



MEDIA RELEASE

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PLANNING BY STEALTH

The Friends of Ku-ring-gai Environment (FOKE) has written to Ku-ring-gai's two state government representatives, Jonathan O'Dea MP and Alister Henskens SC MP over concerns that they are supporting the Greater Sydney Commission Bill that will have powers to overrule Ku-ring-gai Council's planning and Local Environmental Plans (LEPs).

The legislation on the Greater Sydney Commission Bill 2015 has been passed in the Lower House and will be debated in the Upper House of State Parliament this week.

Kathy Cowley, President of FOKE said "The Bill as it currently stands has far reaching implications, as it can be applied across NSW and transfers Parliamentary accountability for a number of key governance processes to the Commission. This Bill not only has implications for Ku-ring-gai and Sydney but the whole of NSW. In fact, the Bill proposes to introduce a new Part 3B to the *Environmental Planning & Assessment Act 1979* that will determine how strategic planning is done across NSW. "

"In 2013, the State Government's controversial planning reforms were stalled in Parliament, largely due to the efforts of the Better Planning Network (BPN) 470 community group affiliates, such as including FOKE.

"However, since then, the Government has been progressing changes to planning law, which dilute community input so as to expedite development and the Government's high growth agenda." Kathy Cowley said.

"The Greater Sydney Commission will have the powers to write LEPs, to override current LEPs, have access to relevant council documents and the ability to access the use of council staff. This replicates Labor Minister Frank Sartor's Planning Panel's powers imposed on Ku-ring-gai Council in 2009. At the time Jonathan O'Dea and Barry O'Farrell criticised the imposition of the Planning Panel as being unwarranted and unjustified. It took Friends of Turramurra's challenge and the Land and Environment Court's judgement overturning of the Planning Panel's LEP in 2011 to determine the Minister's unlawful alterations of the Plan. Minister Sartor's Planning Panel was withdrawn by Planning Minister Brad Hazzard in 2012."

“While some changes in the Bill have been positive, when the changes are considered in their entirety and also in conjunction with Council amalgamations, strata scheme 'reforms' and - the Government's plans for Crown Land and Biodiversity legislation changes and the like, there is significant concerns specifically that the governance approach being taken for planning in NSW is one that dilutes the democratic process and parliamentary accountability.” Kathy Cowley said

“The swift speed of the rollout of these changes is also alarming as it does not allow communities time to understand the changes and to provide feedback, even if given that opportunity.”

“This again is a serious breach of trust by the NSW Government and shows that the Government lacks respect for local councils and their communities” Kathy Cowley said

For media comment, please call Kathy Cowley on 0431 158 880 or 9416 9007