



BPN E-News

August, 2016

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1. Introduction

Welcome to our latest BPN E-News edition!

With the rollout of work by the Greater Sydney Commission, the Department of Planning and a number of Parliamentary Inquiries underway, August seems to be on track to be one the busiest months for many of us.

At the same time, communities are also facing substantial changes to the planning system with timelines making it increasingly challenging to provide quality feedback and address concerns.

To this end, we hope you can join us for a stimulating and timely conversation at our upcoming BPN Parliamentary Forum on Tuesday 23 August, where we will consider *What Makes Good City Planning*. If you haven't received an invitation and would like to attend, please let us know ASAP, as places are filling up fast.

We hope to see you at the Forum. Enjoy the read!

2. Planning News

In May 2016, the Minister announced the government's intentions to change the EP&A Act. This includes aspects of the Planning System White Paper which stalled in Parliament in November 2013.

In making the announcement, the Minister for Planning, Rob Stokes, said that the Government is not proposing to revisit elements of the 2013 Bill, such as:

- Changing the definition of 'ecologically sustainable development'
- Introducing a code assessment track for development
- Introducing public priority infrastructure
- Removing State Environmental Planning Policies (SEPPs)

However, other elements are being considered:

- Improving community consultation
- Identifying development pathways
- Clarifying and streamlining the environmental assessment provisions, including the incorporation of state significant infrastructure into Part 5 of the Act
- Consolidating reviews and appeals into a single new part of the Act
- Standardising provisions relating to the administration of the Act
- Improving the structure and language of the Act so it's easier to understand, follow and apply.

In addition, other changes are being considered which can be viewed [here](#).

Subsequently, Better Planning Network along with other key stakeholders was invited to attend a workshop where feedback and ideas were sought. In addition the Department invited feedback by publishing a Survey after feedback from BPN.

We also invited Carolyn McNally, the Secretary of the Department of Planning for a tour of some urban renewal areas where we highlighted community concerns in relation to good and bad planning outcomes and discussed some of the challenges. Joining the tour were members of Ms McNally's executive team and the Government Architect, Peter Poulet, along with Nari Sahukar from EDO NSW and architect Philip Thalys.

Next week, the Department is holding a Briefing, where we anticipate more news about changes to the Act will be revealed. We'll let you know once we have more news.

The Department has also released proposed changes to the Housing Code. The intent of the new Housing Code (Code) is to encourage applicants to use the code complying development process. Feeding into the government's new state priorities, it is intended for 90% of dwelling applications to be assessed within 40 days by 2019, largely using the code complying process.

The release of the Code follows a Department Discussion Paper that proposes to extend the State Planning Policy (SEPP) for Exempt and Complying Development Codes to include medium density housing as code complying development. Along with the introduction of an Inland Code that would apply to development west of the Great Dividing Range, this would see development fast-tracked without adequate checks and balances being in place.

In response to the proposed Code, we encourage you to read and share the [BPN Info Sheet](#) with your networks. Submissions are due to close on Friday, 12 August, however we understand that the Department is happy to accept late submissions for a short period of time.

3. Upcoming Parliamentary Inquiry Hearings

A number of Parliamentary Inquiries are underway. These include:

- [Inquiry into Crown Land](#)
- [Inquiry into Regional Planning Processes in NSW](#)

A number of Member and Affiliate groups, as well as BPN itself, have been asked to appear before the Inquiries.

As many groups may not be aware of the Inquiry into Regional Planning we wanted to alert you to this. With the Inquiry announced in August 2015, submissions closed in February 2016. However like many groups, BPN was not aware that the Inquiry was underway. With less than 50 submissions made, of which only 5 are from the public, we were recently invited to appear before next week's Inquiry. EDO NSW will also be appearing before the Inquiry. More hearings will follow in Albury and Ballina in September. If you are a regional group, we encourage you to consider contacting the Committee if you would like to make representations.

To view the Terms of Reference for the Regional Planning Inquiry:

<https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2180>

In the meantime, if you have any case studies that may be useful for BPN to present, please contact us straight away.

4. The introduction of a new Biodiversity Conservation Act

Thank you to everyone who was able to make a submission. This campaign is being actively progressed by TEC and NCC under the banner of #standupfornature.

If you would like follow this campaign: <http://www.standupfornature.org.au/>

5. Greater Sydney Commission and new District Plans

It was great to see so many familiar faces at the June BPN Forum. Thank you again to everyone who could make it. We'd also like to thank again our guest speaker, Sarah Hill, CEO, the Greater Commission, who was joined by panelists, Commissioners Heather Nesbitt and Rod Simpson along with writer and academic, Elizabeth Farrelly, Sue Higginson from EDO NSW, architect Philip Thalys and David Shoebridge MLC.

To recap in brief: The Commission commenced operations in January, 2016. Its role is to deliver Sydney's Metropolitan Plan (aka *A Plan for Growing Sydney*), along with providing the government with strategic advice, and assessing major development and rezoning applications. Notably the Commission has the capacity to make Councils comply with their obligation to 'give effect' to district and metropolitan plans, whereby the Commission can remove a local council as a 'relevant planning authority'.

The Commission's work is focused on preparing new District Plans which the Commission says will be released in late November 2016 (just before Parliament rises for the year).

While BPN is encouraged by some of the work underway, at the Forum it was apparent there were fundamental concerns around the community engagement process and short timeline to deliver the plans - particularly given many communities are now without democratic and independent representation at their local council.

Following unanimous support for a Resolution from the floor calling on the Minister to extend the period for the delivery of the plans until after local government elections in 2017, David Shoebridge MLC this week introduced a Bill into Parliament in response to community concerns. We hope to have more news on this soon.

More recently, BPN was invited as one of a number of stakeholders to join the Environmental and Social Panels for the purpose of preparing an Advisory Paper by which the District Plans can be benchmarked.

The Environment Panel is being coordinated by Environment Commissioner Rod Simpson along with Jeff Angel from Total Environment Centre, and the Social Panel by Commissioner Heather Nesbitt in conjunction with Tracy Howe, from NCOSS. To date two workshops for each Panel have been held. Once we have the notes from the second of these sessions, we'll circulate these for feedback.

In addition, the GSC is preparing the rollout of a number of workshops for the District Plans and we understand that many groups have actively been in touch with the District Commissioners for their area. To assist, BPN is actively providing feedback to the Commission about the process

which we believe requires more refinement. If you have any specific feedback and ideas please let us know.

In the meantime we encourage you to provide feedback to the Commission by following their [Facebook](#) page and [website](#).

6. Invitation to BPN Special Event at Parliament House on 23 August, 2016

Our next BPN Forum will be held at Parliament House on Tuesday, 23 August at 6pm.

Once again we're delighted to have a great line-up of speakers who we've asked to respond to the key question: *Challenging our notions: What makes good city planning?*

The event is free however reservations are essential.

Invitations have been sent out to the key contact for BPN Member and Affiliate groups. Once you receive the invitation, please RSVP through Eventbrite to reserve a place.

If you haven't received an invitation as yet and would like to attend please let us know ASAP, as seats are filling up very quickly.

7. Welcome to New Members and Affiliates

A big welcome to new Members and Affiliate groups!

BPN Membership is now open to Affiliate groups, who would like to become more actively involved and have voting rights at the 2016 Annual General Meeting later in the year.

If your organisation would like to become a Member of BPN, please contact us, and we'll organise for an Application for Membership form and a copy of our Constitution to be sent to you.

8. BPN News

We are delighted to announce the appointment of Suzette Meade from North Parramatta Residents Action group to the BPN Leadership Group. Suzette, who many of you know, will again be the MC for our upcoming Forum at Parliament House.

In addition we are delighted to announce the appointment of Leesha Payor as Acting Treasurer. This follows Geoff Turnbull's resignation as Treasurer to concentrate on his work for Inner Sydney Regional Council for Social Development and local group REDwatch. Geoff has been a wonderful BPN supporter and a great Treasurer, and we thank him sincerely for his work.

In addition, a big thank you to Janet Harwood, for her contribution as a committee member. Janet has a passion for the natural environment, and has resigned from the leadership group to focus on her work with *'Our Future is the Natural World'*.

9. Membership Fees

After a delay earlier this year following a round of illness on the BPN Leadership Group, we're now getting back on track with membership fees. Under separate cover, notices are being sent out to members.

Membership fees are applicable for Members, not Affiliates. This entitles Members to vote at Annual General Meetings and also nominate for the Leadership Group.

Membership is open to Affiliate groups, however no longer open to individuals. This follows changes to BPN's Constitution in late 2014. While individual members at that time retain their membership, new members must be groups with the membership fee based on the number of members in the group. These are:

- \$40 per annum for individuals or member groups with up to 40 Members
- \$70 per annum for member groups with 40 - 99 Members
- \$100 per annum for groups with 100 members or more

If you are a Member and have not received a notice by COB on Monday, 15 August 2016, please let us know. In the meantime, a big thank you to everyone who has already paid the Membership Fee.

A special thank you also to the generosity of a number of supporters and Affiliate groups, who made a donation in the last financial year. This greatly assists sustaining the work we do. If you would like to know more about making a donation to Better Planning Network, please contact us.

10. In the News

The EDO NSW recently released its report, *Planning for climate change: How the NSW planning system can better tackle greenhouse gas emissions*.

The report provides 14 recommendations on how the NSW planning system can be improved to mitigate the impact of climate change. The report is highly recommended reading.

To view the report and find out more: http://www.edonsw.org.au/planning_for_climate_change

11. On Exhibition

- Simplified Housing Code is on exhibition to 12 August 2016 (late submissions can be made) http://planspolicies.planning.nsw.gov.au/index.pl?action=view_job&job_id=7688
For more information and how to make a submission, see our [BPN Info Sheet](#)
- Regional Plan for the Southeast Tablelands is on exhibition to 23 August 2016 <http://www.planning.nsw.gov.au/SouthEast-Tablelands>
- Greater Macarthur Priority Growth Area Strategy is on exhibition to 7 September 2016 <http://www.planning.nsw.gov.au/Plans-for-Your-Area/Priority-Growth-Areas-and-Precincts/Greater-Macarthur-Priority-Growth-Area>

- New Energy Wind Framework is on exhibition to 16 September 2016
http://planspolicies.planning.nsw.gov.au/index.pl?action=job_listing&status=exhibition

12. Hot Gossip: Heritage Reports

In this edition we take a look at the historic village of Appin, courtesy of news from local group, Help Save Appin (HSA).

Situated in the picturesque Appin valley near historic Cataract Dam, and home to the Dharawal people, today the town faces major development challenges as a consequence of Walker Corporation (Walkers) securing large land holdings in and around the historic village.

With the local population projected to grow from 1,803 in 2011 to more than 25,000 people if approvals by Walkers are secured, local group, Help Save Appin (HSA) have been leading a very active community campaign.

Previously the town's expansion was put on hold due to the lack of infrastructure. With the town reliant on access via the precarious Appin Road, this has prevented the next tranche of development applications from being approved.

However with the release of the Greater Macarthur Priority Growth Area strategy and news that the NSW government is investigating a road upgrade, it seems only a matter of time before the historic village is surrounded by large housing estates.

As part of its campaign, HSA have been reviewing the heritage studies that support Walkers rezoning applications. This has prompted concerns about the accuracy of some data in the reports.

One example is the Old Appin Inn. Owned by Walkers for the past 7 years, the Inn has been restored following a community campaign which raised awareness about its deterioration.

To date the Inn has been documented as belonging to the Sykes family. However, after a year of research by the local group, it now appears this is not the case.

Rather, the group's investigations indicate the Inn was built on Appin football oval which is community land – rather than the site previously indicated in a heritage study which states: '(as told by council) of William Browne, property "Oaklands" William is classed as Royalty of Australians early colonisation, it is believed he was buried at Oaklands.'

This has prompted the group to pose the question whether William Browne is buried under the new Appin Rise Estate? Or alternatively, if his remains may have been excavated and buried elsewhere?

In response, concerns are now held about the heritage report for the old large sandstone well on lot 7 of the Appin Rise Estate and whether council's responsibility has been negated by the process. It has also prompted questions about the integrity of heritage reports and sites of

¹ ABS statistics

aboriginal significance after their loss due to a hazard reduction program despite of the sites clearly being marked.

As a consequence, the group is concerned that other local heritage items will be lost as a result of inadequate research or hazard reduction.

In response, the group is calling for an independent investigation into concerns and a Moratorium on the approval of further applications, until an independent heritage study of the area is undertaken by Wollondilly Shire Council.

The group is also frustrated that the relevant reports can only be viewed at Council chambers, a 40 minute drive from Appin. With access restricted to business hours and some reports hundreds of pages of long, this makes the process challenging.

Questions around transparency and governance are also being raised in relation to the lack of information about the Greater Macarthur Land Release Area Strategy for the purpose of providing feedback to the State Government.

Once again thank you for your support, and we hope to see you at BPN's upcoming Forum event on Tuesday, 23 August 2016.

From the team at Better Planning Network