

## **PLANNING FOR CERTAINTY IN UNCERTAIN TIMES – THE STANDARDISED LOCAL PLANNING SYSTEM IN NEW SOUTH WALES, AUSTRALIA**

### **Abstract**

In March 2006 the state of New South Wales (NSW) in Australia introduced a standardised or ‘template’ local plan (called the Standard Instrument Local Environmental Plan) that all of its 152 local councils must now use to prepare a new local plan for their local government area. Councils were given 2, 3 or 5 years to complete new plans, depending on their strategic importance and the age of their existing planning controls – meaning that all councils were to have a new plan in place by March 2011.

Implementation of this initiative came at a time when expectations about what local plans can and should deliver were escalating, while the worsening global financial situation has meant that most governments have reduced resources to allocate to good planning that will achieve liveable, sustainable communities, and to fund the infrastructure necessary to support them.

A new state government was elected in NSW in March 2011, on a platform of returning local planning powers and decision making to local governments. Concurrently the Australian Federal Government released “*Our Cities, Our Future: A national urban policy for a productive and liveable future*”. This policy includes a set of 9 criteria for future strategic planning of cities. Federal government funding for major state infrastructure projects is linked to providing evidence that planning systems meet these criteria.

There has been resistance from local governments to implementation of the standard local plan and progress has been slow. The 2011 target for completion was not met, with only 31 councils having completed plans by March of that year. The new plans have been unpopular with local government, communities and industry/development groups alike. The Federal government continues to mark NSW poorly for its planning system as a whole, meaning that funding for important infrastructure projects is not forthcoming. In the meantime, Australia’s population continues to grow rapidly, while delivery of housing in NSW falls short of targets.

This paper describes the reasons behind introduction of a standardised local plan in NSW, the measures successive governments have put in place to accelerate its implementation, and considers why, to large extent, those measures have been unsuccessful. In doing so the relationship between central control and local governments is discussed, in the NSW context. It provides a practitioner’s point of view on the issues surrounding introduction of a standardised system. The role of public consultation in shaping public policy is discussed and the need for different approaches in NSW is suggested.

## 1. Introduction

Planning and plan-making in New South Wales (NSW) Australia is, as it is in many places around the world, a contentious issue. Expectations about what planning systems can deliver, socially, environmentally and economically speaking, are increasing.

This paper tells the story of an attempt to standardise local plan-making in NSW over the last 6 years. It describes the reasons behind introduction of a standard local planning instrument, looks at the measures successive governments have put in place to accelerate its implementation, and discusses why, to large extent, those measures have been unsuccessful. In doing so the relationship between central control and local governments is discussed, particularly the tensions created by state imperatives to increase housing supply and densities while also purporting to hand planning powers back to councils

It provides a practitioner's point of view on the issues surrounding introduction of a standardised plan-making system. The role of public consultation in shaping public policy is discussed and the need for different approaches in NSW is suggested.

## 2. Brief overview of the political and planning system in Australia

### 2.1 Australian Federal Government

Australia has a three-tier system of government comprising federal, state and local jurisdictions.

Historically the federal government has had little influence on the states' planning systems. Constitutionally, planning is a matter for the states. In recent years this has changed significantly with the federal government taking much greater interest in urban planning matters. To quote its 2011 national urban policy, *Our Cities, Our Future*:

*“The Australian Government has a role in planning for, and delivering, an urban Australia that is more productive, sustainable and liveable. The development and management of our cities affects national prosperity and the wellbeing of all Australians, no matter where they live”.* (Department of Infrastructure and Transport, 2011).

It is worth noting here that 75% of Australians live in 18 major cities with populations over 100,000. The federal government's interest is in a more productive Australia that can compete in the global economy, and the major cities generate approximately 80% of Australia's gross domestic product.

The national urban policy includes an objective and 9 criteria for the future strategic planning of cities. State governments are 'scored' on the ability of their plans and

planning systems to meet these criteria. Federal government funding for major state infrastructure projects is linked to providing evidence that planning systems meet the 9 criteria, and are integrated across land-use and transport planning, economic and infrastructure development, environmental assessment and urban development.

Performance is also monitored in terms of delivery – specifically delivery of measures related to ‘liveability’ of cities.

## **2.2 State and local government in New South Wales**

Each of the 7 states and territories has its own system of local government, and its own planning system – and these vary markedly. New South Wales (NSW) is the most populous state and its capital is Sydney, the largest city in Australia.

The population of NSW is approximately 7.5 million people. It has 152 local government areas, each run by an elected local council. Sydney, with a population of approximately 4.6 million people, has 43 separate local government areas, each with its own local planning scheme controlling development. Sydney’s population is forecast to grow to 7 million people by 2056. Cities in Australia are characterised by low-density development, typically spread over large areas (Kelly, 2010, p. 8).

Land use planning in NSW is governed principally by one piece of state legislation, the *Environmental Planning and Assessment Act, 1979* (the Act). While groundbreaking when enacted, embedding the principles of environmental assessment and protection into planning legislation in the state for the first time, it has now been amended and augmented so many times that it is considered by many to be overly complex and skewed too much towards development assessment or ‘statutory’ planning and processes rather than strategic planning. The new state government was elected on a pledge of a complete review of the Act, and this is underway.

The Act provides that the Minister for Planning and Infrastructure (the Minister) may make environmental planning instruments to control development – and broadly speaking these can be state environmental planning policies (SEPPs) or local environmental plans (known as LEPs in NSW but hereafter referred to as ‘local plans’). Importantly, while only the Minister can approve local plans, they are developed by local councils in consultation with their communities.

Local plans in NSW are generally structured around a traditional system of ‘zoning’ land for different purposes, with land use tables setting out what types of development are permissible without approval, permissible with approval, or prohibited in each zone. While state governments over the years have issued guidance about how local plans should be prepared and what content they should have, it left the drafting of plans largely up to councils until 2006.

In summary, the planning system in Australia has been described as having “a (federal) level that has much direct influence – including raising the bulk of the

money – but is only occasionally involved, a state level which is the main provider of planning and services, and a highly fragmented local level” (Kelly, 2010, p. 12). It is this fragmented system of local government, and the related fragmentation of planning controls over major cities like Sydney, that lead the NSW state government to develop and implement a standardised local environmental plan.

### **3. A standardised local plan for NSW**

In March 2006, following a series of Ministerial taskforces looking at ways of improving the NSW planning system, the state government introduced a ‘standard instrument local environmental plan’.

The standard local plan was introduced through numerous changes to the Act, including a requirement that the Minister can not approve a local plan that is ‘inconsistent’ with the prescribed standard plan. It is a very formal, legal and mandatory system that for the first time in NSW sets out the structure and content of local plans. The State government and local governments disagree about what constitutes an “inconsistency”.

#### **3.1 Why introduce a standardised local plan?**

There are 152 local government areas in NSW, 43 of these in metropolitan Sydney. At the time of introduction of the standard local plan, these local government areas had between them approximately 5500 local planning instruments in place (Department of Planning, 2008). Within these 5500 instruments were:

- more than 3100 different land use zones; and
- some 1700 land use definitions. There were, for example, multiple definitions of ‘gross floor area’, ‘building height’ and the like.

This made it very difficult, even within each local government area, to determine exactly what planning controls applied to an individual parcel of land. From the developers’ point of view, there were vast differences between local government areas. With different development definitions and different land use zones from one suburb to the next in Sydney, it became a complicated and costly exercise to determine if a development was permissible, let alone what development standards and controls applied to it.

Many of the existing planning schemes were very old – sometimes 30 years or more old - and were in serious need of replacement.

The intention was to introduce a consistent, modern and transparent local planning system that cut red tape, provided certainty and clarity for all stakeholders, and reduced the time and cost involved in preparing and assessing development applications.

The standard plan is a template that includes:

- a standard structure to allow ease of navigation through the plan;
- 35 standard land use zones including residential, business, industrial and environmental zones, with some land uses mandated as being permissible or prohibited by the state;
- a dictionary of standard land use definitions that every council must use in its plan;
- compulsory and optional provisions dealing with a range of matters. For example, the state government decided that development standards such as allotment size, height of buildings and floor space ratio were so important that they should be included in the statutory plan rather than in other council policies;
- electronic maps. The standard plan is map based, with land use zones and development standards such as lot size, building height and floor space ratio mapped in accordance with standard technical guidelines. The maps form part of the plan that is approved by the Minister and they appear with the plan on the NSW Legislation web page, which displays all current planning instruments. As each plan is made, a state-wide data base of planning information is being developed. This is a significant benefit of the program – publicly accessible maps showing all the local planning controls, freely available. This aspect will also assist in the government further developing the concept of ‘e-planning’ across NSW – including the electronic lodging and processing of development applications.

Councils can add general aims and zone objectives to the plan, as well as ‘local provisions’ to address local issues - but they claim the state limits their ability to do so. They can also tailor the land use tables for each zone, to suit local conditions, by adding the development types that will be permissible without consent, permissible with consent, or prohibited.

The standard local plan was to be the consistent delivery mechanism for good strategic planning in the state. In its February 2008 Fact Sheet on the benefits of the LEP template, the Department of Planning said:

*“Councils can use an off-the-shelf, ready-made template when creating new plans, rather than having to draft plans from scratch. This means they will have more resources available to concentrate on developing long-term planning policies for their areas.”* (Department of Planning, 2008).

### **3.2 How far have we got?**

Progress has been slow. In March 2009, 2 years after commencement of the program, and when 92 of the 152 plans should have been completed, only 4 were finalised. In March 2011, when all 152 local plans were scheduled for completion, only 31 were done.

At the time of writing, in May 2012, 58 have been finalised. A further 64 plans have been given approval, from the Department of Planning and Infrastructure, to go to public consultation. So, while a lot of work has been done, the government's completion targets have not nearly been met, and the standard local plan program remains a point of tension and disagreement between the NSW State Government and local governments across the state. Some of the reasons for this disagreement are discussed in subsequent sections of this paper.

Local government elections occur every 4 years in NSW. They are scheduled for September this year, and many councils will make no further decisions on local plans until new councillors are elected and established – meaning that many of the new, standardised local plans will now not be finalised until well into 2013 or later.

### **3.3 Attempts to accelerate the program**

Successive state governments have seen the standardised local plan program as an important initiative to reduce red tape for developers and introduce modern, transparent controls that will be easily understood and will stimulate economic growth in NSW. Australia is one of the few OECD countries with both a rapidly increasing population and a significant housing shortage (Kelly, 2011). NSW and Sydney in particular, has a problem with a lack of housing commencements compared to the rest of Australia.

This is despite a large amount of land being identified and rezoned by the Department of Planning and Infrastructure in two major growth centres on the outskirts of the city, and despite dwelling targets being set for each local government area in Sydney through the *Metropolitan Plan for Sydney 2036* (Department of Planning 2010) and its related subregional strategies.

To attempt to accelerate finalisation of new local plans, the government has provided additional funding to the Department of Planning and Infrastructure (\$2.9 million AUD over 2 years) to facilitate the program, including formation of a 'flying squad' of urban planners, lawyers and mapping experts to directly assist councils to draft plans, resolve policy and legal issues and prepare maps.

Further, the government has provided \$10 million AUD over 2 years in grants to councils through the Local Environmental Plan Acceleration Fund. The grants have been provided principally to help councils draft their local plans, and sometimes to prepare strategic studies to underpin the plans, either through the councils hiring planning contractors or by direct provision of contractors to councils by the Department. 79 of the 152 NSW councils received grants between \$5,600 and \$274,400 AUD. Progress payments are linked to achievement of key milestones in the plan-making process, such as production of a draft plan for public consultation.

The flying squad concept works well and has resolved many issues. On the whole it would have to be said that, while the Local Environmental Plan Acceleration Fund has provided much needed resources to councils, it has not significantly fast-tracked plan production. Only 25% of funded councils have achieved their milestones, and the 2 year funding program has recently been extended for a further 12 months.

To address concerns that the standardised local plan does not provide sufficient flexibility for local government to address local issues in local plans, the Minister has established the Local Planning Panel. The Panel comprises 3 independently appointed local government planning directors, one of whom is the Chair, and 2 Department of Planning and Infrastructure representatives. I am one of the department's representatives. The Panel is currently touring the state listening to the views of councils and a wide range of other stakeholders to hear their concerns about the standard instrument local environmental plan. The views and suggestions for improvement are diverse. Local government has a different view, one could say different 'definitions', of certainty and flexibility to those of the development industry.

The recommendations of the Local Planning Panel for improvements to the local plan and its implementation are to be provided to the Minister in August 2012. While the Panel is providing an excellent vehicle for various stakeholders in the planning system to express their views about the standardised local plan, and indeed has already recommended some fundamental changes to it, the process is, if anything, slowing delivery of new plans. Local councils see that there is some chance they will get the 'certainty' and the 'flexibility' they seek in their plans if they make representations to the Panel and postpone finalisation of new plans until the Panel's recommendations are considered and adopted by the Minister.

### **3.4 Expectations of the planning system in NSW**

The expectations about what new local plans will deliver are high.

1. The community expects certainty – that the local plan will set out the parameters for development in their localities in the future and that there won't be any development 'surprises' next door;
2. The community also expects that they will be consulted widely on development matters and that their input will be listened to and will make a difference to the outcomes. Greater environmental awareness, ease of accessing information about development proposals, and a more informed community that understands that planning decisions have a significant impact on the liveability of neighbourhoods and cities, means that there is an increasing demand for public consultation on a wider range of issues in NSW;
3. The development industry expects that there will be certainty about what can be developed on any parcel of land, that the controls will be transparent and simple,

and that infrastructure issues (such as essential services and transport) will have been sorted out when the land was zoned for its purpose – and that for these reasons there shouldn't be much public objection to their development proposals;

4. The expectations the state government has about what new local plans might deliver are perhaps the most challenging of all. The government believes the new plans are critical to delivering an adequate supply of zoned, affordable land for housing and employment that, together with simplified controls, will kick-start housing commencements, drive down housing cost, and stimulate the NSW economy as a whole. In NSW it is the planning system which is increasingly blamed for impeding growth and development.

The government has asked the Department of Planning and Infrastructure to review the *Metropolitan Plan for Sydney 2036*. The updated metropolitan strategy for Sydney, and the subregional strategies that sit under it, will update the dwelling targets required of each region and each local government area – and the new local plans are the key delivery mechanism for this housing.

5. The government hopes that new, modern plans will reduce the need for spot zoning amendments to facilitate new development proposals and reduce the need for 'major' or 'state significant' projects to be called in by the state and determined by independent Joint Regional Planning Panels – because both of these aspects of the NSW planning system are very unpopular with communities.
6. The federal government has set its criteria for good strategic planning by the states- and consistent, transparent local controls are part of its desired solution. If the standardised local plan isn't the mechanism that can deliver good strategic plans on the ground, NSW will continue to miss out on vital infrastructure funding from the federal government.
7. Local government, other government agencies (such as the NSW Office of Environment and Heritage) and communities expect that local plans will be able to deal with emerging environmental issues such as sea level rise. Much of Australia's population live close to the coast and there are many NSW communities where existing dwellings will be directly impacted by sea level rise predictions for 2050 and 2100.

### **3.5 Has the standard local plan delivered on expectations?**

1. The standard local plan has the capacity to deliver certainty. Local plans are still the key delivery mechanism for strategic planning and land use controls in NSW. However, the issue has been that the detailed strategic planning has not been completed in many local government areas. There is a lack of context, therefore, for assessment of projects that might appear to be out of character in a

particular locality. Major projects (over \$20 million in value) are dealt with by the Joint Regional Planning Panels, and spot rezonings to change the controls on individual parcels of land or precincts are determined by the state government. So communities continue to see ‘unexpected’ projects appear and have to comment on them in short time frames in the context of a site specific development application or rezoning application, rather than in terms of the broader outcomes and directions they wish to see for their localities

2. Communities are demanding and to some extent getting increased opportunities to comment on planning matters. Overwhelmingly, however, the community participates and comments on specific development proposals (especially proposals in their neighbourhood) to a significantly greater degree than they comment on and participate in the broader - and ultimately more important – strategic planning that state and local governments undertake.
3. A lack of agreed strategic outcomes means that local development controls are drafted very tightly and conservatively, to pre-empt and prevent any unexpected or “out of the norm” development applications. The new state government was elected on a platform of handing local controls back to local government, and so it is allowing councils to have very restrictive controls in local plans. The NSW planning system does not currently allow merits based assessment and approval of developments that are prohibited by a local plan, yet may meet existing strategic outcomes.

The development industry wants more flexibility in local plans to allow more development to be approved on its merits. Communities and local government on the whole want local plans to be restrictive and to provide ‘certainty’ about development outcomes. The development industry says this stifles innovation.

Infrastructure provision and funding is not adequately linked to land use planning. The state government has reduced the contributions that developers must pay towards such infrastructure, in an attempt to stimulate more development. This is clearly counter-productive.

There is an expectation in some communities that local plans will be able to prohibit open cut coal mining on rich agricultural land. Coal mining is one of the major economic drivers and sources of revenue for the state of NSW. For this reason the state has a state environmental planning policy (SEPP) that overrides local plans to permit coal mining in all areas other than those with very high ecological value.

4. NSW has a housing shortage and very expensive housing. The state government wants local plans to deliver increased amounts of serviced land for housing and employment. Increasing density in existing suburbs of Sydney is very unpopular, particularly if infrastructure is inadequate. The Department of

Planning and Infrastructure's recently released discussion paper, *Sydney over the next 20 years* says:

*"By 2031 Sydney will have 1.4 million more people and will need 570,000 more homes and 600,000 more jobs."* (Department of Planning and Infrastructure, 2012).

The state government has promised local government it can have more control over the content of its local plans. This contradiction means the local plans will not deliver these targets unless the state intervenes to force an increase in development capacity and density.

5. The number of spot rezonings or amendments to local plans has not reduced since introduction of the standardised plans. The Department of Planning and Infrastructure processes approximately 300 local plan amendments each year, and this figure is not shrinking. This is probably because many of the new local plans do not reflect new and agreed strategic planning.
6. A recent federal government COAG Reform Council report, reviewing the performance of state governments in city planning strategies, found that none were meeting all 9 criteria set in the national urban policy. The report warns that Australia will not remain competitive globally if infrastructure issues are not addressed, and criticises 'politicisation' of planning issues at the state level, which it says interferes with their ability to settle on long-term strategic plans (COAG Reform Council, 2012).
7. Global environmental issues such as sea level rise will have a significant impact on Australian settlements. A new land use zone, the Coastal Protection zone, will soon be introduced into the standard local plan to allow councils to restrict and/or prohibit new development, particularly housing, on land in the direct hazard zone for coastal erosion. The direct hazard zone is based on government predictions for sea level rise by 2050 and 2100. Local governments, however, need to undertake detailed local studies, called Coastal Hazard Management Plans, before they are able to use such a zone.

In summary, it is contended that:

- the context within which local councils develop their new standardised plans;
- the fact that the majority of State Government planning outcomes are achieved through delivery of local plans;
- increasing expectations and requirements for consultation with local communities about plans and planning decisions;
- increasing expectations that local plans will deliver outcomes that stimulate local economies while also protecting the natural environment, dealing with climate change and sea level rise and creating sustainable, liveable communities;
- the need for new plans to meet national planning criteria in this regard; and

- the new State Government’s election pledge to return local planning powers to local communities;

have set up a planning system in NSW that has inherent tensions and conflicts such that it is unlikely to deliver outcomes that satisfy communities while encouraging development and attracting funding to provide necessary infrastructure.

The state government has choices available to it. Two obvious ones are:

1. directly intervene and direct local government to increase the development capacity of local plans. The Act gives the Minister this power but this is in direct contradiction with the state government’s election pledge to hand planning power and planning decisions back to local government; or
2. change the planning system and the way it is funded to work collaboratively with local government and communities to develop strong, clear and agreed strategic plans that can be delivered with certainty by the standardised local plans.

#### **4. The key issue**

The key issue affecting the timely and effective delivery of new, standardised local plans is the lack of adequate strategic planning to underpin them. Put quite simply, the standard local plan program has happened the wrong way around. Significant time, money and effort have been put into standardising a delivery mechanism, without any clear agreement on what it is we want to deliver. Solid strategic planning, broad at the state level and detailed at the local level, is needed to underpin these plans. It’s at the strategic level that the debates need to be had, that the consultation has to be undertaken, and the agreements have to be reached.

Without those agreements, the arguments are had at the delivery level, at the statutory instrument level. The NSW standardised plan – and I would argue any standardised local plan - is not and cannot be designed to cope with a lack of strategic planning to underpin it. This is the cause of the delays in implementation. This is the cause of the tension between the state government, local councils and the development industry in NSW.

Without good consultation leading to agreed outcomes to deliver growth, and without the resultant and necessary uplift in land for housing and employment, the hard decisions, the trade-offs (including who pays for what infrastructure), get left until the development application stage. That is too late. The development application process in NSW is an adversarial process with tight time frames and no room for negotiated outcomes. It becomes “do you want this particular development, or don’t you”, rather than “we need growth in this locality, how and where would you like to see it happen, what trade-offs are you willing to negotiate and agree so that we can get a plan for growth that gives everyone certainty?”. Many

development applications end up being determined by the NSW Land and Environment Court, at great expense to developers and objectors.

The new government's approach of giving planning powers back to local councils and communities is commendable – but not really working. Councils don't want to prepare new plans if development outcomes will still be uncertain, and if they cannot guarantee a level of certainty to their communities.

The statutory plan making process at present, with set time frames tied to funding agreements, is not providing local government with the time and resources it needs to engage with communities. It is not empowering local government or communities. It is not providing the good, clear plans we need.

The relationship between state and local governments in NSW needs to change. It needs to become less adversarial and more collaborative. The state government has to trust that local governments and local communities can make the hard decisions that have to be made. There is certainly a role for a more regional approach, given the large number of local governments in NSW – which delivers a fragmented response to important planning issues in many cases.

#### **4.1 Experience from elsewhere**

Plenty of people have written extensively about different approaches to local planning and this paper is not about repeating or critiquing those. Some of the most resilient and successful stories are now quite old – Jim Driers and his work with the Office of Neighborhoods in Seattle in the 1990's; the “Vancouver Model” and the extensive and comprehensive consultation that was undertaken by the City of Vancouver in developing its *CityPlan*, also in the 1990's, for example.

These models continue to appear in current Australian research, as best-practice examples of how to undertake local planning and achieve the trade-offs that have to be achieved – for example in the numerous research reports on city development prepared by the independent Australian think-tank, the Grattan Institute, referenced several times in this paper.

Some of that research, for example *The housing we'd choose* (Kelly, 2011), suggests that despite our best efforts to increase housing supply the market is not providing the type of housing many Australian people actually want. And we are not even providing enough of what people don't want.

The housing market is complex, and outcomes or lack of them can be influenced by factors like the taxation system in any jurisdiction just as much as it might be impeded by local planning controls. What experiences from elsewhere consistently tell us, however, is that we won't know what sort of development to provide for through our local controls, and we won't know where to provide it, if we don't ask the right people the right questions.

And that is the problem in NSW. We have provided the solution in a standardised local plan template, without first asking ourselves and our communities, with sufficient depth and rigour, what is the problem. It has been a top down approach to finding solutions at the local level, rather than a bottom up approach, lead by local governments that have a real chance of engaging with their communities and finding workable solutions.

## **5. What next for the standard local plan in NSW?**

The future for implementation and acceptance of a standardised local plan across all 152 councils in NSW, in my view, looks positive. The state government is reviewing the planning act, the *Environmental Planning and Assessment Act 1979*. Indications are that there will be a place for a standard local plan in the new act. Even more encouraging though, are indications that the new act will have a far greater emphasis on strategic plans, and strengthening the links between strategic plans and the local plans that deliver the desired outcomes.

A standard local plan that is the delivery mechanism for agreed, and statutorily embedded strategic plans is likely to be embraced by local government in a way that the current standard plan has not been.

The experience of trying to introduce new controls across 152 councils with diverse issues and needs has taught us all a great deal. And it has reinforced the message that it is the strategic planning, the real engagement with all stakeholders in the plan-making process, and removal of some of the adversarial aspects of the current planning system in NSW, that is the main game.

If we can recognise that we are all players in that same game, and that if we work together to negotiate the trade-offs that each and every stakeholder will have to make to deliver good planning outcomes in tough environmental and economic time, then the standard local plan will be what it was always meant to be – a consistent and transparent way to implement good strategic planning. And it will be able to deliver the social, economic and environmental outcomes we all want.

## **6. Conclusions**

Standardising local plans across a state like NSW makes sense and has benefits for many stakeholders. Improving planning instruments, making better planning law, doesn't of its own, deliver good planning outcomes. A transparent and simple statutory system is very important. But in the end, such a system is just the delivery mechanism for good strategic planning.

Without good and agreed strategic plans to underpin them, the new, standardised local plans in NSW can not deliver the outcomes the State government needs;

outcomes that its communities want or can at least accept; nor create the conditions that the development industry needs to make it all happen.

Global financial uncertainty affects Australia along with the rest of the world. At such times citizens in NSW seem to be seeking local certainty – about the strength of the local economy to support local jobs and the ability to live in affordable, sustainable housing close to those jobs. These aspirations were reflected in the reasoning for introducing a standardised local plan in NSW – certainty, transparency, jobs close to home.

The expectations of the standard local plan were high – too high. The expectation was that its introduction would go a long way to underpinning economic growth in the state. Such expectations are based on a misunderstanding of what the statutory instrument is. It is the delivery mechanism for good planning, for the planning we want to achieve. The challenge for the NSW government, with new planning legislation about to be announced and a push to complete and improve implementation of the standard local plan across all 152 local government areas, is to agree with its communities exactly what it is they want delivered.

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