was a key focus. The election resulted in the appointment of a new Minister for Planning, Hon. Rob Stokes, who has been a very positive force for planning.

Our professional development program was a highlight of 2015, with a regular program of courses, workshops and seminars held around the state. We conducted over 20 face-to-face events. Our regional program of half- and full-day workshops included Armidale, Lismore, Newcastle, Tamworth, Wollongong and Yass.

We also hosted a series of after-work seminars in Sydney, some of which were streamed to various regional cities. This program also involved a range of lunchtime webinars that proved popular.

The NSW Division prepared and lodged many submissions to government agencies and parliamentary inquiries in 2015. Various initiatives advocated by the Division, such as the Greater Sydney Commission, were supported and introduced by the new government. We also conducted numerous member-only forums, including national consultations on the ‘evolution’ of PIA.

2015 involved an array of events for the NSW Young Planners, including site tours, presentations and networking drinks. NSW has a very active Young Planners Committee, which supports university orientation weeks and PIA’s mentoring program, among many other great initiatives and events.

PIA NSW offered awards and scholarships for Young Planners to attend key professional events in 2015, as well as prizes to outstanding graduates of university planning courses in NSW.

Our annual Awards for Planning Excellence were in November, with a record numbers of attendees and high-quality nominations in all categories. Congratulations to the winners, who are detailed later in this issue.

We are grateful for the contribution of the many businesses and organisations that supported our events and programs in 2015. Our key sponsors included the NSW Department of Planning and Environment, UrbanGrowth NSW, City Plan Services, Elton Consulting, Bartier Perry, Gadens, Village Building Co., Walker Corporation, Parramatta City Council, Norton Rose Fulbright, BBC Consulting Planners, Allens, Willans Associates, Monteath and Powys, AEC Group, and GM Urban Design & Architecture (GMU). These and all our sponsors are greatly valued as they enhance the quality and number of events that PIA is able to offer to our members.

Planning is now underway for our program of events in 2016 and we look forward to sharing this program with you soon. We wish all our readers the compliments of the season.
Across the globe, governments are responding to the strategic planning challenges of population growth by better coordinating the delivery of housing, infrastructure and services. The Greater Sydney Commission will deliver the big picture thinking Sydney needs, while also operationalising ecologically sustainable development in a governance structure in Australia for the first time.

Over the next 20 years Sydney’s population will grow much faster than it did over the last two decades. By 2031, Sydney will be home to an additional 1.6 million people and an extra half a million jobs, nearly doubling the city’s economic output to $565 billion annually. More than half of this growth will occur in Western Sydney. With Sydney’s population set to skyrocket, there is no more time to sit back or prevaricate – we need to plan, manage and deliver for change.

The NSW Government is taking proactive steps to shape Sydney for the growth that’s coming by establishing a new planning authority, the Greater Sydney Commission. In October, the Government introduced new legislation to the NSW Parliament which brings state government, local government and independent experts together to deliver the strategic planning priorities that Sydney needs.

This new authority will consist of 13 Board Members and divide greater metropolitan Sydney into six districts. Of these 13 appointees, six will be District Commissioners, chosen by elected officials from Sydney’s local councils; three will be state government appointees including the key Secretaries for Planning, Treasury and Transport; and three will be independent commissioners including a Social Commissioner, Environmental Commissioner and Economic Commissioner. Finally, an Independent Chief Commissioner will be selected to lead this new authority.

The structure of the authority signals a significant shift in the way in which we deliver strategic planning for greater metropolitan Sydney. Although the principles of ecologically sustainable development have been included in planning legislation for decades, they have not been operationalised in governance structures like they will be in the Greater Sydney Commission.

The appointment of three independent Commissioners is an important first step in balancing the needs of our communities into the future. The Commissioners’ role will be to provide balanced advice to the Government on how to deliver economically, environmentally and socially sustainable development in Greater Sydney as it continues to grow and change. The role of District Commissioners is to give local councils the opportunity to play a major role in the decisions that shape their broader districts.

The Greater Sydney Commission will develop, monitor, review and implement strategic plans for metropolitan Sydney to guide land use and planning decisions across our city over the next two decades. The Commission will also be responsible for creating six district-level land use plans, annual infrastructure priority lists and delivery plans for priority growth areas across the city – which Local Environmental Plans isn’t a radical approach – but it will be transformational in bringing integrated planning to Sydney.

The authority will also take on all decision making on rezoning proposals and plan making which is currently undertaken by the Minister for Planning (or his delegate), including pre-gateway reviews. The Commission will be the sole decision maker for both major and significant development assessments, as well as ruling on rezoning proposals across Sydney.

These changes represent a significant shift in the existing approval process, from planning decisions being made on Macquarie Street to decisions being made by the community. The Greater Sydney Commission will also operationalise ecologically sustainable development. By looking at Sydney through a big picture lens, the Commission will help ensure that as the city changes it also becomes more liveable, more productive, more sustainable and more affordable than it is today.

Rob Stokes is the NSW Minister for Planning. Prior to this appointment he served as the Minister for the Environment, Minister for Heritage, Minister for the Central Coast and Assistant Minister for Planning as well as the Parliamentary Secretary for Renewable Energy and Energy Innovation. Rob was awarded a PhD in Law in 2008. He was previously a lawyer and academic in environment and planning law. Rob holds a life-long interest in environmental protection and planning, heritage and sustainability.

Elected to the NSW Parliament as the Member for Pittwater in 2007 and re-elected in 2011 and 2015, Rob represents the interests of approximately 65,000 residents in a range of suburbs and coastal hamlets across 175 square kilometres of outer metropolitan Sydney. He is a patrol captain at Mona Vale Surf Life Saving Club and an Honorary Fellow at Macquarie University. Rob and his wife Sophie live in Sydney’s northern beaches and are busy raising three children.
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Several announcements in 2015 have framed the year as one of great promise. At the Federal level we had the recent announcement that the Commonwealth Government now has a Minister for Cities and the Built Environment. This is a welcome initiative from a Coalition government that has surprised a lot of people.

At the State level we had the Coalition returned for a second term in March and the announcement of a new Minister for Planning. More recently, we were told the form of the Greater Sydney Commission (GSC).

Intergenerational Report
We also saw the release of the latest edition of the Intergenerational Report. Since the first report was published back in 2002, every five years or so we have been provided with a vision of what Australia might look like in demographic and economic terms in 40 years’ time.

As has been the case in previous reports, the latest version identifies the ageing of the population as presenting enormous challenges in the decades ahead. By 2055 there are projected to be over 40,000 people in Australia aged 100 years or older; this compares with just 122 people in 1975.

The ageing of the population means that planning has to consider increasingly how age-friendly our public spaces are.

Australia’s productivity has been declining in recent decades. It is, therefore, not surprising that the economic outlook presented in the Intergenerational Report has a clear focus on improving productivity, encouraging participation in the workforce and maintaining the population growth that has seen Australia become the fastest growing developed nation in the world in recent years.

Conclusion
There have been very significant announcements by both the State and Commonwealth Government in 2015 which have laid the foundation for real progress to be made in the next few years in terms of planning at the State and Federal level.

2015 will be remembered as a year of great promise. It is to be hoped that the expectations that have been created by Coalition governments in Sydney and Canberra will be realised in the years ahead.

Steve O’Connor is the Vice-President and NSW Board Director of the Planning Institute of Australia.

Endnotes
A s we respond to population growth, technological disruption and the impacts of climate change, our cities need to change. They must become more compact, flexible, efficient, green and, ultimately, more resilient.

As a result of climate change, we know to expect rising temperatures and sea levels, increases in the severity and frequency of extreme weather events, and changing precipitation levels. Climate change is a threat multiplier to global security, compounding the risks we are already facing – food and water shortages, pandemic disease outbreak, refugee crises and mass migration, civil unrest, environmental degradation and resource depletion. Climate change will exacerbate existing weaknesses in cities, particularly for the most vulnerable parts of society.

We can’t predict when disruptive or catastrophic events will occur, who will be affected, or what the ripple effects may be. The complexity of urban systems to support our denser built environments means that a disruption to the system can have far-reaching – and, often, unexpected – impacts. What we can control is how our urban systems and communities respond to, and bounce back from, these challenges.

Urban resilience refers to the ability of individuals, communities, institutions and businesses – and the urban systems that frame these – to maintain essential functions and to continue to evolve and develop in the face of acute shocks and chronic stresses. Through resilience efforts, there exists the opportunity to build a stronger urban fabric to face the challenges ahead.

**100 Resilient Cities**

100 Resilient Cities (100RC), pioneered by the Rockefeller Foundation, offers tools, programs and support to assist cities in identifying their strengths and addressing their weaknesses. In recognition of the increasing pressures being placed on urban areas by globalisation, urbanisation and climate change, the 100RC program was established to help cities build resilience to the shocks and stresses that can disrupt and weaken the urban fabric on a day-to-day or cyclical basis.

In December 2014, Sydney was selected as a member city of the 100RC network, and at a workshop on 25 June 2015, the first step in the journey towards a more resilient city was taken. The Sydney Agenda Setting Workshop, hosted by the City of Sydney and supported by AECOM as Workshop Partner, was attended by 150 stakeholders from a wide range of sectors to discuss the critical issues for metropolitan Sydney. Significantly, this event provided the first opportunity for a wide range of key stakeholders, including representatives from most Sydney metropolitan councils and 90 other organisations, to debate the key resilience challenges for Sydney and provided a starting point for the development of a collaborative resilience strategy.

The findings of the workshop will be taken up by the recently appointed Chief Resilience Officer for Sydney, Beck Dawson, and will set the foundation for the Resilience Strategy process.

**Vulnerabilities for Sydney**

**Shocks and stresses**

Workshop participants were involved in a number of activities to determine Sydney’s key vulnerabilities. Participants were asked to assess shocks and stresses according to severity, frequency and likelihood, encouraging debate about their interrelationships.
The 100RC City Resilience Framework

Promotes Leadership & Effective Management
Empowers a Broad Range of Stakeholders
Fosters Long-Term & Integrated Planning
Enhances & Provides Natural & Man-Made Assets
Ensures Continuity of Critical Services
Provides Reliable Communication & Mobility

Can do much better:
Leadership & Strategy

Can do better:
Health & Wellbeing
Area of strength:
Infrastructure & Environment

Meets Basic Needs
Supports Livelihoods and Employment
Ensures Public Health Services
Promotes Cohesive & Engaged Communities
Ensures Social Stability, Security & Justice
Fosters Economic Prosperity

Key

Area of strength Can do better Can do much better

Participant perspectives on Sydney’s strengths and weaknesses (Source: AECOM, 2015)

For Sydney, shock events of particular concern included heatwaves, flooding, bushfire, infrastructure failure, drought, cyber-attack and resource shortages. Key chronic stresses included housing affordability, poverty and inequity (including access to employment and transport), underperforming infrastructure, obesity, mental health issues, and short political cycles making long-term strategic planning difficult.

Sydney’s strengths and weaknesses

Participants were asked to assess Sydney’s strengths, weaknesses and areas for improvement using the 100RC City Resilience Framework tool. The tool comprises four dimensions: leadership and strategy, infrastructure and environment, economy and society, and health and wellbeing. Overall, Sydney was perceived by participants to be strong in the areas of social stability and justice systems as reflected during crises such as the 2005 Cronulla riots and the 2014 Sydney hostage crisis at the Lindt Café. Another perceived strength was the performance of emergency services, as demonstrated by the rapid, coordinated response from emergency services in the April 2015 Sydney storms.

Key weaknesses that participants identified for Sydney included a lack of affordable housing, which, coupled with struggling transport infrastructure and limited access to employment and services for some communities, was identified as having a detrimental impact on Sydney’s future economic prosperity and global competitiveness. Another area of weakness was seen as short political cycles and the politicisation of the decision-making process, with a resulting negative impact on consistent long-term planning and implementation.

Resilience opportunities for Sydney

Following the workshop, a number of opportunities for further examination emerged, including:

- Improving housing affordability to meet the needs of essential service workers and support Sydney’s growing population;
- Improving underperforming, inadequate and over-burdened transport infrastructure;
- Addressing social issues such as mental health and obesity, particularly within vulnerable communities;
- Consistent leadership and implementation of long-term strategies; and
- Enhancing Sydney’s role as a global city, ensuring ongoing economic competitiveness.

Development of the Sydney Resilience Strategy offers an opportunity to identify how these key issues matter to the governance, businesses and people of metropolitan Sydney, and how they could shape the city in future.

What’s next?

The 100RC program offers a coordinated, regional-level approach to resilience that goes beyond local government boundaries and political terms. It offers an opportunity for an integrated approach to recognise and build on work already being undertaken.

Key elements emphasised by workshop participants to be part of a resilience strategy included:

- Building relationships between NSW State Government and local councils across metropolitan Sydney, including the new Greater Sydney Commission;
- Preparation of a detailed and diverse stakeholder engagement plan to ensure everyone has a voice; and
- Evidence-based Resilience Assessment to confirm focus areas, explore interdependencies and create a resilience dividend.

The challenges we face in the 21st century are uncharted territory and we cannot rely on business-as-usual approaches. The concept of resilience allows us to view cities in a holistic and positive way by focusing attention on solutions to strengthen areas of vulnerability. Our end goal is to ensure our communities survive and – most importantly – thrive.

AECOM was the Workshop Partner for the Sydney Agenda Setting Workshop, led by Norma Shankie-Williams, Suzanna Remmerswaal and Rachelle Newman. AECOM is currently working in partnership with 100RC and local city councils in 14 cities worldwide.

For further information on what AECOM is doing to make our cities brilliant visit: www.aecom.com/About/Brilliant+Cities and our connected cities blog: http://blogs.aecom.com/connectedcities/

For further information on the Sydney Agenda Setting Workshop visit: www.cityofsydney.nsw.gov.au/vision/towards-2030/resilient-sydney

The 100RC City Resilience Framework
(Source: City of Sydney, 2015)
In a talk at PIA’s Planning Reform series in July, the new Planning Minister, Rob Stokes, departed from what can seem like a preordained agenda of faster, simpler planning approvals. He led us into some more ‘abstract’ ideas about the planning dilemma. It was as if he was setting the profession a challenge.

It can be difficult to get politicians interested in longer-term questions about our cities. They are always busy and there are usually hotter topics. But just now city planning has political cred. Rob Stokes recently announced details of the Greater Sydney Commission (GSC), which is potentially a gamechanger. We know Premier Mike Baird was in the thick of the original GSC decision, as well as other recent public transport infrastructure decisions. And it’s not only those two politicians. Jodi McKay, the Opposition’s Planning Spokesperson, impressed all with her grasp of planning and her progressive ideas at PIA’s Annual Dinner in March. And, suddenly, we also have a public transport enthusiast as Prime Minister and a new Federal Minister for Cities.

Does city planning warrant all this attention?

Well…yes. Australia has the highest population growth rates of the major developed countries’ and 80% of this growth is accommodated in our cities. Our per capita greenhouse gas emissions are also just about top of the OECD table and are twice the OECD average. Two major greenhouse gas contributors are planning-related: housing form and car-dependence. Traffic congestion is also having a substantive productivity effect, risking Sydney’s global city credentials and thus the knowledge sector jobs we need to maintain living standards. Recently Infrastructure Australia estimated the cost of congestion at $13.7 billion/year, rising to $53.3 billion/year by 2031.7

The mobility problem is hard to miss. But an indicator which is more hidden and even more concerning is that around spatially-based inequality. SGS has mapped the social-advantage/disadvantage (SEIFA) index across Sydney (see map), and work by Randolph and Tice shows social polarisation worsening over time.3 So far Australia has avoided the worst problems of spatially-based income and wealth inequality seen in the US and parts of the UK, with our high levels of home ownership acting as an equalising force over time. But we are seeing a shift. The homeowner entry cohort (under 35s) has been in steady decline since the 1990s recession and (anecdotally) has gone into freefall more recently. Even setting aside the question of a ‘fair go’, there is a lot of data now on the economic downsides to inequality of opportunity, especially where there is obvious unearned wealth for one group – such as in housing as we’re seeing now – and not others.5 This helps to explain why some groups of young people feel so disconnected.

Plenty of responses already on the table

Planners and related professionals have had lots to say about these kinds of problems. The work of the CRC for Low Carbon Living, for example, demonstrates Australia’s world-class knowledge of integrated low carbon building systems, low carbon urban precincts and software tools responding to different geographic settings. And, as recently as the June issue of New Planner, Rod Simpson raised the problem of myopic ‘problem-fixing’ mindsets in our transport planning and presented some images of long-term change. He offered a ‘conversation-starter’ on a more equitable and accessible city into the future. My thoughts here are an attempt to add a little to it.

There are also many innovative concrete projects. One that caught my eye recently was The Commons by Breathe Architecture (Brunswick),4 which adopted a communal logic, excellent sustainability principles and an innovative financial model to open the door to low-income workers in a well-located part of Melbourne. I’m sure there are Sydney examples.

Barriers to change: ‘ends’ vs ‘means’

We planners have been less effective at influencing the socio-political mechanisms required to deliver innovative change. What’s new today is that rather than just a planning ‘push’, we’ve got to the point where there’s serendipitous societal and market ‘pull’ towards factors aligned with a sustainable social and economic model for the city. This partly just due to crazy housing costs but also reflective of the well-travelled younger generations’ lower inclination to larger homes and cars, and more interest in physical and digital connection. New people arriving in Australia are also more commonly from denser, less car-dependent places.

Even so, we can be sure that the kind of change needed for a better, fairer Sydney – through transport, housing, environmental, design and taxation innovations – will bring even enlightened politicians strife, unless they come with innovations in the social processes behind policy change.

New attention to the ‘relational’

One of the points in Rob Stokes’ July talk links up here. He spoke of planning as a ‘relational’ endeavour. About our job as the one that brings a deeper understanding of the cross-disciplinary dimension of the urban policy challenge. There is quite a bit to this ‘relational’ idea. The research suggests that one of the things we get most wrong in complex policy problems the level of attention paid to inter-relationships.6 Most obvious is the poor linkages between economic, social and environmental reform agendas. But underpinning this are the human relationships between the actors involved in the policy debate, where different values, interests and power relations are at play. If the last round of planning reforms in NSW is anything to go by, we have much to learn here.

Relational thinking focuses on the tendency for big urban change to be blocked by system actors already in positions of power.
It suggests ‘too much space’ is usually given to those arguing from a narrow, single-issue viewpoint. For city planning this would include the familiar ‘pro’ or ‘anti’ new housing development lobbying. Treasury is also often bundled in. The key, it is suggested, is to use innovative process design to remove this ‘luxury’. It is about placing powerful actors in a position to be confident enough about reciprocal behaviour to set aside sectoral interests for a short time. The recent ‘National Reform Summit’ where business, union and social services leaders got together was an example, and Catherine Livingstone’s talk to the Press Club which preceded it should be compulsory viewing.\(^8\)

**What about democracy?**

There is a complicated relationship between democracy and long-term city planning. On the one hand, there are short-term election cycles, which foster the squeaky wheel mindset that Simpson discussed. On the other hand, democracy is foundational to bringing legitimacy to decision-making and delivering more equitable outcomes. Either way, the interdisciplinary questions that surround city shaping are less well served by traditional approaches to political decision-making – ‘three word slogans’ etc. – and more by giving citizens the chance to become informed before they ‘vote’.\(^9\) This is the wider question of the causal relationship between a ‘learning society’, economic growth and social progress, which Nobel Prize winning economist Joseph Stiglitz spoke of at the Productivity Commission last year.\(^10\)

**Where do planners fit in?**

It’s not new to say that planners have an important role in presenting the argument that just ‘going with the flow’, in the big city structure questions, will lead to many more problems in the future. But this rare political air we’re in at present shouldn’t be taken for granted. It has created the best chance for city planning in Sydney since, well...ever. I know planners will continue pushing ideas for innovative urban design and transport infrastructure. But we should reflect more on our own role in the socio-political processes around change and how opportunities to influence change open up or close down.

The GSC, and the Government’s call to take major planning-related powers away from itself is a massive call on the ‘opening up’ side. But there’s no guarantees here. If the GSC does a good job, and tackles the real social and economic failings of our city, it will draw plenty of powerful enemies who are simply looking after shorter term agendas. As Stokes inferred, there’s no other profession that should have more to say when the arguments about city building commence. I hope planners can be a vocal “critical friend” as far as the GSC is concerned, separating exaggerated fears from the legitimate, and encouraging it towards its better self.\(^\)\(^n\)

Peter Walsh is a Fellow of PIA and Director of Walsh Consulting. Peter has consulted to all three tiers of government in planning system reform, and is in the final throes of doctorate research on the topic.

**Endnotes**

2. Infrastructure Australia 2015, Australian Infrastructure Audit, Australian Government, Canberra.
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lobbying rules in NSW

Jodie Wauchope, Director, Planning, Environment and Government, Gadens Lawyers

Town planners who communicate with the state government about development applications or planning proposals are ‘lobbying’. Even planners making submissions to advocate for a change in policy or strategy are likely to be lobbying. A year on from the legal changes that defined a huge amount of planners’ everyday work as lobbying, this article explains what lobbying is – and what you need to do if you are a lobbyist.

Lobbying is defined in the Lobbying of Government Officials Act 2011 and Regulation as ‘communication with a NSW Government Official for the purpose of representing the interests of others’. ‘Communication’ includes writing, meeting, telephone, email or other electronic means.

A ‘NSW Government Official’ includes a wide range of state government and related entity employees, contractors and elected officials. It does not include a local government official.

The communication is lobbying if it relates to:

• Legislation, proposed legislation, a government policy or proposed government policy;
• An application to initiate the making of an environmental planning instrument or plan under the Environmental Planning and Assessment Act (EPA Act); or
• An application or request for development consent/approval or modification under the EPA Act; or
• A submission to a priority precinct exhibition, or strategy such as Parramatta Road corridor, on behalf of residents or business.

This means that if you are a person, including a town planner, communicating with the NSW State Government in relation to a planning proposal or application for development (amongst other things) it is likely you are ‘lobbying’.

If you work solely in the local government sphere – for example, if you are a planner preparing SEEs for local applications to councils only – this will not impact on you (except in relation to the success fee prohibition explained below). If you are preparing reports which will be considered by any State government authorities – for example, the Department of Planning and Environment, Roads and Maritime Services, Office of Environment and Heritage – then you are making representations to state government authorities, and this law will affect you.

Lobbyists and third party lobbyists

If a person’s activities fall within the definition of lobbying, they are a ‘lobbyist’. If they carry on the business of lobbying government officials on behalf of others, generally for money or other valuable consideration, they will also be a ‘third party lobbyist’. Third party lobbyists, and individuals engaged by them, must be registered on the Lobbyist Register.

Some people are not considered third party lobbyists, according to the NSW Electoral Commission. These include professionals engaged in providing professional services to a client who, as part of their day-to-day work, represent the client’s views to a government official. Town planners are likely to fall within this exemption.

A town planner who is employed by a planning firm and is communicating with the State Government in the ordinary course of their work would not likely be a third party lobbyist, though they are likely to be a lobbyist (depending, of course, on what the communication relates to). This may depend on individual circumstances. If a planner is part of a firm which does provide government relations (lobbying) services, they should seek advice as to whether the firm is a ‘third party lobbyist’, because that may have implications for the individual planner. If in doubt, seek legal advice or contact the Electoral Commission.

Watch out for the casual conversation at a function – lobbying extends to communications whether or not made in the course of carrying out the business of lobbying.

Some typical planning examples of lobbying:

• Rezoning application along a road corridor to achieve a change in use, FSR or height where there is no specific policy in place
• State or regional significant application for a major private sector development
• A ‘gateway review application’ submitted to the Department of Planning
• Application for a compatibility certificate for a seniors’ development
• Submissions to a Joint Regional Planning Panel (JRPP)
• A submission to a priority precinct exhibition, or strategy such as Parramatta Road corridor, on behalf of residents or business

What you need to know if you are ‘lobbying’

Lobbyists need to be aware of and abide by the Lobbyists Code of Conduct. The Code sets ethical standards and disclosure requirements for all lobbyists, including that lobbyists must:

1. Disclose, before any meeting with a NSW Government official:
   • the nature of the matter to be discussed, and
   • any financial or other interest you have in the matter to be discussed.

2. Not engage in any misleading, dishonest, corrupt or other unlawful conduct in connection with a meeting or communication with a NSW Government official.
3. Use all reasonable endeavours to satisfy yourself of the truth and accuracy of all material information that you provide in connection with a meeting or other communication for the purpose of lobbying NSW Government officials.

These are things that planners would usually do as part of their work and, as such, the requirements are not out of the ordinary.

In addition, third party lobbyists need to comply with standards such as:

1. Only communicate with NSW Government officials if you are on the register of third party lobbyists (see NSW Electoral Commission website for the register).

2. Before any meeting or communication, disclose that you are a third party lobbyist, the names of people you have engaged to undertake the lobbying and the name of the client.

3. Not lobby in relation to functions of the NSW Government board or committee of which you (or individuals you engage) are a member.

4. Not exaggerate or misrepresent your access to political parties or the government, and keep any party political activities separate from lobbying.


Lobbyists must not charge success fees (fees contingent on the outcome) for lobbying NSW Government officials or local government officials. Notably, success fees do not include the fees charged by professionals for provision of professional advice or services.

The NSW Electoral Commission can investigate breaches of the Code. There are no criminal sanctions for a breach of the Code, but an offender can be put on a public ‘watch list’. Additional requirements apply to people on the watch list. There are significant penalties for individuals and corporations for charging success fees, and forfeit of the fees can be ordered.

If you think you fall within the definition of lobbyist or third party lobbyist, you will need to read the Code of Conduct in Schedule 1 to the Lobbying of Government Officials (Lobbyists Code of Conduct) Regulation.

Useful information can also be found on the Electoral Commission website.

Given that most planning work involves making representations to State government authorities, planners should be aware of the requirements and be familiar with the Code of Conduct.

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**Checklist: is it lobbying? There are four key elements to lobbying**

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<th>Lobbying is representing the interests of others, even if they are community interests.</th>
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<td>Communication</td>
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| 4 | Topic of communication           | You are lobbying if your communication relates to:  
|   |                                  | • Legislation, proposed legislation, a government policy or proposed government policy  
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|   |                                  | • An application or request for development consent/approval or modification under the EPA Act of any development, project or activity. |
A recent call for strategic planning.

As recently as March 2015, Chris Johnson of The Urban Taskforce called on planners to raise the game from focusing on development assessment to doing some real strategic planning. Chris referred to the failure of planning reform and the call for cultural change, while acknowledging that planners ‘really are the owners of the pathways to the future’. There would now appear to be a philosophy within government – one certainly promoted by the Minister for Planning, Rob Stokes – that planning reform can occur incrementally, applying the 1979 EP&A Act, and implementing change via amendments to regulations.

The review of the NSW planning system was the hot topic in planning just a couple of years ago, at a time when the system was described as the ‘world’s worst’. It appears that we’ve now moved on, yet we still have the same planning system. Can somebody please explain?

At present, there is an absolute feast of development occurring in the Sydney metro area, driven by escalating real estate prices and the sense that big infrastructure projects are actually being delivered. New housing projects are evident anywhere within close proximity to transport. So, has planning reform happened? Did we miss it? Was it ever necessary? Or is it simply the case that when things get busy, we tend to overlook perceived failures, and when things become quieter, we return to introspection and look for a better way?

It is my belief that at some point we will return to the issue of planning reform in NSW because so many inefficiencies are still present in the current system. For now, however, it would appear we are all too busy to focus on such matters. There is still a view in government that development assessment takes too long and that 40 days is about the correct time for the average Development Application. Clearly, Complying Development Certificates can be completed in 10 days (provided that the documentation is compliant), so why should DAs take so long? This issue was at the centre of past discussions on planning reform. Yet our real focus should be on the nature, shape, location and character of future development – that is, on developing the strategic tools that we need to shape NSW in the years ahead.

The Parramatta Road Urban Transformation Program offers one such example. Here, we see UrbanGrowth NSW, plus teams of consultants and representatives from 10 local councils, doing a sound job of planning for growth in this corridor, which stretches from the Parramatta to Sydney CBD. A draft strategy for the corridor was released in September this year, which deals with the important issues of housing, jobs, transport, land and social infrastructure. The draft strategy is an example of best practice collaboration; for the 10 councils to achieve the same result independently would simply be impossible. This is not intended to indicate support for council amalgamations; rather, it highlights that many planning challenges cannot be resolved by traditional approaches – they require collaboration. It also demonstrates that careful scoping, collaboration between the people and bodies that can make a difference, investing sufficient money and resources, and focusing on achieving agreed outcomes is likely to generate improved results. The Parramatta Road approach may well be a model for Sydney’s future planning.

Tony McNamara LFPIA CPP, Director, Planning and Environment, City of Canada Bay

With wholesale planning reform seemingly off the political agenda, a more incremental approach might still deliver positive outcomes for NSW.
Chris Johnson was also right to focus on governance as a critical planning issue. The council amalgamation discussion has centred on criticism of councils – which always gets a run in the popular press. However, governance is the real issue, and this is difficult to articulate in a few lines. If local government needs reform then so too does state government – and this brings us back to the culture issue. Planning is seen by many – local government, state government, politicians, developers, objectors – as being the application of rules. If the rules don’t work, we simply create more rules. We cut red tape by regulation. Rules inevitably lead to conflicts as well as winners and losers. The focus on rules takes the attention away from planning, which is a different process, but one ultimately implemented through rules.

Current planning for Sydney, which is grappling with the big issues of housing supply, infrastructure, jobs and housing affordability, needs to focus on making the city a better place, not just a bigger place. This is a very hard message to deliver to people who don’t like change (most of us), or worse, to those who face losing their house because of infrastructure projects (e.g. WestConnex). Planning is always difficult when citizens are affected today for the betterment of future generations.

However, tough planning decisions become more palatable if we believe they are being made for the right reasons.

Planning is always political and, like politics, there is no perfect system.

If there is a group who work the longest and hardest to ensure planning principles are applied properly, it is the consultants working on projects and the assessing planners reviewing their work. These planners have a real role in keeping the dream alive. But they work best when the rules and regulations are relevant, fresh, futuristic, and deal with big issues in a way that makes sense. We often struggle in this latter area, despite the good example provided by the Parramatta Road planning team and some of the Sydney growth precincts.

Planning is always political and, like politics, there is no perfect system. In NSW, we have great planners but we still have a lousy planning system. Despite that, there are some excellent examples of how to plan for the future. Our planning system needs to recognise excellence when it happens, with a view to encouraging its recurrence. The current approach of incremental change is working in some areas and may be expanded. The ‘big bang’ approach for planning reform appears to be dead, but if incremental change can be maintained it could lead to broad reforms in governance and legislation which are much needed, as the models we are working with now are still very last century.

Tony McNamara is Director of Planning and Environment at the City of Canada Bay Council. He has been in this position for eleven years and seen the completion of new planning controls for the City. Tony recently facilitated an enhanced urban renewal process at Rhodes, which has delivered many new community facilities. Prior to joining the City of Canada Bay, Tony was a partner with Environmental Resources Management, a consulting firm specialising in environmental impact assessment and contaminated site management. He has held a number of positions with the Planning Institute of Australia including President of the NSW Division.

Endnotes
1 Johnson, C 2015, ‘Sydney needs planning leadership to manage growth but many planners are still ticking boxes’, New Planner, no. 103, March, p. 15.
The pros and cons of foreign investment in Australian real estate, especially the residential property market, has been a topic of debate throughout 2015. This article discusses the data underlying the eye-catching newspaper headlines and suggests that debate is often based on questionable evidence.

Notwithstanding its complexity, the topic of foreign investment should be acknowledged as sitting at the nexus of politics, planning, and social and economic development, and thus one on which the community needs to be fully informed.

3. Enhance inter-governmental coordination
Better policy and implementation coordination is needed among relevant government departments. On the one hand, foreign investment has provided a catalyst for local construction, which accounts for nine percent of total employment in Australia, and other development-based employment opportunities. On the other hand, this market determines housing availability and cost which are important for international education and immigration, with both making significant contributions to the economy.

Positive feedback loops also exist between foreign investment beyond the property market and international education and migration, with one reinforcing the other.

Because of the interrelationship between policy decision-making in different sectors, collaboration among government departments should be encouraged. The newly appointed Minister for Cities and the Built Environment could initiate such collaboration, creating better policy synergies to achieve the best outcome for Australia.

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Endnotes
1 House of Representatives Standing Committee on Economics 2014, Report on Foreign Investment in Residential Real Estate, Canberra, Australia.
2 Duan, X 2015, ‘Public perception on Australian residential real estate and governmental response’ [unpublished Master’s dissertation], University of Sydney, Sydney, Australia.
3 Reserve Bank of Australia 2014, ‘Submission to the Inquiry Into Foreign Investment in Real Estate’, Submission No. 19.
In the past, regional areas have played a significant role in the development of Australia as an agricultural, mining and manufacturing nation. As the Australian economy continues its transition from a manufacturing-based to a services-based economy, it is more important than ever that regional planning plays a vital role in ensuring that our regions remain resilient, productive, sustainable and liveable, along with being excellent places for current and future generations to live, work and play in.

Many of the challenges and opportunities facing regional areas are relevant to Australian cities. In an increasingly connected world, the type of employment needed to compete within the global economy requires a varied pool of labour and other expertise. Agglomeration economics and the benefits of businesses clustering together are increasingly important to productivity. Highly productive and resilient businesses in Australian cities are located in central city areas to take advantage of the emerging digital, knowledge and sharing economies, urban amenities, trade opportunities, access to specialised employment markets, and knowledge transfer. At the same time, an ever-increasing population are living further away from these opportunities in new outer-suburban developments. This is a key challenge facing Australia’s productivity, sustainability and liveability that could be best addressed through regional planning. Regional Australia can provide the opportunity to mitigate such issues, whilst also developing and leveraging the benefits that Australian cities currently experience.

Australian cities already play a significant role within state economies as service hubs and export gateways for regional businesses. In turn, well-connected regional centres that are within viable commuting distances of capital cities and regional centres offer attractive housing, employment and lifestyle opportunities. This can relieve pressures on capital cities by absorbing some of their growing populations. By providing opportunities for decentralised population and employment growth in regional cities and areas, regional planning can help regional cities become larger, independent and more resilient. As they grow, they will be able to provide better employment opportunities, and better local health and educational services, to their residents and surrounding rural populations. They will also provide Australians with more choices about where they live and work.

The long-term prosperity of Australia’s regions will be supported by investments that facilitate the growth of regional areas, enabling them to be better integrated with capital cities and nation and international markets. It is important for regional planning to play its part in improving regional city connections, and help regional towns and cities be more affordable, attractive and vibrant places to live, work and invest in. This will help ensure that future population growth and investment is not wholly concentrated in Australian cities alone. Creating a nation of prosperous, resilient, productive, sustainable and liveable regions will require a focus on strengthening regional economies, strategic infrastructure investment and service delivery, along with rebalancing population growth between Australia’s cities and its regional areas.

George Karanfilovski received the David Kettle Cardno Trust Award for this essay on ‘why regional planning is important’ at the 2015 NSW Awards for Planning Excellence in November. The David Kettle Cardno Trust Award is presented each year to a NSW or ACT Young Planner with an eye for regional planning issues. David Kettle was widely respected for his knowledge and advocacy of important planning and development issues in the Central Coast region of NSW. He was also an encouraging mentor to the younger planners that he worked with and it is for this reason that his family wanted to establish the Award in his name.
Congratulations to this year’s winners

AWARD: PLANNER OF THE YEAR
Winner: Sarah Hill MPIA

AWARD: YOUNG PLANNER OF THE YEAR
Winner: Andrew Wheeler PIA (Affiliate)
Commentation: Laura Schmahmann MPIA

AWARD: PRESIDENT’S AWARD
Winner: Patrick Fensham MPIA

AWARD: BEST PLANNING IDEAS - LARGE PROJECT
Winner: NSW Department of Planning & Environment
Project: SEPP 65 and the Apartment Design Guide
Commentation: Hames Sharley, Penrith City Council
Project: Penrith Progression - Place Shaping Framework

AWARD: BEST PLANNING IDEAS - SMALL PROJECT
Winner: Waverley Council
Project: Urban Interventions Waverley Council

AWARD: FROM PLAN TO PLACE
Winner: UrbanGrowth NSW, Cox Richardson
Project: The Ponds

AWARD: GREAT PLACE
Winner: COX Architecture Pty Ltd, DESIGNINC
Project: Chatswood Transport Interchange + Metro Residential Towers
Commentation: Lismore Sustainable Transport/ Northern Rivers Social Development Council
Project: Lismore Transit Centre Project

AWARD: IMPROVING PLANNING PROCESSES & PRACTICES
Winner: WaterNSW
Project: The NorBE Assessment Tool
Commentation: Waverley Council
Project: Waverley Council Planning Agreement Policy 2014

AWARD: OUTSTANDING STUDENT PROJECT
Winner: Emma Clinton PIA (Graduate)
Project: Housing Essentials - Low to moderate income worker housing in Sydney’s Eastern Suburbs
Commentation: Tina Kao PIA (Graduate)
Project: The Impact of Retail Markets on Local Economy

AWARD: PUBLIC ENGAGEMENT & COMMUNITY PLANNING
Winner: Lane Cove Council
Project: Strategy for an “Age-Friendly Lane Cove”
Commentation: Ashfield Council
Project: Ashfield Town Centre Renewal

AWARD: THE HARD WON VICTORY
Winner: Greater Taree City Council, Tidy up Taree, Night Bazaar
Project: Improving Taree’s town centre
The Aboriginal Land Rights Act 1983 (NSW) introduced a process for Aboriginal Land Councils to make land claims in respect of vacant Crown Land in certain circumstances. The successful return of land to Aboriginal people through that process has given rise to town planning issues that need to be addressed.

Shortly before his death in 1768, Lord Morton, the then President of the Philosophical Society of Edinburgh, offered some hints to the consideration of Captain Cook, Mr. Banks, Doctor Solander and other gentlemen who go upon the expedition on board the Endeavour. The hints extended over a number of manuscript pages, with the introductory words including the following:

To exercise the utmost patience and forbearance with respect to the Natives of the several Lands where the Ship may touch.

They are the natural, and in the strictest sense of the word, the legal possessors of the several Regions they inhabit.

It is clear that somewhere along Captain Cook’s lengthy voyages, and the subsequent voyage of the First Fleet, these enlightened hints were lost. Instead of the due recognition of its then owners, an invasion by a European colonial power took place in 1788, and all of the land was unjustly expropriated without regard to the millennia of prior ownership and occupation – and without any compensation.

Aboriginal Land Rights Act 1983

General

It was to be very many years before a start was made to address this wrong. One of the important steps taken in New South Wales was the enactment of the Aboriginal Land Rights Act 1983 (ALRA). Among other things, this groundbreaking piece of legislation led to the establishment of Local Aboriginal Land Councils and set up a process for land claims to be made by the original owners.

White Paper – The Keane Report

One of the recommendations of the Keane Report¹ was:

That land owned by Aboriginal communities be governed by special planning provisions of the Planning and Environment Commission which would permit Aboriginal communities to develop projects that may otherwise be contrary to local planning ordinances, provided such projects were of special importance to the Aboriginal community and did not adversely affect adjoining residents.

Second Reading Speech

In the Second Reading Speech the then Minister, Frank Walker, noted that the legislation ‘recognised prior ownership of the State of New South Wales by Aborigines’, and that ‘vast tracts of Crown land will be available for claim and will go some way to redress the injustice of dispossession.’ Furthermore, the Minister noted that ‘land rights would also lay the basis for Aboriginal self-sufficiency and economic well-being.’

Long Title

In the context of Lord Morton’s hints, it is worth noting, amongst others, the following words that appear in the Long Title of the ALRA:

1. Land in the State of New South Wales was traditionally owned and occupied by Aborigines;
2. Land is of spiritual, social, cultural and economic importance to Aborigines.

Emerging issues

In an article published in 2011, Jason Behrendt considered certain town planning issues that relate to land claims under the ALRA.³ Behrendt addressed how land claims were dealt with as well as the subsequent development potential of land that had been returned to its original owners through the land claim process. Under Section 36 (1) of the ALRA, Crown land is claimable if certain criteria are met. One of the most relevant of these is whether the land in question is lawfully used or occupied. This can include buildings; successful land claims have been made in respect of the former Newcastle Post Office, the former Malabar Police Station and the former Parramatta Gaol. Another relevant criterion is whether the Crown land is needed or likely to be needed either as residential land or for an essential public purpose. Extensive consideration has been given by the Courts as to the interpretation of these criteria.

It is important to note that one of the critical objectives of the ALRA was to provide a mechanism whereby Aboriginal communities could take advantage of economic and social benefits derived from land returned through the land claim process. At the time of writing this article in mid-2015, Section 36AA of the ALRA came into force. This provides for the negotiation of Aboriginal Land Agreements between the Crown Lands Minister and one or more Aboriginal Land Councils, which, among other things, are an alternative mechanism whereby land can be returned to its original indigenous owners.

The manner in which the land claim process has evolved gives rise to the need to reconsider the as yet unimplemented recommendation in the Keane Report relating to the application of ‘special planning provisions’ in respect of land that has now been returned to its original owners. In this context it is noted (at the time of writing) that there are, for example, State Environmental Planning Policies (SEPPs) in relation to Mining, Petroleum Production and Extractive Industries; Housing for Seniors or People with a Disability; and Affordable Rental Housing. This would suggest that there is no impediment, in principle, to a SEPP or some similar policy being formulated which gives effect to the aforementioned recommendation in the Keane Report, having...
regard to issues that have emerged through the implementation of the Aboriginal land claim process since the ALAR was enacted.

**A constructive example**

Among the numerous land claims that were lodged after the passing of the ALRA was one concerning a large area of Crown land in Western Sydney. The claim had been made in 1989 and was refused in 1993 on the basis of the then Minister’s assertion that the land in question was likely to be needed as residential land. The Land and Environment Court allowed the appeal on the basis that the Minister had not demonstrated that the land was, in fact, likely to be needed as residential land in the context of the provisions of section 36 (1)(b1) of the ALRA, and ordered that the land be transferred to the Applicant – the local Aboriginal Land Council. This ruling opened the door for the local Aboriginal Land Council to utilise the land and, thus, receive associated social and economic benefits.

However, one of the characteristic and problematical features of the land claim process is not only the length of time the Minister takes to consider and determine claims, but also the length of time that the Minister takes to transfer the title of land that has been granted to the Aboriginal Land Council in question. It is also not uncommon for government agencies to treat land that is in the ownership of Aboriginal Land Councils as if it were in some sort of quasi-public ownership, rather than in private ownership, when formulating plans.

In the case being examined, it was some years before the land was transferred to the local Aboriginal Land Council, and during this time various government agencies formed the view that much of the land had ecological characteristics that merited conservation, thereby limiting the land’s development potential. And while the Biodiversity Banking and Offsets Scheme could provide possible opportunities for economic benefits to be derived from the land, the Scheme does not deliver the same level of benefits that would be generated by development.

The key issue here is not whether the land was or was not suitable for development, but rather the length of time it took for the land title to be transferred to the local Aboriginal Land Council and the restrictions that were placed on the land by government agencies during this time. These restrictions ultimately undermined the Council’s right to determine how their land would be used in the future – whether for development or other purposes. Policy makers should be aware of this and other similar examples when dealing with land that has been granted to Aboriginal Land Councils.

**Conclusion**

Reviews of the *Environmental Planning and Assessment Act 1979* and ALRA are currently ongoing. Accordingly, there could not be a better time to reconsider the formulation of a planning policy in relation to Aboriginal land directed at implementing some of the important and socially significant ideas that have been discussed for over three decades since the Keane Report was published, but which have not yet been realised.

Harvey Sanders is a town planner with nearly five decades’ experience, principally as a consultant in New South Wales but also in central and local government in the UK. Over the past twenty years he has provided advice to Local Aboriginal Land Councils and the New South Wales Aboriginal Land Council in respect of various town planning issues associated with Aboriginal land claims and land that has been returned to Land Councils as a result of successful land claims. The views expressed in this article are personal views.

**Endnotes**

1 It also provided for the establishment of the New South Wales Aboriginal Land Council.
4 In the period from 1983 to 2005, approximately 7,500 land claims were lodged, and, in the period from 2005 to 2012, approximately 28,500 claims were lodged. Of these total land claims (as at 2012), 7% had been granted, 20% refused and 73% were as yet undetermined. (See Aboriginal Land Rights Act review 2012: report of the findings and recommendations of the working group)
5 See Daruk Local Aboriginal Land Council v The Minister (No.2)(1999) 89 LGERA
A simplified LEP-making process – involving planning proposals, Gateway determinations and extensive delegation of LEP-making to local councils – was introduced into Part 3 of the Environmental Planning and Assessment Act (EPA Act) in 2008. Despite this reform, a recent judgment of the NSW Court of Appeal in *De Angelis v Pepping* [2015] NSWCA 236 emphasises that essential procedural requirements contained in the streamlined LEP-making process must be followed.

The appellant owned a parcel of land in Bowral which it wished to develop. The Council, however, purported to make an amendment to its LEP, which rezoned the site from ‘B4 Mixed Use’ to ‘R3 Medium Density Residential’, effectively prohibiting the development of the site for commercial purposes. The Amending LEP was ‘made’ when signed by a Council officer.

The appellant brought proceedings in the Land and Environment Court under s 123 of the EPA Act challenging the validity of the Amending LEP. The primary Judge rejected the EPA Act challenging the validity of the Amending LEP. The primary Judge rejected the EPA Act, holding to be invalid

The Court overturned a finding of the Land and Environment Court under s 123 of the Local Government Act 1993. There was also no challenge to the primary Judge’s findings that the General Manager, although he had power to sub-delegate to the Council officer authority to sign the instrument (under s 378 of the LG Act), had not done so. It should be noted that the Council itself lacked the power to delegate authority directly to the Council officer to sign the Amending LEP, because s 377[1] of the LG Act permits a council to delegate to the General Manager, but not to an employee of the council. This lack of authority, said the Court, could not be overcome by the doctrine of agency (which may permit an administrative decision-maker to act through an agent independently of its power of delegation) because of the limitation imposed on a council by s 377 of the LG Act.

The Court thus held that Council had no power to delegate authority to the Council officer, and while the General Manager had power to sub-delegate, this had not been exercised. Thus the amending LEP was held to be invalid.

In a recent judgment the NSW Court of Appeal has clarified the exercise of local councils’ powers in the LEP making process. The Court overturned a finding of the Land and Environment Court that a council officer had the authority, as an agent of the council, to sign an amendment to council’s LEP.

The Court of Appeal held that the primary Judge had not erred in relation to the first two contentions. However, the Court found for the appellant on the third contention, ruling that the primary Judge’s finding that the Council officer had authority as the Council’s agent to sign the Amending LEP on its behalf, was incorrect. Two main reasons led to this finding of lack of authority: first, the wording – and hence effect – of Council’s resolution “to proceed with the making of the amendment” to the LEP and, second, the Council officers’ authority as an agent.

The Council’s resolution “to proceed with the making of the amendment” provided authority for Council officers to forward the “final proposals” to the Department for the drafting of the LEP. Before the Amending LEP could take effect, the final step in the process had to take place. The relevant decision-maker had to determine that the Amending LEP, as drafted, should be made and exercise the power conferred by s 59[2] of the EPA Act to make the LEP. Nothing in the language of the Council resolution suggested a departure from this process. Specifically, the language did not purport to confer authority on anyone other than the Council or an officer acting under delegated authority to exercise the power to make the Amending LEP.

It was common ground in the appeal that the Amending LEP was validly made pursuant to s 59[2] of the EPA Act only if the Council officer was authorised to sign the instrument on behalf of the Council. It was agreed that the Minister’s delegation to Council to make the Amending LEP under s 59[2] of the EPA Act was valid, as was Council’s decision to delegate this function to its General Manager under s 377[1] of the Local Government Act 1993. There was also no challenge to the primary Judge’s findings that the General Manager, although he had power to sub-delegate to the Council officer authority to sign the instrument (under s 378 of the LG Act), had not done so. It should be noted that the Council itself lacked the power to delegate authority directly to the Council officer to sign the Amending LEP, because s 377[1] of the LG Act permits a council to delegate to the General Manager, but not to an employee of the council. This lack of authority, said the Court, could not be overcome by the doctrine of agency (which may permit an administrative decision-maker to act through an agent independently of its power of delegation) because of the limitation imposed on a council by s 377 of the LG Act.

The Court thus held that Council had no power to delegate authority to the Council officer, and while the General Manager had power to sub-delegate, this had not been exercised. Thus the amending LEP was held to be invalid.
Political change has been ever present throughout 2015. We have seen significant shifts across all levels of government, creating both challenges and opportunities for healthy planning in NSW. A new Prime Minister, state election and looming local council amalgamations have provided the backdrop to an inevitable realignment of strategic directions.

In our final column for the year we reflect on these political movements and what they mean for healthy planning practice and policy. We also offer a great Christmas/New Year read to inspire your healthy planning passions well into 2016!

Changes at the national level
At the national level our new Prime Minister has called for the development of ‘vibrant, liveable cities’, and appointed the country’s first ever Minister for Cities and the Built Environment. Minister Briggs has indicated a desire to ‘ensure that public transport works better in Australia’, and has been tasked with the preparation of a new Federal plan for cities, working with states, local government and urban communities. We have the opportunity for a more coordinated whole-of-government approach to address the interconnections between the planning of our cities, productivity, increasing congestion and declining liveability.

Changes at the state level
The Baird Government was re-elected in March 2015 and has instigated a number of changes with implications for healthy planning in NSW. A new overarching State Plan, Making it Happen, articulates 12 ‘Premier’s Priorities’, including ‘building infrastructure’ and ‘tackling childhood obesity’. Light rail and expanded public transport infrastructure projects provide a significant opportunity to increase participation in active travel such as walking and cycling.

Changes at the local level
Potential council amalgamations have been a major focus in 2015, although the State Government is yet to formally propose any mergers.

The Integrated Planning and Reporting (IP&R) framework guides the long-term strategic planning of local councils. The overarching strategic document is the Community Strategic Plan (CSP), which is updated to coincide with local council elections. The next elections are scheduled for September 2016. PCAL has prepared an electronic resource that demonstrates how healthy eating and active living considerations can be incorporated across all stages of the IP&R process. An expanded case study of how the Illawarra Food Plan was incorporated into the IP&R responses of three Illawarra councils is also available.

NSW residents will soon have the opportunity to participate in community consultations to inform local council updates of their CSPs and subsequent IP&R responses. We encourage everyone who wants to embed healthy planning in local government priorities to participate in forthcoming IP&R consultation processes.

Other news
An excellent summary of Australian healthy planning initiatives across the public, private and not-for-profit sectors can be found in an international compendium on planning for health and wellbeing published earlier this year. Entitled The Routledge Handbook of Planning for Health and Well-Being: Shaping a Sustainable and Healthy Future, the book brings health into the centre of planning, strengthening the hands of those who argue and plan for healthy environments. A chapter illustrating how environmental sustainability initiatives have significant co-benefits for health is particularly pertinent to planners. Kevin McCloud, of Grand Designs fame, has endorsed the book and wants to see every politician, planner and developer with a copy.

So all in all, 2015 has been a year of change and opportunity for healthy planning, with a great anthology of resources to cap it off! We encourage you to continue to play your part in helping to bring about the improved health and liveability of our cities, towns and local communities. We look forward to sharing the journey with you into 2016.

Endnotes
1 See: www.nsw.gov.au/making-it-happen
4 See: www.pcal.nsw.gov.au/case_studies/IP_and_R_and_the_Illawarra_Regional_Food_Strategy
5 See: www.routledge.com/products/978138023307
planning to manage change

PIA NSW STATE CONFERENCE 2015
7-9 September 2015,
Dockside, Darling Harbour, Sydney
Stakeholders abound – and they should be informed, engaged and inspired.

Parramatta City Council

There has been a ‘gear shift’ – with local councils becoming more proactive and expansive.

Jennifer Dennis MPIA

Shared services that deliver the most efficient path for local government reform are critical. That is, to share those activities that benefit from size, while keeping in-house those activities done best on a small scale.

Barry Smith

Sydney Airport is Australia’s major gateway to the world and our nation’s premier airport…it is a vital economic hub.

Ted Plummer

Placemaking is the collaborative process of creating, enhancing and managing people focused places.

Kylie Legge MPIA

What is the city but the people? Acknowledge that urban renewal is long-term and a degree of flexibility is required.

Jeremy Gill
For over a century city planners have utilised height, envelope and setback controls to maintain solar access to our valued public places – the public parks, plazas and waterfronts that bring amenity to our urban areas and enrich our experience of the city.

Heliostats are potentially a ‘game changer’ in terms of city planning. In simple terms a heliostat is two sets of mirrors, one fixed and the other computer controlled to track the path of the sun across the sky. The combined effect of the mirrors is to provide the opportunity to direct sunlight to plazas, laneways, parks, atriums, play areas, and potentially any place in the public or private domain that might otherwise not receive direct sunlight.

Heliostat precedents
The award winning One Central Park development in Chippendale, Sydney has pioneered heliostat technology in Australia. Designed by French architect Jean Nouvel, One Central Park features a heliostat that was designed and constructed by Sydney company, Kennovations. The heliostat captures and redirects sunlight through the glass ceiling of a shopping centre atrium at the podium level and to landscaped terraces (see image). Located on the southern side of a residential tower, sunlight is directed deep into the building complex. This supports attractive green plantings within the retail levels, enhancing the shopping experience.

A new design ‘tool’
Many urban parks and plazas in our cities are protected from overshadowing by development controls that stipulate maximum height planes to ensure solar access, generally at winter solstice and during the lunchtime period.

Heliostats, usually located at roof top level, provide an opportunity to direct sunlight to neglected places in our urban centres that are south facing or overshadowed by buildings to the north. In certain situations they have opened up the opportunity for building height constraints to be relaxed, as direct sunlight can be replaced by reflected sunlight.

Case study: Rhodes
A recent City of Canada Bay project highlights the challenges involved in planning for heliostats. CM+ recently prepared the Rhodes Station Precinct Masterplan that was part of a Voluntary Planning Agreement (VPA). The work included an update of the Rhodes West DCP, assisting Council in lodging a Planning Proposal with the NSW Department of Planning and Environment, and preparing public exhibition of the proposed legislative changes.

Adjoining, and to the south of the Rhodes Station Precinct, Council has recently completed a new urban plaza called Rhodes Town Square. Maintaining solar access to this new community asset is a key requirement as the remainder of the Precinct is developed.

Armed with computer generated built form modelling and shadow studies, CM+ established appropriate precinct scale and building envelope controls for the Precinct. These were formalised in proposed changes to the Canada Bay LEP height and density controls, and amendments to the Rhodes West DCP.

The VPA process was both collaborative and iterative. Council negotiated with three developers to arrive at a mutually agreed masterplan and provide reasonable uplift for the precinct, along with a...
corresponding series of public benefit facilities and related public domain upgrades.

Out of the negotiations a new proposal emerged – to incorporate a heliostat on top of the tallest residential tower in the Precinct, to direct sunlight towards the Town Square (see diagram). This would replace the sunlight lost from the overshadowing that extra building levels would create. The heliostat promises to maintain solar access to the Town Square during the crucial winter solstice lunchtime hours and potentially mitigate overshadowing of the plaza by an existing eight-storey building to the north.

The heliostat proposal has allowed the developer to maximise building height and residential yield, whilst offering a potential urban landmark and sculptural feature to highlight the peninsula’s built form. The additional building height will also reinforce the site as the ‘natural’ high point of the peninsula and increase the number of residents within close proximity to the public transport hub of Rhodes Station.

Technical and legal questions associated with the proposal were addressed to Council’s satisfaction, and following consideration, the proposal was progressed. A fundamental concern was that although the One Central Park heliostat provided a precedent, the Rhodes proposal was for a body corporate managed heliostat to supply sunlight in perpetuity to a public place – the Rhodes Town Square.

Who is responsible?

If building height is restricted to protect solar access to a public place, whether it be park, plaza or similar, urban planners can be reasonably confident that sunlight will be maintained, effectively forever. However, in this case, what would happen if the new strata owners collectively decided to shut down the heliostat, or if it was seen to be too costly to run, or too expensive to repair, say following damage in a hailstorm? Any agreement would need to be legally ‘iron-clad’ to ensure compliance for the benefit of future generations.

Legal concerns

As a result of these concerns, significant legal safeguards form part of the proposed VPA contract. The developer is to register a Public Positive Covenant that will require the new body corporate of the strata scheme to “…operate, maintain, repair and replace (as necessary) the heliostat reflector in perpetuity”. The body corporate are also required to take out insurance, allow Council to inspect the Heliostat, comply with any reasonable directions from Council, and indemnify Council from, and against, any insurance claims.

Are body corporates and local councils in a position to manage these contracts into perpetuity? We will have to see, as only time will tell whether these new legal constructs are fully workable and resilient.

The future

Will heliostats become more common, reshaping our cities and their silhouettes against the sky? We may find that city buildings, which are currently constrained by height limits designed to protect our public spaces, are allowed to grow taller so long as they are crowned with heliostats. Is now the time to rethink the benchmark for the height of our city’s buildings?

And most importantly, should taller building with heliostats be allowed, will my experience of city life remain the same as I sip a coffee at my favourite café, in my favourite city plaza, under reflected sunlight?

David Appleby is an Associate, Urban Design at CM+ with more than 25 years’ of experience. He is responsible for projects that encompass strategic and master planning of city precincts, major urban centres, including Priority Precincts (UAPs), urban renewal and town centre upgrade projects.

Endnotes

1 City of Canada Bay Council 2015, Rhodes West Station Precinct – Marquet & Walker Streets Planning Agreement, City of Canada Bay, Drummoyne.
Christina and Harry have both served on the NSW and National Young Planners Committees for a number of years. As their time as ‘Young Planners’ (YPs) comes to an end, they’ve interviewed each other, reflecting on their professional journey to date.

**Harry Quartermain (HQ):** How do you feel you have developed during your time as Convenor of the NSW Young Planners?

**Christina Livers (CL):** I have been the Convenor of the NSW Young Planners for the past two years. Providing professional development opportunities to young planners so that they can develop, thrive and prosper is at the heart of what the NSW Young Planners Committee was set up to achieve. Through organising various PIA program and events for young planners, I have been able to develop important skills including leadership, event management and interpersonal communication, and build my network across the NSW planning industry.

**Harry Quartermain (HQ):** What would you list as your top three moments as a member of the NSW Young Planners?

**Christina Livers (CL):** There are many favourite moments from my four years on the NSW YP Committee, but my top three would have to be:

- Organising YPConnect in 2014. YPConnect is a great event that is held annually in conjunction with the PIA National Congress. In 2014 YPConnect came to Sydney and I was lucky enough to convene the two-day event. It’s always great to show off your (adopted) home city to those from interstate!

- Arranging for the Minister for Planning to speak to the Young Planners at our state forum in 2013. I think that it’s important for YPs to feel connected to their profession and I see engagement with the top levels of government as a key role for PIA.

- The Mentoring Program. Gary Shiels and I have helped run the mentoring program for the past three years and it is always rewarding to see how much is gained by mentees and mentors alike.

**Harry Quartermain (HQ):** What achievements during your time as NSW YP Convenor are you most proud of?

**Christina Livers (CL):** I have had the opportunity to initiate various professional development events. The following events were highlights:

- **Meet the Leaders**
  This event provided over 100 young planners with insight into the career journeys of numerous leaders in our field, such as Lucy Turnbull.
Young Planners vs. Young Developers Debate
I was proud to initiate this event with Chris Johnson (CEO, Urban Taskforce), which saw PIA and the Urban Taskforce join forces to host a debate that pitted young planners against young developers on the controversial topic, ‘Planning Rules Drive Urban Innovation’.

Young Planners Forum, NSW State Conference
I had great fun organising this inaugural event, which saw the Young Planners Forum integrated into the PIA NSW State Conference for the first time.

Density, but not just downtown – is this the future of Sydney’s Growth Centres?
This sold out event provided young planners with insight into the key factors affecting change in Sydney’s Growth Centres and how this impacts development and greenfield urban design.

CL: What did you learn from your time as a leader of the NSW Young Planners?
HQ: I learned an immense amount during my time as NSW Convenor, as well as NSW Representative on the National YP Committee. When I first joined the NSW Committee, I had only just arrived from the UK and, in hindsight, didn’t know much about PIA or planning in NSW! I have been able to meet a fantastic range of people, and make many friends and professional contacts across the country. The opportunities offered by PIA, particularly whilst NSW YP Convenor, have helped me develop a range of skills that will prove useful throughout my professional life.

HQ: Would you recommend that other YPs get involved in PIA and, if so, how can they do this?
CL: Over the past six years I have experienced first-hand the value of being actively involved in PIA and I would encourage anyone reading this to join a committee or participate in another volunteer position. In particular, I would recommend that young planners get involved in PIA initiatives as it provides an opportunity to step up and take on leadership roles, which is important for overall career development. If you’re interested in finding out more, simply drop us a line on Facebook [www.facebook.com/nswyoungplanners] or via email (nswyoungplanners@planning.org.au).

CL: How does the NSW YP Convenor contribute to broader PIA initiatives?
HQ: Young Planners are usually in their first few years of their career and are therefore new to PIA. The NSW YP Committee helps to attract new members to PIA by running events that are professionally relevant and fun to take part in. The Committee also provides a conduit through which YPs can have a voice in policy discussions at state and national level. By attracting and engaging members, the YP Convenor, with the help of the NSW Committee is able to contribute to broader PIA initiatives.

CL: How does the NSW YP Convenor contribute to broader PIA initiatives?
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CL: What role do you think PIA has to play in managing the rapid challenges facing our communities?
HQ: PIA provides a voice and a best-practice guide for planning professionals in Australia. Equipping members with relevant training and pertinent, timely advice is the role that I think PIA must play in the future. However, PIA can only play this role with the help of committed members who volunteer their time. I would encourage anyone and everyone to get involved!

upcoming EVENTS
Study Tour of The Goods Line – 9th December, 4.30pm
This study tour will provide an opportunity for Young Planners to learn more about one of Sydney’s most exciting urban renewal projects, The Good Line.

To attend either event please register through the PIA NSW website.
It’s been a big year for technology and the built environment. More professionals are now engaged with the conversation, new products are on the market and the potential for innovation keeps pushing new boundaries. In NSW we’ve made considerable progress. Here are 30 moments from NSW, and around the world, inspiring change and shaping better places.

1. The NSW Department of Planning and Environment launched an innovative Planning Hub.
2. Toshiba’s humanoid robot, Aiko Chihira, assisted shoppers in a Tokyo department store.
3. NBN launched its first satellite, Sky Muster, which has the capacity to deliver download speeds of 25 megabits per second (Mbps).
4. Blockbrief entered into partnership with CoreLogic RPData, the largest property data and analytics provider in the world.
5. More drones (UAVs) hit the skies but under tighter regulations, including CASA Certification and local government approval.
6. Data retention laws were implemented across Australia, requiring telecommunications companies to record personal metadata for two years.
7. As part of Melbourne’s Urban Forest Strategy, the City of Melbourne and OOM Creative gave the City’s 77,000 trees individual email addresses. Soon after, people around the world start emailing and were surprised to get a reply of thanks from ‘the tree’. The BBC dubbed it ‘treemail’.
8. Lake Macquarie City Council developed its first Digital Economy Strategy.
10. Live-streaming app Periscope entered the market, improving on older streaming services like Google Hangouts and Meerkat.

11. Tesla Motors released Autopilot Version 7.0 and made progress on the company’s high-precision mapping software. General Motors [and other manufacturers] are predicted to catch up fast.
12. Boston Dynamics advanced work on its robot dog prototypes and jumping ‘sand fleas’.
13. SJB Urban, in partnership with RMIT University, launched a beta version of its housing choice app, Home:LiFE.
14. Urban Screen Productions and the Media Architecture Institute held the first Digital Placemaking Symposium, called xCommunicate, at COFA.
15. Google unveiled its Sidewalk Labs initiative, headed up by Dan Doctoroff, a former deputy mayor of NYC.
16. Hassell Studio continued to produce great online videos, finding balance between humour, education and showcase.
17. Adam Beck, the director of innovation at EcoDistricts, and an advisor to the Washington DC-based Smart Cities Council, returned to Sydney.
18. The Smart Future Cities 2015 Conference was held in Newcastle in October.
19. The US Department of Energy’s Oak Ridge National Laboratory 3D printed a vehicle and house that communicate and share power wirelessly.
20. AECOM and creative technology agency, S1T2, created a game called ‘Reconnected City’ with data drawn from AECOM’s Sustainable Systems Integration Model (SSIM). Players are challenged to improve traffic congestion in a virtual city while keeping other key metrics like capital costs and water and energy consumption in balance.

21. Researchers at ETH Zurich used drones to build a prototype rope bridge that can hold the weight of a person.
22. SolarWindow Technologies showcased a new solar window that generates power from direct and indirect sunlight as well as artificial light.
23. Building Information Modelling (BIM) made buildings ‘smarter’ by embedding important product and asset data into 3D computer models.
24. Then MP, now PM, Malcolm Turnbull live tweeted from (Newcastle) train; the tweet went viral.
25. Western Sydney University, in partnership with The Institute for Culture and Society, The Young and Well Cooperative Research Centre and Parramatta City Council, launched ‘Invisible City’, a research project mapping youth sentiment in and towards Parramatta.
26. BrandCulture, in partnership with Meld Strategies, developed a unique Digital Wayfinding System for the University of Technology Sydney Campus.
27. The ACT Government passed new regulations enabling Uber, and other new ride-sharing services, to legally enter the Canberra market.
28. ArcGIS partnered with what3words, a global address system based on a grid of 3mx3m squares, to improve the accuracy of addresses and communication.
29. Vision VR launched a consultancy and virtual reality CAD service in Sydney for architecture, construction and real estate clients.
30. Liquid water was discovered on Mars, raising the question: should NASA hire a Planner?

With so much happening, could 2016 be the tipping point for technology in Planning? Let’s set ourselves some homework, or at least organise our Christmas orders. I hear you can buy 3D printers online for less than an iPhone.
As we near the end of another year, let’s take a moment to absorb the latest industry news from around the State.

After 21 years at GeoLINK, 12 of them as owner/director, Rob van Iersel has stepped back to provide planning services as a sole trader: rob van iersel + environmental planner. Rob is operating out of his North Coast home and offering urban and environmental planning services to both public and private clients. We congratulate Rob and wish him all the best in this new endeavour.

After six years as Director, Office of Strategic Lands, Carl Malmberg has accepted the new role of CEO of Cemeteries and Crematoria NSW.

Rachael Logie recently stepped aside from her position at the Land and Housing Corporation to join the HillPDA team as an Associate. Also at HillPDA, Sarah Hill, former PIA NSW President, announced the birth of her baby girl, Savannah.

David Gainsford has been appointed as Executive Director, Priority Projects Assessments in the NSW Department of Planning and Environment. David joins the Department from the Transport Construction Authority, Transport for NSW (TfNSW), where he was responsible for providing advice to key government agencies and other stakeholders on planning approvals and assessments, as well as managing sustainability targets.

Norma Shankie-Williams had her final day at AECOM in October and Dean Hosking departed Cardno, moving into a Senior Consultant role at Urbis.

We close by wishing Jim Clarke (pictured) from the NSW Department of Planning and Environment all the best in his retirement. As many New Planner readers would know, Jim worked for the NSW Government for over 40 years and has been instrumental in achieving a number of significant planning milestones on the NSW North Coast. His attention to detail and keen eye for grammatical errors led to his nickname of “Apostrophe Man”, a badge he proudly wears.

Jim remembers fondly the many staff that he dealt with over the years. He is sad to be saying goodbye; however, after 40 years working for the government, many would agree that his retirement is very well deserved!

Do you know of any industry news, such as a recent recruitment, promotion or retirement, that would interest New Planner readers? If so, we’d love to hear from you! Send an email to newplanner@planning.org.au with ‘The Inbox’ in the subject line.
Green roofs in Europe

France introduced a new law earlier this year mandating that all new buildings in commercial zones must be partially covered in either plants or solar panels. Environmentalists had been campaigning for green roofs to cover the entire roof surface, but the enacted requirement has been set to allow solar panels to help businesses reduce their energy bills and climate change emissions.

Toronto introduced a bylaw mandating green roofs on all new industrial and residential buildings in 2009, and green roofs are widespread in Germany, Netherlands and in some other parts of Europe. Improving the urban environment through greenery need not just be at ground level.

Paul Burall, Town & Country Planning (UK), June/July 2015

Drone’s eye view

Even if you haven’t seen a drone or two flying around your city, chances are you will soon. Inexpensive and easy to operate, they’re coming to the masses and taking hold in industries from entertainment and energy to construction and engineering. Planners say they could offer tremendous uses in the field with real-time aerial views, high-resolution aerial imagery, and more detailed data for decision making. Despite the potential, commercial drone operation remains illegal in the U.S. without a special exemption from the Federal Aviation Administration. While the agency is moving toward establishing a licensing system in 2016, many commercial operators aren’t waiting. It’s time to learn more about what could prove to be one of the greatest tools we’ve seen in the past decade.

Craig Guillot, Planning (USA), October 2015

Reconnecting town and gown

In November 2012, the University of Brighton Planning School began working with the Hove Station Neighbourhood Forum on an innovative project that brought together student planners and residents in a process of shared learning and co-creation of knowledge during the early stages of the neighbourhood planning process.

The students’ work provided a baseline survey with some recommendations, addressing wider social, economic and environmental challenges and opportunities for improvement. It recognised the ability of communities to go beyond the statutory Neighbourhood Plan to produce a broader ‘community plan’ that addresses some of the threats and opportunities associated with new development in the pipeline. The students’ work provided the community with a useful starting point for their own ideas and group development.

Samer Bagaeen, Georgia Wrighton and Mike Gibson, Town & Country Planning (UK), June/July 2015

Foreign language signs

Brisbane City Council has installed 55 foreign-language ‘wayfinding’ signs across the CBD, Fortitude Valley and Spring Hill. The signs provide directions and distances to key city locations, public transport hubs and places of interest in English, Chinese, Korean, Arabic and Japanese, helping visitors and locals to navigate the city.

Queensland Planner, Spring 2015

Designed to flood

Call it trial by water. In early June, Mother Nature dropped nearly three inches of rain on an already soggy Chicago in one night, flooding its newest public space – just two

Green roofs are now mandatory in many countries.
weeks after it opened. The city was already abuzz about the newly built space, which has created a continuous walkway and series of recreational spaces. If the city residents were surprised that the project flooded, the design team was not. All lighting, plant materials and paving along the Riverwalk were designed to withstand floodwaters, and the electrical service was located above flood level. The design team was most interested to see how quickly it would all clean up. The verdict? Twelve hours for the water to recede and then another six hours to power wash the space and remove the sediment. Most of the Riverwalk was reopened the evening following the storm. Mary Hammon, Planning (USA), Aug/Sept 2015

Unemployment in France

In the Aude, the unemployment rate, at over 12%, is among the highest in the country. This economic stress shows mainly in the major towns, and then at its most extreme in the high-density social housing estates. These mono-tenure, barracks-like developments are no-go areas for outsiders, and while they have the advantage (if you could call it that) of being easy to service by the multi-agencies that are set up there to support them, there’s little doubt that many of their inhabitants, often immigrants from the French colonial diaspora, are battling to get on the first rung of the economic ladder. But the pain is felt across all groups – our neighbours’ daughter was unemployed for months but has recently landed a job – but as an au pair and in Australia!

Graeme Bell, Town & Country Planning (UK), June/July 2015

The world’s most liveable city?

For the fifth year in a row, Melbourne has been named the world’s most liveable city by The Economist. While it is very easy to fall into cynicism about this accolade, in my view it is an opportunity for celebration, reflection and action. But as planners, let’s also work on how we can expand the vision beyond “liveability” to richer objectives around equity, resilience, sustainability, wellbeing and happiness. Let’s focus on actions that can spatially and sectorally spread employment opportunities, improve transport equality, provide education, and raise both preventative and restorative health standards.

James Larmour-Reid, Victorian Planning News, Sept 2015

On the health track

The fusion of public health and planning isn’t new, but it’s gaining steam. During the past 15 years at least, planning and public health entities, as well as non-traditional grassroots organisations, have collaborated to improve community health through better programs, policies, and planning of the built environment. The American Planning Association and the American Public Health Association’s Plan4Health project aims to accelerate these efforts in communities throughout the U.S. In March, the associations kicked off a three-year, $9 million nationwide initiative – funded by the federal Centers for Disease Control and Prevention – that provides grants to unique local coalitions to tackle two major contributors to chronic disease: lack of physical activity and lack of access to nutritious foods.

This first year, 18 coalitions were awarded a cumulative $2.25 million to support their projects. APA and APHA currently are vetting 85 proposals from 38 states to determine the second round of grantees for the coming year.

Laura Pedulli, Planning (USA), October 2015
Barangaroo
before and after

Stephen McMahon FPIA, Inspire Urban Design and Planning
Planning in a changing climate

The risks of climate change cannot be ignored. Extreme heat, longer bushfire seasons, more regular drought, sea level rise, and more intense storms and cyclones are likely to impact our biodiversity, food security and wellbeing. Already, the effects of climate change are being felt in Australia, and they continue to present significant challenges to our ecosystems, communities and economy.

Good planning is essential to mitigate and adapt to climate change. PIA’s Planning in a changing climate position statement provides a starting point for all planners to help address this significant global challenge.

While various levels of government in Australia have adopted policies that acknowledge the need to plan for climate change, PIA’s position statement has been developed in response to a lack of long-term strategic leadership. It calls for stronger leadership, continued research and innovation, and collaborative engagement to address the reality of a changing climate.

To effectively reduce and manage the risks presented by climate change, the position statement encourages greater alignment, coordination and integration of the planning policies and mitigation and adaptation strategies being employed by all levels of government.

The position statement also acknowledges that the planning profession needs to strengthen its understanding of climate-related issues and that planning systems are under-prepared to deal with the long-term challenges of climate change.

By outlining a set of planning principles, the position statement provides a framework for PIA and its members to play their part in reducing greenhouse gas emissions, and developing climate change mitigation and adaptation strategies.

The principles recognise that the decisions planners make now in guiding urban and regional development will shape the future environments in which we live. Planners should, therefore:

- Promote strategies that seek to reduce the overall demand for non-renewable sources of energy, reduce greenhouse gas emissions and support the shift to renewable energy.
- Adopt multi-disciplinary and collaborative practices, working alongside other professions and governments, to build consensus within communities, develop whole of government responses, and identify consistent and coordinated actions for mitigation and adaptation.
- Work with affected communities and other stakeholders to assess risks and vulnerabilities to climate change and develop appropriately resilient responses.
- Focus on the whole of existing communities, not just new development.

Through the position statement, PIA acknowledges the complexities of planning in a changing climate challenges traditional approaches to planning, requiring innovation, collaboration and flexible responses. A preferred approach to addressing climate change outlined in the position statement provides planners with practical ways to adapt their practice, policy making and performance across a range of areas.

Central to this approach is leadership. Through the advice provided to clients, government and the community, and by advocating the acceptance of responsibility and need for urgency, planners have an opportunity to be leaders of action on climate change.

Working with research institutions to better identify the research needs of the planning profession and to develop ways to better communicate climate science is another key responsibility of planners. Through collaboration with other professions, planners can develop responses that are integrated and effective, and enhance their professional connections and understandings.

As the national body representing the planning profession, PIA also has an important role to play in supporting members to build their level of understanding about climate change. By offering professional development opportunities, sharing tools and approaches for mitigation and adaptation, providing access to mentoring, and contributing to policy development, PIA can support capacity development amongst both planners and decision makers in government and industry.

PIA encourages all members to read the Planning in a changing climate position statement, and to adopt the principles and approach outlined in the statement in their practice going forward. To access a copy of the position statement, visit the PIA website: www.planning.org.au/policy/current-positions.
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