

From: [REDACTED]
To: [NSW Productivity Feedback](#)
Subject: Independent Planning Commission submission
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Dear Mr Achterstraat and staff,

I was pleased when the NSW Government decided to set up the Independent Planning Commission. It is my view that the IPC should continue in its current role. I do not have views on all of your terms of reference including all IPC procedures, however public input to the Commission is essential prior to it forming and making its decisions.

I have taken an interest in how planning decisions for major projects are made since I worked in the Department of Environment and Planning soon after the Environmental Planning and Assessment Act commenced. I had a role in preparation of assessments of several major projects while close colleagues contributed to assessments of many others. I appreciate the complexity and diversity of issues involved.

There is a need for decision makers to gain an understanding of key technical issues by receiving and being capable of querying well-founded technical advice, and to consider the diversity of perspectives and needs of the community as well as planning considerations such as the principles of ecologically sustainable development before deciding whether a development is in the public interest. Government Ministers vary in the ability to do what is needed and in their willingness to make the best decisions for the long-term interests of the whole community – today that sometimes means the world community particularly in relation to avoiding global heating impacts because this is sometimes different to the short-term interests of politicians and political parties to be re-elected.

Having observed the outcomes of decision making under the original EP&A Act processes, with the Minister having power to make decisions that were not appellable, then decision making by Planning and Assessment Commissioners and lately by the IPC, I have concluded that the IPC model is preferable. Having a large panel of skilled Commissioners independent from Government is a significant improvement.

I think the community is more likely to accept decisions on controversial developments made by independent commissioners. This reduces that likelihood of community unrest and disruption of approved developments – a serious inefficiency issue for our society. This is obviously a particular problem in relation to fossil-fuel mining projects – a significant part of the community had little faith that the worst mining projects would be refused consent so they tie up resources trying to block some new mines. We have too much partisan or divisive thinking, and not enough trust that through expressing and discussing issues and applying science we can co-operatively work towards a better future for everyone through many good developments – agreeing what is good and worth putting capital into. We will have a more productive economy if the processes leading towards development decisions make productive use of community interests in the future.

Interested members of the public should be encouraged and enabled by the IPC to propose means of limiting the impacts of proposed developments and to discuss these with proponents. While increasing opportunities to do so during the IPC process may sometimes delay decisions, this will encourage proponents to discuss their proposals with the community as soon as possible during the proponent's own planning, long before submitting a development application (as some developers do) and to maintain a dialog. The conditions of consent proposed by the Department of Planning Industry and Environment and other government agencies are useful in limiting adverse impacts but increased input from the community towards conditions could enable even better outcomes for everyone, in the event that consent is

granted. The IPC should therefore be required to consider the assessment report and views of other agencies but not rely too heavily on it.

While sometimes some objectors to proposals have had a localised or short-term perspective or poorly founded fears, there have been many proposals that raised well-founded objections from people with a long-term perspective who are concerned for the whole community. Developers often have narrower objectives or a different perspective, which is fine, but planning decisions should be made with the long-term interests of the whole community foremost. The onus is on developers to work out how they can propose developments that best contribute towards rather than conflicting with community needs. If the IPC, using its skilled Commissioners and all the other inputs at their disposal, occasionally rejects a proposal, this provides guidance to everyone. IPC decisions consenting to proposals also provide guidance.

The IPC needs to be well resourced. It should have its own permanent staff. It should also be able to have some staff on secondment from other agencies for specified periods (not just for particular inquiries) and other agencies should co-operate by using their technical staff to answer questions from the IPC if necessary.

Yours sincerely

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