

Individual submissions are strongly encouraged

It is important that there are as many submissions as possible, as the only thing that will change the government's mind is the strength of public opposition.

Deadline: Friday 28 June 2013

Following are some points that you could mention in your submission on 'White Paper - A New Planning System for NSW':

1. The proposed changes to the NSW planning, *White Paper - A New Planning System for NSW*, lacks a CLEAR VISION.
2. Heritage is barely mentioned in the White Paper. Natural and Bio-diversity values are identified under environmental issues, but it has not been mentioned that cultural heritage is a key environmental consideration. Cultural heritage, including Aboriginal heritage, needs to be clearly recognised in the NSW Planning System. A separate NSW State Policy for Heritage needs to be developed in line with the policies being developed for other key aspects of planning. If there is no separate Heritage Planning Policy then Heritage will not be weighted appropriately.
3. 'Protecting the environment' should be given the same emphasis as 'growth' and 'development', and the statements, the 'main purpose of the planning system' and 'key objective of the Act' in The White Paper (p. 12 and p.15 respectively) should be re-phrased accordingly.
4. The changes as currently proposed will reduce the capacity for the public to object to inappropriate developments regarding overshadowing, privacy, building design, impacts on heritage and environmental impacts. We need a better system that actually enhances community well-being and our cultural and physical environment.
5. We have strong concern with the proposed downgrading of the NSW Heritage Council's role from a decision making body for development to State listed heritage items and Aboriginal heritage places, with this role to be carried out by DoPI, a bureaucracy which has no heritage expertise. The Heritage Council would be only an advisory body without powers, whose advice can be disregarded. As the Heritage Council will be kept at 'arm's length', the ability of the Heritage Council to mediate with developers in order to get better outcomes for State Heritage items will be removed. This is a damaging change for the management of State and Aboriginal heritage and will inevitably result in poor outcomes for our State listed heritage.
6. The inclusion of heritage conservation in the Planning Objectives of the Exposure Bill is positive; however, the Bill refers to 'sustainable use' of built and cultural heritage, implying that conservation of built and cultural heritage will be dependent on a 'sustainable use' for the place being found. 'Sustainable use' could easily be construed as 'economic use', however certain heritage places and items require conservation whether or not there is a currently viable use. The wording may also be offensive to Aboriginal people, given that cultural heritage also includes intangible spiritual values. The wording 'sustainable use' should be deleted from Objective (1)(e)(ii) (Draft Exposure Bill p.4).
7. 'High Quality Built Outcomes' needs to be an Objective of the Bill.
8. NSW heritage is important as a tourism draw into NSW. The importance of heritage for tourism and for the state's income is not being reflected in the legislation. There is potentially a huge negative impact on tourism from the proposed planning changes and a

strong potential for harm to state heritage items e.g. The Rocks, Opera House and tourism, because the Heritage Council is being side-lined.

9. The effectiveness of up-front community consultation is going to be dependent on substantial financial resourcing at a regional and local level, to provide good 3D resources so that the community can understand both the range and details of planning, environmental and heritage issues in any area. In a heritage context, conservation management plans, Aboriginal heritage assessment, archaeological assessment and zoning plans, view and vista analyses, photomontages, as well as plans, elevations, zoning, building height, building envelopes and setback information on individual sites, must be provided to properly inform community engagement. No indication has been given of where resources are going to come from and it is unlikely that cash-strapped local government will be able to provide them.
10. Code assessable development should be excluded from all areas of environmental sensitivity, high conservation value and cultural heritage significance. Development proposals involving heritage items, sites in the vicinity of heritage items, or properties in Heritage Conservation Areas should continue to be merit assessed (unless of a minor nature with minimal impact). Urgent amendment of Standard LEP Provisions is needed to require consent authorities to consider the heritage impacts of development proposed adjacent to or in the vicinity of heritage items.
11. Development on sites including Aboriginal heritage significance should continue to be merit assessed for potential impact on intangible spiritual values.
12. Allowing a 'public benefit' to override environmental impacts, including heritage impacts, is potentially very dangerous for the State's heritage unless those specific public benefits are agreed at the plan-making stage.
13. In general, new controls favour development, and as such have weakened the heritage approvals process. These changes are in the opposite direction from recent international work by UNESCO - in that heritage is a driver of development. Heritage is seen as a non-renewable resource which should be sustained. Heritage gives places a unique character which should be enhanced by development not destroyed. The success of carefully controlled development can be seen in suburbs like Haberfield and Paddington and in country towns such as Braidwood.
14. The opportunity should be taken to establish a framework for a portfolio of heritage incentives to assist the state and local planning authorities in the preparation of the NSW Planning Policies, regional growth Plans, Subregional Delivery Plans and Local Plans. Detailed consideration will need to be given to as to how much contributions towards heritage should be and to identify what type of development they are provided for. Contributions could be collected for heritage incentives in growth areas where there are existing heritage items.

How to submit: Submission [can be made online](#) through the NSW Planning & Infrastructure website

Who else to cc your submissions to: Once you have made your submission through the website above, please also cc your submission to the following:

Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure, Brad Hazzard: office@hazzard.minister.nsw.gov.au

Minister for Environment and Minister for Heritage, Robyn Parker: Robyn.Parker@parliament.nsw.gov.au

Minister for Aboriginal Affairs, Victor Dominello: Office@dominello.minister.nsw.gov.au

Minister for Tourism, George Souris: Office@Souris.minister.nsw.gov.au

Shadow Minister for Environment and Climate Change; and Shadow Minister for Planning and Infrastructure: Luke.Foley@parliament.nsw.gov.au

Shadow Minister for Heritage, Barbara Perry: Auburn@parliament.nsw.gov.au

Deputy Leader of the Opposition, Shadow Minister for Aboriginal Affairs: Linda.Burney@parliament.nsw.gov.au

Shadow Minister for Tourism, Steve Whan: Steve.Whan@parliament.nsw.gov.au

David Shoebridge, Greens spokesman for Planning, Upper House: David.Shoebridge@parliament.nsw.gov.au

Alex Greenwich, Greens, Lower House: Sydney@parliament.nsw.gov.au

Corinne Fisher, Better Planning Network: betterplanningnetwork@gmail.com

Cerin Loane, Nature Conservation Council: cloane@nccnsw.org.au

Clover Moore, Council of the City of Sydney: cmoore@cityofsydney.nsw.gov.au

What else you can do: The Better Planning Network was formed in response to community concerns about the form of the NSW Planning Changes. Go to their website at <http://betterplanningnetwork.good.do/nsw/> , where you can download their 'Submission Guide' to assist you in writing your submission.

Kerime Danis & Helen Wilson

(Compiled from contributions by David Logan, Noni Boyd, Sinclair Croft, Sue Jackson-Stepowski & various workshops attended)