



**Anthony Roberts**  
Minister for Planning  
Minister for Housing  
Special Minister of State

## **MEDIA RELEASE**

Wednesday 15 November 2017

### **MAJOR OVERHAUL FOR NSW PLANNING SYSTEM**

The Bill to change the *Environmental Planning and Assessment Act 1979* (EP&A Act) that will see the biggest overhaul of the NSW planning system since the legislation's inception almost 40 years ago, has passed through Parliament.

"The changes reflect the Government's commitment to thriving, safe and well-designed communities with local character and heritage," Minister for Planning and Housing, Anthony Roberts, said.

Mr Roberts said the changes have a key focus on enhancing community participation by requiring planning authorities to prepare and implement community participation plans that detail how they engage with their community.

"These plans include mandatory minimum periods such as a 14-day exhibition period for Development Applications, unless the Community Participation Plan says otherwise. For Local Environmental Plans (LEP's) the minimum exhibition period is 28 days. Authorities will be encouraged to go beyond the minimum requirements, in order to ensure the consultation suits the community's needs".

Mr Robert said the changes ensured a simpler, faster planning system, and will build community confidence in planning decisions and outcomes.

"There is no denying that NSW is a great place to live and work, however, the best places do not just happen, they are planned, and planning for the future of our state is critical.

"By focusing on community participation, strategic planning, clarity in decision making and simpler and faster processes, the Bill will help strengthen community confidence in the planning system.

"Greater confidence and participation is essential to accommodating an extra 2.2 million people in NSW over the next 20 years, while at the same time maintaining livability and the richness of our natural and built environment."

The changes strengthen councils' focus on strategic planning, which builds on the recent introduction of Independent Hearing and Assessment Panels (IHAPs) in Greater Sydney and Wollongong.

For the first time, the Act will recognise the role of councils in strategic planning for the local area through their preparation of new local strategic planning statements.

“These statements will see councils and communities formulate the vision for land use in the local area, capturing local character and what the community wants for the future. At the same time, the statements will translate the directions in regional and district plans into actions at the local level.

“Through the changes, councils will also be given the ability to impose a levy on complying development certificates, as well as being able to stop work for up to seven days on a complying development site to investigate whether construction aligns with the certificate.”

Other changes to the EP&A Act include:

- Modernising and expanding the objects of the Act, which sets out the goals of the legislation. The new goals include promoting good design of the built environment, management of heritage, and proper construction and maintenance of buildings.
- Strengthening and streamlining local development processes by ensuring NSW government agencies give advice and approvals in a timely way and giving the Secretary of Department of Planning and Environment the authority to step in where there is delay or conflict in advice.
- Strengthening compliance by introducing enforceable undertakings, which are a powerful tool that enables breaches of the Act to be fixed, compensated or prosecuted.
- Requiring councils to do an LEP check at least every 5 years to consider whether the LEP is still fit for purpose given any changes in demographics, infrastructure, strategic plans and other key indicators.
- Strengthening the rules for regional planning panels in line with the local IHAPs – this includes ensuring property developers and real estate agents cannot sit on the panels, and that meetings are held in public.
- Closing off the transitional arrangements for former Part 3A projects with all future modifications to these projects to be assessed under the State significant development or State significant infrastructure pathways.

The draft Bill was exhibited from 9 January to 31 March 2017, with 478 submissions received and the Department of Planning and Environment. This valuable feedback helped to refine the Bill that has been passed through Parliament.

**Media: Norm Lipson 0429 081 428**