

15 November 2019

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Productivity Commissioner
By email: productivityfeedback@treasury.nsw.gov.au

Dear Sir / Madam

Review of Independent Planning Commission

Thank you for the invitation to provide comment and feedback on the review of the New South Wales (NSW) Independent Planning Commission (IPC).

The City of Sydney is supportive of maintaining the IPC's role in ensuring objectivity and accountability with development determinations that are contentious for the community and Council.

Eliminating or significantly modifying the IPC's role in general terms runs the risk that decisions are returned to politically appointed ministers that may not always possess the necessary expertise and more importantly, the objectivity required to ensure a matter is determined truly in accordance with the 'public interest'.

With proposals like the Star Casino's hotel / residential tower that blatantly disregards appropriate site controls and planning pathways, faith in the NSW planning system is at an all-time low. Retaining an independent body offers some assurance to the community that the threat of corruption is taken seriously by the NSW Government.

Issue 1

It is interesting to note that State Significant Development where the Government are the proponent (for example Sydney Football Stadium at Moore Park), they are not able to be referred to any independent panel for determination in the same way applications submitted by a private developer can be. **It is the City's belief that the community reasonably expect transparency and fairness is applied to all development proposals regardless of who the proponent is.**

The present delegation of 25 submissions and where objections are held throughout the assessment process is similar with the delegations that local government, including the City of Sydney must operate. The present system of referral to the IPC allows Council and members of the public a vital opportunity to verbally present their issues to a panel of suitably qualified experts.

Issue 2

The IPC also carries out functions related to strategic planning and plan-making in the City of Sydney. 'Rezoning reviews' are considered by the IPC. This is where a proponent or the council may seek a review of a decision or condition on a proposed change to a local environmental plan. These matters are referred to the IPC as the Sydney Planning Panels do not have jurisdiction over the City of Sydney. It is understood that rezoning reviews may be referred to the IPC in other council areas on occasion.

The City objects to the 'rezoning review' function on behalf of a proponent. This challenges the City's strategic plan making authority and gives the impression that plan making is developer led. The City however, supports the IPC's approach to transparent processes including publishing detailed reports on matters considered, outcomes and advice generally. It is noted the bulk of the IPC's activities relate to development rather than strategic planning and plan-making.

Should you wish to speak with a Council officer about the above, please contact [REDACTED]

Yours sincerely,

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