

## Environment & Planning Alert

### NSW Planning System Review – Issues Paper Released

December 2011

#### Planning review update

In July 2011, the Minister for Planning announced a comprehensive three stage review of planning laws in New South Wales. The first stage of the review commenced with a 'listening and consultation' phase which incorporated:

- meetings with a wide range of key stakeholders in August 2011; and
- more than ninety open community forums across New South Wales between September and November 2011.

[Click here](#) to view minutes of the key stakeholder meetings held in August 2011.

[Click here](#) to view the community forum map, locations and notes from the meetings held between September and November 2011.

This stage of the review also afforded interested parties the chance to make written submissions to the Planning Review Panel by 4 November 2011.

Both the forums and written submissions provided an opportunity to inform the Panel what the broad objectives for the new planning system should incorporate.

[Click here](#) to view the written submissions received by the Panel.

For more information about the Minister's announcement, the three stages of the review, and the 'listening and consultation phase', click on the following links to view our [July](#) and [September](#) 2011 Environment & Planning Alerts.

#### Release of the issues paper

As foreshadowed, the forums and written submissions have culminated in the development of an Issues Paper which was released on 6 December 2011. [Click here](#) to view the Minister's Media Release.

The Issues Paper is entitled 'The way ahead for planning in NSW?' and sets out a number of comprehensive questions about the planning system in New South Wales, which the Panel believes need further consideration. [Click here](#) for a link to the full PDF version of the Issues Paper.

The Issues Paper is helpfully divided into the following chapters:

- **List of feedback questions;**
- **Chapter A – Introduction:** which provides a background to the review and asks questions about what the new planning system might look like;
- **Chapter B – Key elements, structure and objectives of a new planning system:** which explores the principal issues (and asks questions) about the potential options for the new planning system framework;
- **Chapter C – Making plans:** which considers (and asks questions about) issues and principles relevant to the content and processes of making plans;
- **Chapter D – Development proposals and assessment:** which explores the principal issues (and asks questions) about the approval and regulation of development;
- **Chapter E – Appeals and reviews, enforcement and compliance:** which considers the principal issues (and asks questions) about appeal and review systems;

- **Chapter F – Implementation of the new planning system:** which explores a range of issues (and ask questions) about the implementation of the new planning system; and
- **Appendices.**

## Further written submissions

The Panel is now seeking further response and feedback to the questions raised in the Issues Paper. The Panel is also happy to receive comments on additional relevant matters not included in the Issues Paper.

Written submissions can be made via the Department of Planning and Infrastructure's website or posted.

Website: [www.planningreview.nsw.gov.au](http://www.planningreview.nsw.gov.au) (from 8 December 2011)

Mail: GPO Box 39, Sydney NSW 2001

The closing date for submissions is midnight on Friday, 17 February 2012.

## Staged review update

When announced, the review initially proposed a three stage process. These stages have been refined to some extent into the following five stages:

- **Stage 1 (Review announcement):** the planning review announcement by the Minister on 12 July 2011;
- **Stage 2 (Listening and scoping):** a 'listening and scoping' stage, led by the Panel, to obtain the community's views on what should be the broad underpinning principles for new laws to replace the Environmental Planning and Assessment Act 1979 (written submissions were invited by 4 November 2011);
- **Stage 3 (Issues paper):** release of an 'Issues Paper' which focuses on questions about issues raised at the

community forums and stakeholder meetings (written submissions are invited by midnight on Friday, 17 February 2012);

- **Stage 4 (Policy options release):** with regard to the 'listening and scoping stage' and written submissions to the Issues Paper, the Panel in collaboration with a working group will prepare a 'green paper' which will outline a recommended structure for the new planning system (the 'green paper' will be published in April 2012); and
- **Stage 5 (Draft legislation):** a 'white paper', which will set out the Government's framework for the new planning laws of New South Wales and draft legislation, will be released for public exhibition before a Bill is submitted to the New South Wales Parliament in the latter part of 2012. The 'white paper' will be prepared by the Minister, with the Panel serving as a reference group.

## Next steps

Following the conclusion of this second round of written submissions by 17 February 2012 the Panel, in collaboration with a working group, will release a 'green paper' by the end of April 2012.

Interested parties should now consider making written submissions by the due date to any, or all, of the questions posed by the Issues Paper, or on any other matter relevant to the review.

## More information

We will keep you up to date on developments as the review continues to move forward.

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