



Joint Regional Planning Panels – Creating Australia’s Best Planning System

TRANSPARENT – RIGOROUS – ACCOUNTABLE – EFFICIENT

The planning system is undergoing the biggest change in 30 years.

The formation of Joint Regional Planning Panels is a vital part of this change.

From 1 July, 2009 regionally significant developments will be decided by independent Joint Regional Planning Panels (JRPP) consisting of State Government appointed experts and local government representatives.

These important improvements are being made so that New South Wales can strive towards having the best planning system in Australia. The following core principles are central to this goal:

Well planned developments lead to better outcomes for communities: In a modern economy like NSW, many complex regionally significant developments are proposed every year. These developments, such as shopping centres and residential complexes, require special attention and must be planned carefully. There are often important environmental and economic considerations surrounding these developments.

Strengthening confidence in the planning system:

The NSW Government aims to provide greater transparency, objectivity and independence in the planning process through merit-based decision making. This is essential in terms of giving the community confidence that the environment will be protected. It also provides industry with the confidence that their applications are being dealt with fairly and professionally.

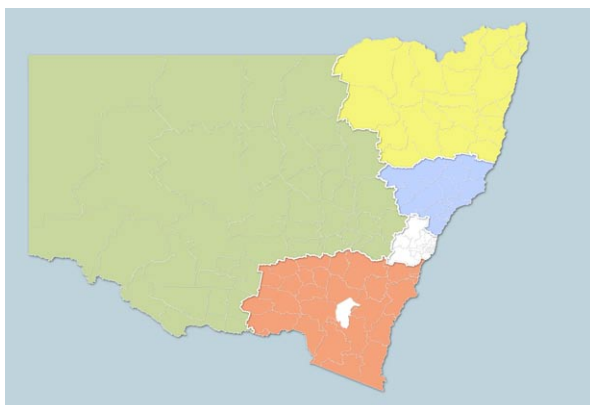
Boosting the economy, boosting jobs: Well planned developments that are decided within a system that strengthens confidence, can lead to increased economic activity. This is crucial in terms of giving industry the assurance to invest in NSW and create jobs.

WHERE WILL THE PANELS OPERATE?

There will be six panels covering all of New South Wales, including most of Sydney (see maps below).

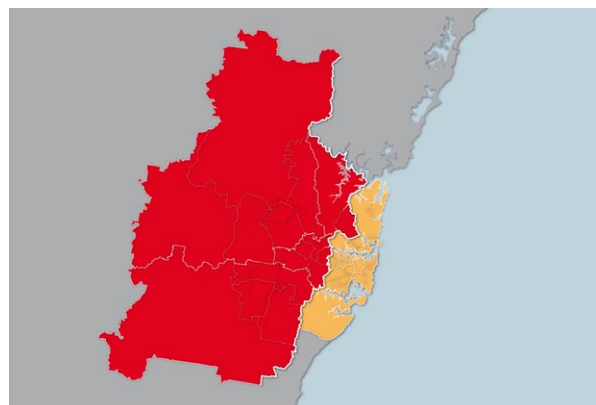
The JRPP will not operate in the City of Sydney, where the Central Sydney Planning Committee will continue to function.

The NSW Government carefully reviewed development applications from previous years to assess potential workloads of the Panels and to decide on the location of the regions.



JRPP regional boundaries – NSW (excluding Sydney)

- Hunter Region
- Northern Region
- Southern region
- Western Region



JRPP regional boundaries – Sydney

- Sydney West Region
- Sydney East Region

BENEFITS OF JOINT REGIONAL PLANNING PANELS

Transparent

Decisions made on merit and in full view of the public

Rigorous

Qualified experts determining applications - bound by legislation, regulations, Operational Guidelines and a Code of Conduct

Accountable

Independent Panels operate without interference from government

Efficient

Fully resourced Panels to cut red tape and application waiting periods

The vast majority of development applications will continue to be assessed and decided by local councils. It is expected that the JRPP will determine a very small number of the more than 90,000 applications decided each year in NSW.

WHAT IS THE ROLE OF THE PANELS?

The JRPP has two important functions:

1. Make decisions on regionally significant developments; and
2. Advise the NSW Minister for Planning on development matters.

WHAT TYPES OF DEVELOPMENTS WILL THE PANELS DECIDE ON?

The Panels will make decisions on regionally significant developments, which include:

- All developments worth over \$10 million, which are not classed as major projects to be determined by the Minister
- Subdivisions over 250 lots
- Certain coastal developments, particularly in sensitive areas. These developments can include buildings over 13 metres in height, some subdivisions of land and some recreational and tourism facilities
- Developments that need particular scrutiny because of their nature or potential environmental impacts. These developments, called designated development, require an environmental impact statement
- Development worth more than \$5 million including public and private infrastructure; such as community facilities, child care centres and places of public worship; developments where the council is involved or has a conflict of interest; Crown development; and ecotourism.

WHAT IS CHANGING?

In effect, there will be a two-fold shift in the way these developments will be assessed and decided:

- Councils will assess *all* these types of development applications, including those which used to be assessed by the Department of Planning.
- The Panels will decide *all* these types of development applications, including those which used to be decided by councils and the Minister for Planning.

EXAMPLES OF DEVELOPMENTS DECIDED BY THE PANELS

A major **shopping centre** with a capital investment value more than \$10 million, which may include cinema; major supermarket; department store; speciality shops; car park; government shop fronts such as Medicare and Australia Post; and a food hall.

A **residential complex** with a capital investment value more than \$10 million, which may include multi-storey housing units and shops on the ground floor.

A **community centre** with a capital investment value more than \$5 million, which may include childcare; indoor sporting facilities; and meeting rooms.

HOW WILL THIS AFFECT MY HOME RENOVATIONS?

The Panels have been established to determine regionally significant developments, often worth millions of dollars and potentially impacting economic growth and jobs in the region. They are not intended to affect average home construction.

In addition, The NSW Housing Code released by the State Government in early 2009, has been designed to both speed up and simplify the process for approving standard types of housing. The code allows for home development, alterations and additions which comply with the code, without the need for development applications.

WHO WILL SERVE ON THE PANELS?

Each of the Panels will consist of five members:

- Three independent experts appointed by the Minister for Planning through a widely advertised expression of interest (EOI) process
- Two council appointed panellists from each local government area in all of the six regions.

The Minister for Planning appoints three members to each of the six regions. These independent experts will be required to have thorough knowledge in at least one of the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration. They must also have experience in development assessment or planning matters.

The Minister also appoints one of the state-appointed panellists as the Chair for each Panel. The term of the members is three years.

Council representatives will sit on the Panel when a proposed development within their local government area is being decided.

Critically, the Panels cannot be directed by either the councils or the Minister for Planning. Rather, they are bound by the Environmental Planning and Assessment (EP&A) Act, regulations, a Code of Conduct and operational guidelines. The entire process will be merit based.

Expressions of Interest for these positions were widely advertised in May 2009.

One of the key goals of the Panels will be to achieve faster turn-around and a more consistent approach for regionally significant development applications, which can have a positive impact on economic growth.

HOW DOES ASSESSMENT AND DECISION MAKING WORK?

Applications for development that are to be decided by the Panels will first be assessed by councils in accordance with accepted procedure.

As is the case with councils, the Panels will be required to provide opportunities for both proponents and objectors to represent their views on developments.

Consultation

An extensive program of consultation has been built into every stage of the introduction of JRPP, including consultation with major stakeholders prior to commencement and during the implementation process. There will also be an extensive review and evaluation of the operation of the Panels late in 2009.

A thorough communications program will accompany implementation of this reform, involving workshops and information sessions by Department of Planning staff in key areas throughout the State.

ASSESSMENT AND DECISION MAKING PROCESS

- Development application received by council
- Relevant notification and exhibition procedures undertaken
- Consultation with government agencies if required



- Assessment undertaken by council officers
- Assessment report and recommendation sent to Joint Regional Planning Panel



- Determination made by Joint Regional Planning Panel
- Notice of determination issued

COUNCILS HAVE A KEY ROLE TO PLAY

As the authorities undertaking all the assessments for these development applications, councils will play a pivotal role in the process. In addition, council representatives will be active participants on the Panels.

Councils will have responsibility for the assessment of some developments previously assessed by the Department of Planning, such as certain coastal developments. Other issues of note for councils include:

- Applications for the classes of development to be determined by the Panels will be lodged with the relevant council, in the area where the proposed project is located
- Council officers will continue to follow established procedure regarding development assessment, including public notification and consultation with government agencies
- Councils will also have the opportunity to provide submissions to the JRPP on matters being determined in their local government area.

WHO WILL ADMINISTER THE PANELS?

The Panels will receive technical and administrative support from the *State Panel Secretariat*, which serves the already established *Planning Assessment Commission*. The Panels will also receive help from central and regional Department of Planning offices. The Secretariat will work with the Chair of the Panels to help organise meetings, agendas and other administrative functions.

There are provisions contained in the EP&A Act that will place obligations on councils in their work with the Panels. Typically this will include meeting procedures, probity, cost recovery, communication and operational matters. Operational Guidelines have been drafted to cover these practical details.

WHERE AND WHEN WILL THE PANELS MEET?

Every effort will be made to ensure that meetings of the Panels will be held in the local government area where the applications was lodged or in locations convenient to those who may need or wish to attend. The meetings will be held regularly, depending on the volume of development applications.

Panel meetings will be open to the public and any interested group or person can make a submission.

WHO PAYS THE COSTS?

The running costs of the Panels such as, State-appointed members' fees, general expenses and administrative costs will be met by the State Government. Councils will retain the full DA fees. Councils will cover their costs and the cost of their members out of these fees.

POSSIBLE ROLE FOR PANELS

The Minister for Planning may give a JRPP the functions of a Planning Assessment Panel (also known as a Section 118 Panel). But can only do this after considering a council's views on the development proposal.

What proponents need to know

There are a number of issues that proponents will need to be aware of so that their applications can be dealt with swiftly and efficiently:

- Applications for a range of development classes will be lodged with the local council and decided by the JRPP
- Panels will be responsible for approval of modification applications
- Proponents will be able to present their views to the Panels
- Applications not yet decided before the start date of the Panels will be considered under the old system, unless resubmitted.

Certainty and predictability for proponents

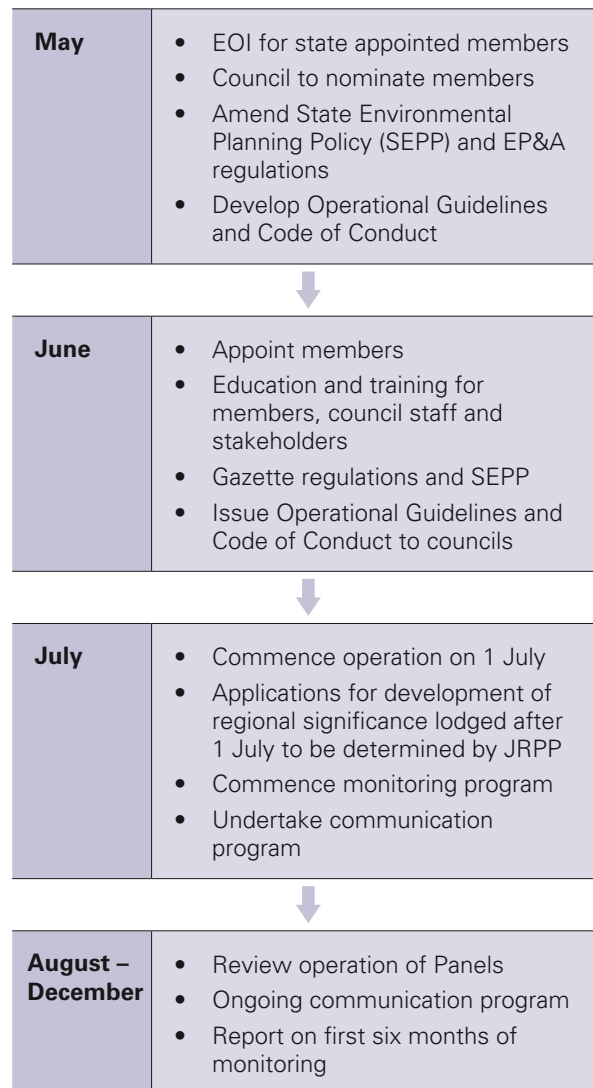
These reforms will create certainty and predictability for proponents while ensuring the natural and built environment is considered appropriately.

The NSW Government aims to provide greater transparency, objectivity and independence in this merit-based process. Critically, the Panels cannot be directed by either the councils or the Minister for Planning. Rather, they are bound by the Environmental Planning and Assessment Act (EP&A Act), Regulations, a Code of Conduct and Operational Guidelines.

Important considerations for government agencies

- Government agencies will continue to work with local government on development matters
- Government agencies should be mindful of their continuing responsibilities under the EP&A Act.

JRPP TIMELINE - 2009



FURTHER INFORMATION

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