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**1 DEPARTMENT OF PLANNING'S "PLANNING SYSTEM ACCELERATION PROGRAM" AND RELATED ANNOUNCEMENTS - Councillor Christopher Gordon****File Number: CLM/20/1/1/6 - BP20/469**

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**MOTION:**

That Council:-

1. (a) Writes to the Minister for Planning and Public Spaces the Hon Rob Stokes MP and the Premier Gladys Berejiklian to express its opposition to the recent changes to the Environmental Planning and Assessment Act which grant the Minister unprecedented powers to override planning decisions made by local councils.
- (b) Recognises that planning decisions should be community led and that local councils are best placed to make decisions about planning that is appropriate for their local area and constituents.
2. (a) Seek assurance from the Minister for Planning, Rob Stokes MP, that Council's ability to conduct due diligence in line with community expectations will not be impeded by the recently announced Planning System Acceleration Program to fast-track assessments of State Significant Developments, rezonings and development applications (DAs), with more decisions to be made by the Minister if required.
- (b) Advise the Minister for Planning that in order to ensure community confidence in the Program, a plan to promote a high level of community engagement must be included in the additional support the Minister will need to provide to councils and planning panels to fast-track locally and regionally significant DAs.
- (c) Seek confirmation from the Planning Minister that Planning Proposals for amendments to Local Environment Plans (LEPs) currently in progress and/or already before the Department of Planning are finalised before the approvals of "any expanded list of works that may be carried out without the need for planning approval or under the fast-tracked complying development pathway."
- (d) Alert the Minister for Planning that many of the proposals included in Urban Taskforce's list of so-called 'shovel-ready' projects that "are caught up in any area of the planning system" have already been refused by local councils and/or Local or Regional Planning Panels for valid planning, social or environmental reasons or because of insufficiency of community infrastructure funding needed to maintain liveability standards for the resulting population growth, particularly in green field and brown field sites and targeted population growth areas.

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Council, submitted on 26 May 2020.

**NOTICE OF MOTION 1 (continued)**

- (e) Advise the Minister for Planning of concerns that the COVID-19 related amendments to the EP&A Act, which allow the Minister “to authorise development to be carried out on land without the need for any approval under the Act or consent from any person” could potentially be applied to developments other than hospitals, ICUs, morgues, or other directly COVID-19 related works, because of the ambiguity of the wording of clause 10.17(5)(b) regarding works "necessary to protect the health, safety and welfare of members of the public".
- (f) Advise the Minister for Planning that the Department of Planning’s directive to councils to no longer publish development applications in local newspapers will disadvantage the elderly and residents who do not have access to the internet. The subsequent advertising loss of revenue will likely also undermine the viability of local newspapers, many of which are already struggling to survive. Directive should only be for the duration of the pandemic or 6 months, whichever is shorter, at which time alternative notification strategies may be considered if necessary.
- (g) Advise the Minister for Planning that the Department of Planning’s temporary directive to councils that certain documents related to development proposals/applications will no longer be required for physical inspection in their offices disadvantages residents who do not have access to computers and could lead to copyright issues with architects/developers regarding the publication of certain plans.
- (h) Request that in light of the growing level of complaints from neighbouring residents (including those on compulsory work from home and home schooling arrangements) about ongoing disturbances, the Minister for Planning reconsiders the permission granted to the construction industry to operate every day including public holidays.