

Meeting Overview

- DPIE advised that changes to the legislation (under the Environmental Planning & Assessment Act and Local Government Act) have been made to remove requirements for advertising in local newspapers and allow for online notifications. The subject changes have been communicated to councils.
- Potential orders concerning issues relating to construction materials, and extension of time for lapsing of development consents and deferred commencement are being investigated by DPIE.
- DPIE has developed criteria to identify 'priority projects' in the planning system that can be fast-tracked. Priority projects can be State Significant Developments, Planning Proposals and Regionally Significant Developments that will drive the economic recovery. The criteria and first tranche of projects will be announced shortly.
- Kirstie Allen from DPIE spoke about the work that she and Alison Frame are progressing on the next tranche of policy work to support investment.

DPIE asked for feedback from the Group on whether there are other issues (beyond planning system) in the housing market that are preventing supply from being delivered – to help identify building material and resource supply chain issues, financing presale commitments, jobs and skills.

ACTION: The Group to provide feedback to DPIE – please send feedback to planning.covidresponse@planning.nsw.gov.au

- the Minister for Local Government has also announced amendments to temporarily modify the *Local Government Act 1993* in response to COVID-19. More advice has been made available on the OLG website - <https://www.olg.nsw.gov.au/programs-and-initiatives/olg-assists-councils-to-manage-covid-19/>. Amendments include:
 - Allowing councils to delay sending out the first quarterly rates notice for 2020-21 and extend the payment deadline by one month;
 - Enabling councils to immediately waive or reduce fees for services such as food premise inspections and footpath usage for COVID-19 affected businesses, without the need to provide 28 days public notice;
 - Providing councils with a one-month extension to adopt their 2020-21 operational plans and budgets and submit their 2019-20 audited financial statements and annual reports. Councils will also have an extra month to submit their last quarterly budget review statement for 2019-20; and
 - Removing the requirement for documents to be made available for inspection at council offices, if the document is published on the council's website or available electronically.
- The Group raised the following matters:
 - Concern was raised that councils may defer their strategic work (eg. housing strategies) until the COVID crisis is over, and that this deferral will impact adversely on housing supply. In

the case of one Council, letters have been sent to proponents advising them that the housing strategy may be delayed due to COVID.

RESPONSE: DPIE has been advised that the Council in question is preparing a communication strategy to engage with the community digitally. They are waiting for the planning proposal to go through gateway and will then exhibit this online together with the housing strategy.

ACTION: DPIE and OLG to discuss the Council in question's housing strategy deferral and pursue highlighting their obligations to meet statutory deadlines. DPIE will also seek advice on how other councils are progressing housing strategies.

- suggested that to help bring projects forward, changes must be made so that the development contributions are payable at occupation certificate stage instead of upfront

RESPONSE: DPIE will consider this suggestion

- questioned the legal means by which the Minister can approve projects directly including step-in powers.

RESPONSE: The Minister already has a range of existing intervention powers under the EP&A Act, including calling-in of certain matters, stepping-in as consent authority, consent roles in planning instruments and exercising delegations.

- requested that consideration be given to increasing the time for appeal against refusal or conditions of consent from 6 months to possibly 12 months.

RESPONSE: DPIE will include the time for appeals on DA determinations in the matters it considers for possible future changes.

- requested further information on the Accelerated Infrastructure Fund (AIF) and its relationship to LIGS, highlighted further concerns held on the uncapping of contributions and infrastructure funding

RESPONSE: AIF is both a Covid-19 stimulus package and part of the initial measures of charges reform. Its priority is funding infrastructure to unblock development approvals, which means quick selection, funding and construction. AIF will also where possible remove items from local contributions plans – putting downward pressure on local contributions. DPIE continues to work closely with NSW Treasury in development contributions reform work and takes on concerns about the current infrastructure contributions system.

ACTION: DPIE to provide a future update on the AIF to clarify the full investment

- A central mailbox has been set up to receive ongoing issues in the current climate planning.covidresponse@planning.nsw.gov.au