

Coalition vows to axe 'hated' planning laws

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UP TO 500 of the state's most controversial developments, including high-rise towers, shopping centres and marinas, would be determined by a revamped planning commission instead of the planning minister, the opposition has promised.

The man expected to be the next planning minister, Brad Hazzard, said a Coalition government would scrap the controversial Part 3A provisions of the planning laws at "the first legislative opportunity", and the minister would surrender his approval powers to an "independent" planning assessment body.

"Existing applications under Part 3A will be dealt with at arm's length by a beefed-up independent Planning Assessment Commission," Mr Hazzard told the *Herald*.

Research by the Greens reveals that at present there are 498 Part 3A projects worth \$42 billion in various stages of the approval process, and 249 newer applications, including many lodged in recent months, yet to be publicly exhibited.

The opposition has pledged to scrap the five-year-old Part 3A provisions which are loathed by councils because they give the planning minister, not councils, the power to approve big projects including developments worth more than \$100 million and others deemed state significant.

But the opposition has yet to spell out what transitional arrangements will apply to the hundreds of applications awaiting approval and how it would determine new projects lodged after the election.

Mr Hazzard has promised a planning inquiry that would run for up to 18 months, but he said yesterday he would not wait for its findings before he scrapped Part 3A and set up a replacement structure.

"Changes to Part 3A are not dependent on the review of the planning legislation," he said.

The Greens planning spokesman, David Shoebridge, said there were so many applications in the pipeline that it would be "business as usual for the development lobby" for the next two years unless the Coalition returned many of them to councils for determination.

"We must put in place a regime that has these applications assessed in light of all the local, regional and planning laws that apply to all other developments not under the rule-free Part 3A," Mr Shoebridge said.

He said that letting the Planning Assessment Commission approve them would make little difference because it operated under the 3A provisions, which ignored the local planning laws that smaller developments complied with.

When the former planning minister Frank Sartor introduced Part 3A he predicted the minister would use his or her discretion to delegate about 80 per cent of part 3A applications to the commission to determine. An Independent Commission Against Corruption report in December found the commission had determined only 7 per cent of matters in the last financial year.

ICAC recommended the planning commission be given a greater role and act free of ministerial influence. Mr Hazzard did not explain whether he would legislate to give the commission the power to handle all existing and future Part 3A applications.

Among the controversial projects approved under Part 3A are coalmines, wind farms and the \$6 billion Barangaroo redevelopment. Those awaiting approval including a 1900-lot housing development at Huntlee in the Hunter Valley, 556 housing lots at Catherine Hill Bay, the Kendall Bay marina, and 60 gas wells in Narrabri.

Developers warned that Part 3A was integral to the planning system and a replacement mechanism must be introduced immediately it is scrapped or the system would grind to a halt.

"Whenever Part 3A is repealed there will need to be other reforms to ensure the planning system still functions," said Aaron Gadiel, head of the developer lobby group Urban Taskforce.

"You should not seek to repeal 3A in isolation from broader reforms of the conventional way the planning system works."