



4 November, 2011

Mr Tim Moore & Mr Ron Dyer
Chairmen
NSW Planning System Review
GPO Box 39 Sydney NSW 2001

RE: NSW Planning System Review

Dear Mr Moore & Mr Dyer,

Infrastructure Partnerships Australia (IPA) welcomes the opportunity to contribute to the current review of the NSW Planning System on behalf of Australia's infrastructure sector.

IPA is the nation's peak infrastructure body. Our mission is to advocate the best solutions to Australia's infrastructure challenges, equipping the nation with the assets and services we need to secure enduring and strong economic growth and importantly, to meet national social objectives.

As the NSW population continues to grow – to a forecast nine million by 2036 – and the existing challenges of congestion and inefficient provision of services are addressed, the need for new infrastructure will intensify.

As funding for projects becomes available, securing streamlined and low-risk procurement and delivery structures will be crucial. This process includes the planning framework – a system that to date has a mixed record with respect to major projects and critical infrastructure. The current review of the NSW Planning system is therefore timely and strongly supported by the nation's infrastructure sector.

The infrastructure sector's desired outcome from the review is a major projects assessment process that provides certainty and mitigates risks in the planning system, ensuring critical infrastructure projects are not delayed or unnecessarily compromised.

To achieve this, the following underlying principles should be considered as part of the current review:

- Division of Assessment
 - Consideration should be given to public and private sector projects being assessed under separate frameworks as per the EP&A Act prior to the introduction of Part 3A in 2005. This separation would allow for projects with a public good as their primary focus to be expedited and prioritised where necessary. The division should be made on the basis of who the principal proponent of the project is.
- Strategic Planning Focus

- The revised planning legislation should concentrate on developing strengthened strategic planning practices in NSW. This should be accompanied with a shift of objection and appeals processes to the strategic phase of planning – with the desired outcome of having fewer objections and delays at the project delivery stage.
- A hierarchy of State, regional, metropolitan and local strategic plans should be established – this should include the *State Infrastructure Strategy* currently being developed by *Infrastructure NSW*.
- Future Proofing (protection rights)
 - The review should consider strengthening provisions in the planning system for the protection of infrastructure corridors and precincts.
- Enabling
 - The new legislation should enable development to meet the needs of the State, rather than being prescriptive – particularly in relation to major projects. This should include the flexibility to cater for innovation in major public sector projects. The innovation and efficiencies available through collaboration with the private sector should not be limited or delayed by 'red-tape' protocols in planning assessment systems.
- Consultative
 - A strong consultation process is imperative to a good planning system. The new legislation should promote consultation with the public and business sector. However, this consultation should be focused on the long-term strategic planning processes to promote a system of shared development of a community's plans and future. Through promoting greater consultation on strategic plans, the review should aim to limit the need for appeals and objections at the delivery stage of projects.

The review of the planning system is strongly supported by the State's infrastructure industry and is an important step to ensuring a streamlined pathway to approval for critical and significant infrastructure projects.

I look forward to the release of the Issues Paper in December and welcome the opportunity to present a more detailed submission. In the meantime, if you require any further information please don't hesitate to contact me on (02) 9240 2000.

Yours sincerely,



Brendan Lyon
Chief Executive Officer