

Unpopular planning process under scrutiny

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The state government is reviewing a controversial planning process described by one of its own ministers as "providing endless backdoor opportunities for disreputable developers to push their proposals".

A "pre-gateway review" allows developers to challenge unfavourable council rezoning decisions as long as they are prepared to pay a \$5000 application fee, and then another \$15,000 if an appeal is granted.

Before the O'Farrell government introduced the system in November 2012, council rezoning decisions were final.

But since then, a Greens analysis found less than one in five reviews have upheld a council's refusal.

Plans to increase the height and density of a proposal to redevelop Bronte RSL was knocked back by Waverley Council before its developer sought a pre-gateway review. The Planning Assessment Commission then found that the proposal had "strategic merit" and should be granted further consideration.

Environment Minister Rob Stokes slammed the system in March, barely a month before he was elevated to cabinet where he also serves as assistant planning minister.

Mr Stokes told Parliament an appeals process should be about re-examining sensible proposals when planning rules were unreasonable, "not in providing endless backdoor opportunities for disreputable developers to push their proposals".

"Put bluntly, where a spot rezoning is all about the developer's interest and the case for public interest is not crystal clear and compelling, it simply should not happen," he said. "Under the new planning system, we need to move away from one that allows for assessment by faceless men."

Mr Stokes had called for an overhaul of the system after the Department of Planning and Infrastructure "inexplicably" granted a review to a controversial rezoning in Warriewood. Council had knocked back a bid by Meriton to change a zoning permitting 32 dwellings per hectare to allow for more than 90 dwellings per hectare.

A Joint Regional Planning Panel, which conducted the review, then "threw it out as a joke," Mr Stokes said. "Of course, no one will be surprised if, like a zombie, the proposal rises again."

Mr Stokes stood by his criticisms on Monday, adding, "I am pleased that the Planning Minister has launched a review of the pre-gateway process".

A spokesman for Planning Minister Pru Goward said the review, now underway, was to ensure the process was "targeted at matters of regional significance".

The spokesman also accused the Greens of ignoring previous improvements to the planning system introduced by the Coalition government.

These included abolishing the Part 3A assessment system and increasing council input into the formation of the joint panels, he said.

This story was found at: <http://www.smh.com.au/nsw/unpopular-planning-process-under-scrutiny-20140526-38zj6.html>