

# GYDE

## Regional Plan Review

### Hunter & Central Coast Planning Proposal Audit Recommendations Report

## REVISION HISTORY

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01

# Introduction

**Summary of our approach and method**

# Planning Proposal Audit

## Introduction

This report sets out the findings of a Planning Proposal Audit, conducted for the Central Coast and Hunter regions on behalf of the NSW Department of Planning, Industry and Environment (DPIE).

Our findings are set out across three sections.

1. This introductory section describes the project context and methodology.
2. We present our key insights in Section 2.
3. Our recommendations for DPIE to consider when reviewing and updating regional-level plans for the Hunter (including Greater Newcastle) and Central Coast are provided in Section 3.

This report is supported by two appendices, which provide the detailed findings of our audit.

## About us

GYDE Consulting (previously known as City Plan Strategy & Development) is a team of over 30 highly respected planning specialists operating from offices in Sydney and Newcastle. Through our strategic approach, we map a clear path through a complex strategic and statutory environment to negotiate positive outcomes.

Most of our staff have had successful careers in the public sector, achieving senior-level positions in state and local governments. This provides us with a broad and effective professional network, which we regularly draw on for advice and direction. We also have an established track record in working with government at all levels to formulate and develop land use planning strategies, policies, and controls and improve the processes upon which these rely.

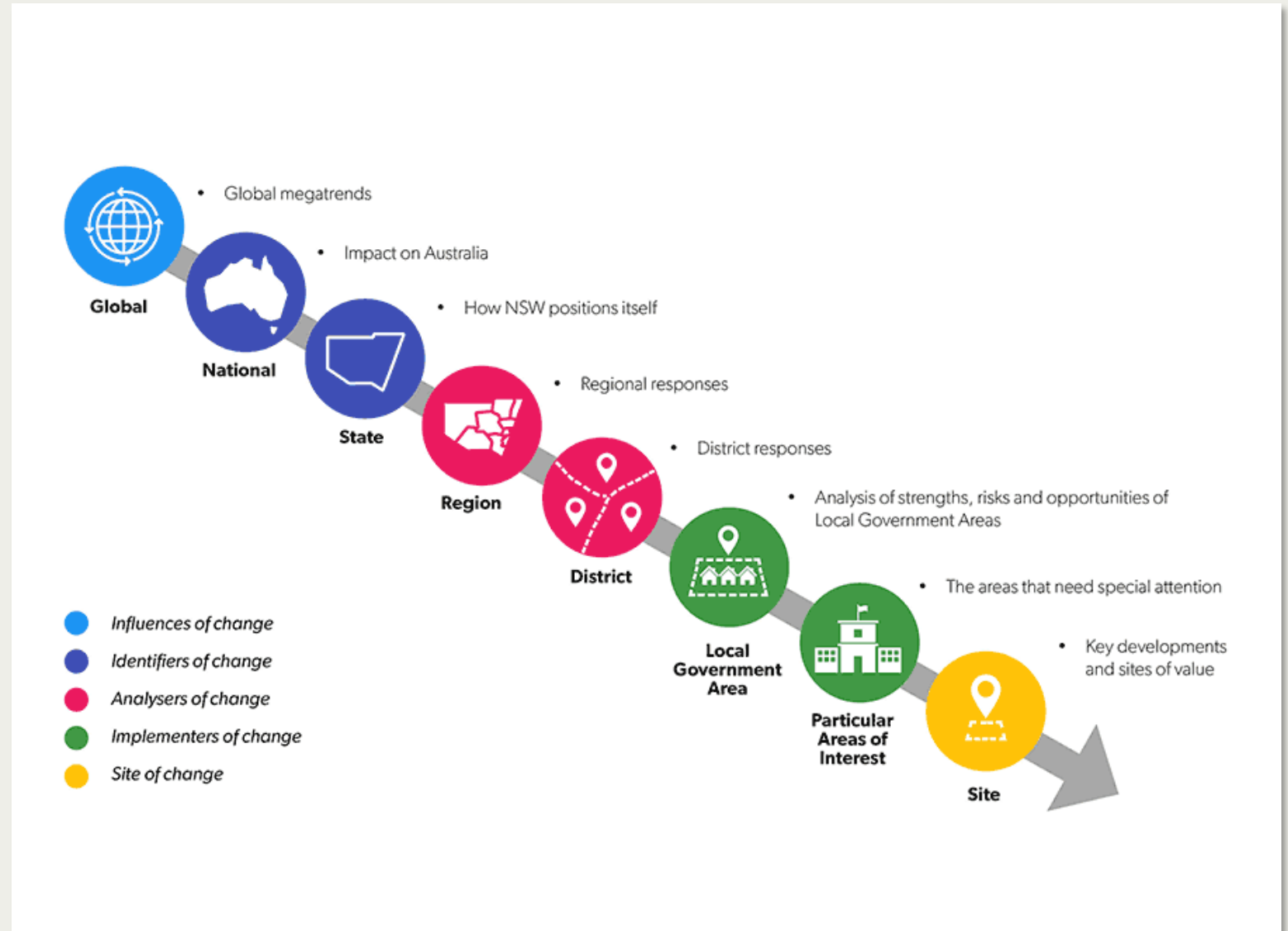
We regularly provide advice to State and Local governments, including to assist with the formulation of government policy, prepare Planning Proposals and development applications on behalf of government, and independently review applications on behalf of planning authorities. We also have our finger on the pulse of the industry through our strong presence on Government Panels (e.g., Independent Hearing and Assessment Panels, Joint Regional Planning Panels, and Design Review Panels), and industry committees (e.g., Planning Institute of Australia, Property Council of Australia, and Urban Development Institute of Australia).

# Context

Between 2016-2017, the NSW Government rolled out regional plans which, for the first time, covered all land within NSW. The Hunter and Central Coast Regional Plans were among the first examples finalised under this program. This milestone was a critical step in achieving the 'line-of-sight' through strategic planning documents prepared by State and Local Governments. This was further enhanced with the release of the Greater Newcastle Metropolitan Plan in 2018.

The aim of providing a clearer line of sight for policy directions was to ensure strategic intentions pertaining to land use and development were commonly understood and readily applied in decision-making. At the forefront of this are decisions to facilitate land use change through the amendment of Environmental Planning Instruments via the Planning Proposal process.

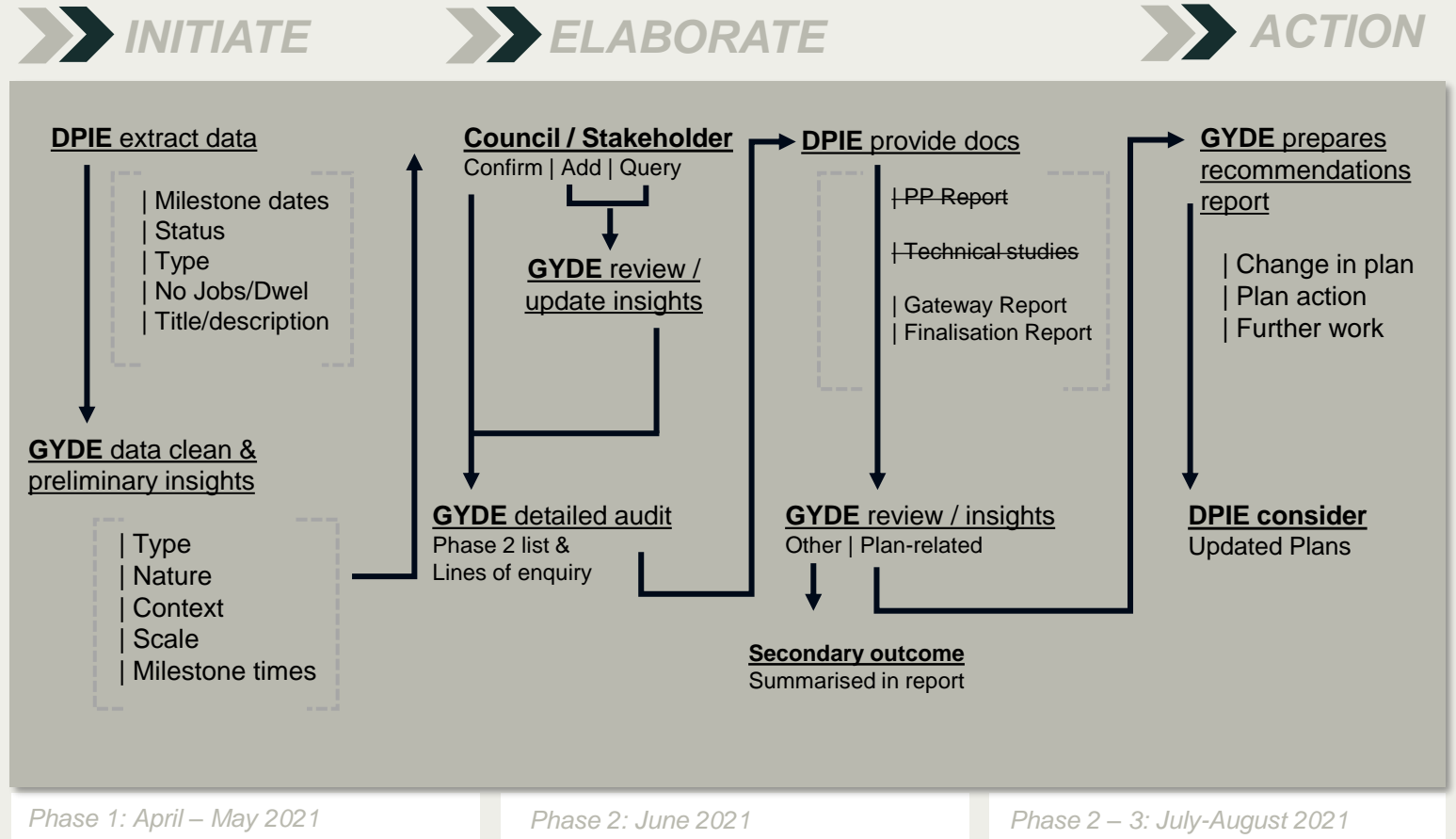
This audit is designed to evaluate the extent to which the land use strategy, goals, directions, or actions set out in the Hunter and Central Coast Regional Plans and Greater Newcastle Metropolitan Plan have helped or hindered the preparation and assessment of Planning Proposals since they were introduced. The findings will inform the review of and updates to the subject plans.



# Approach

The Project was completed over three phases, to:

1. Conduct a stocktake audit of all Planning Proposals that had been considered since the Regional Plans were released.
2. Conduct a detailed audit of 30 Planning Proposals.
3. Report on the findings and provide recommendations for DPIE to consider in their review of the subject plans.



# Stakeholders

We engaged with key stakeholders at the end of the Phase 1 stocktake audit, midway through the project. The timing allowed us to gain feedback on the method we had taken to categorise the data and to hear insights from those directly involved with preparing Planning Proposals.

The 'key stakeholders' included Council staff involved with assessing and managing Planning Proposals in Councils' role as planning authority as well as representatives from the development industry who are involved with preparing the technical reports and other material accompanying Planning Proposal applications.

We engaged through an online workshop format, which involved a combination of presentation and open format discussion. The workshop briefs and slides delivered to participants are available separately.

We also relied on Councils to provide additional information during Phase 2 of the project, especially where they were delegated as the plan making authority.

***On behalf of the project team, we would like to thank everyone who participated in our workshops and assisted with follow-up information.***

## Participating Councils

Central Coast

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Cessnock

Lake Macquarie

Newcastle

Maitland

Port Stephens

-----

Dungog

Singleton

MidCoast

Muswellbrook

Upper Hunter

## Development Industry Participants

State Government Agencies

Council assets teams

Peak bodies

Developers

Technical consultants

## ~~State Agencies / Referral Authorities~~



02

## Key insights

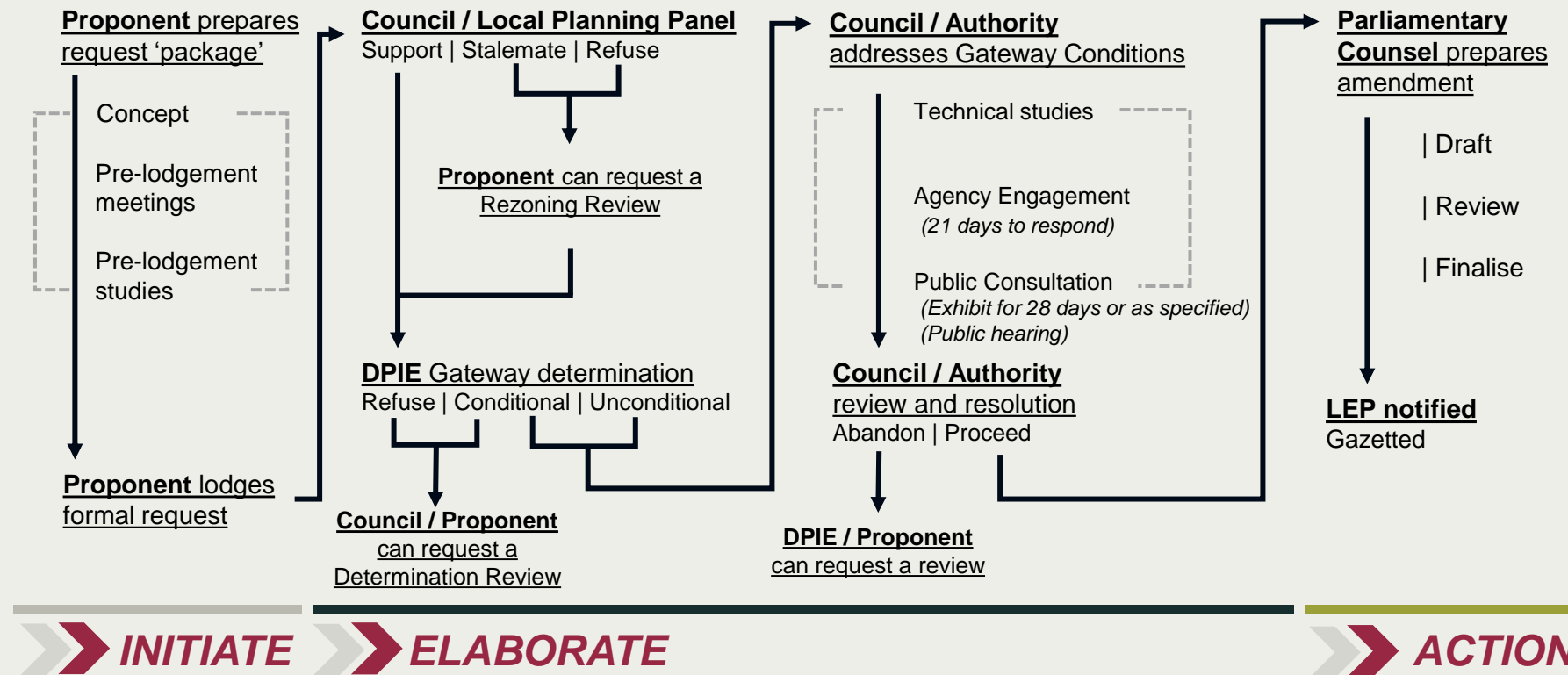
**What the data did, and didn't tell us**

# Planning Proposals take a long time

## Our audit didn't scratch the surface

Our audit data only provided information about Planning Proposals from the time they were submitted to DPIE for Gateway Assessment. However, we recognise that Planning Proposals may have already been 'in motion' for quite some time (sometimes several years) before they reach this point in the decision-making sequence. During that time, they may have also 'evolved' substantially from what was originally envisaged.

This is a limitation for our overall findings but emphasises the relevance of Government-endorsed documents giving clear directions as to where and when Planning Proposals should be initiated.



# Planning Proposals take a long time

## Regional Plans don't resolve *everything*

The first assessment in the Planning Proposal process is to prove 'strategic merit.' This includes demonstrating the extent to which the Planning Proposal aligns with the Regional Plan (amongst other documents), which is reinforced by Ministerial Direction 5.10 (and Ministerial Direction 5.1 when it was in force).

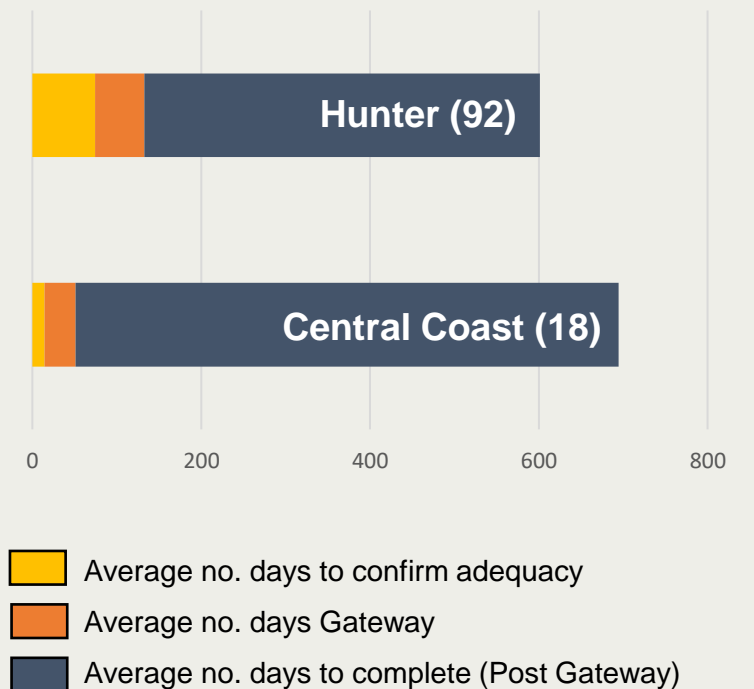
**There is an expectation that Planning Proposals that can demonstrate a strong alignment will proceed more efficiently through the assessment process than others.**

The Phase 1 data did not provide enough information for us to ascertain whether each Planning Proposal was 'in strategy' or 'out of strategy, and the Phase 2 sample size was too small to make a definitive call. However, there was a high degree of variability between all proposals, to the extent that it is reasonable to conclude that Regional Plans do not resolve every issue.

Our review and stakeholder feedback revealed the following factors as contributing to delays or other complexities, which are outside the influence of regional plans

- Some site-specific merit considerations, which are only revealed through impact assessments.
- Changes to decision-making processes, which, during the time period analysed, included major changes to biodiversity assessment and offset practices.
- Changes to DPIE internal processes (e.g., delegations or expected level of information).
- Council / agency resourcing.
- Poor planning or assessment practice.
- Community concern / political interference.

### Milestone Timeframes



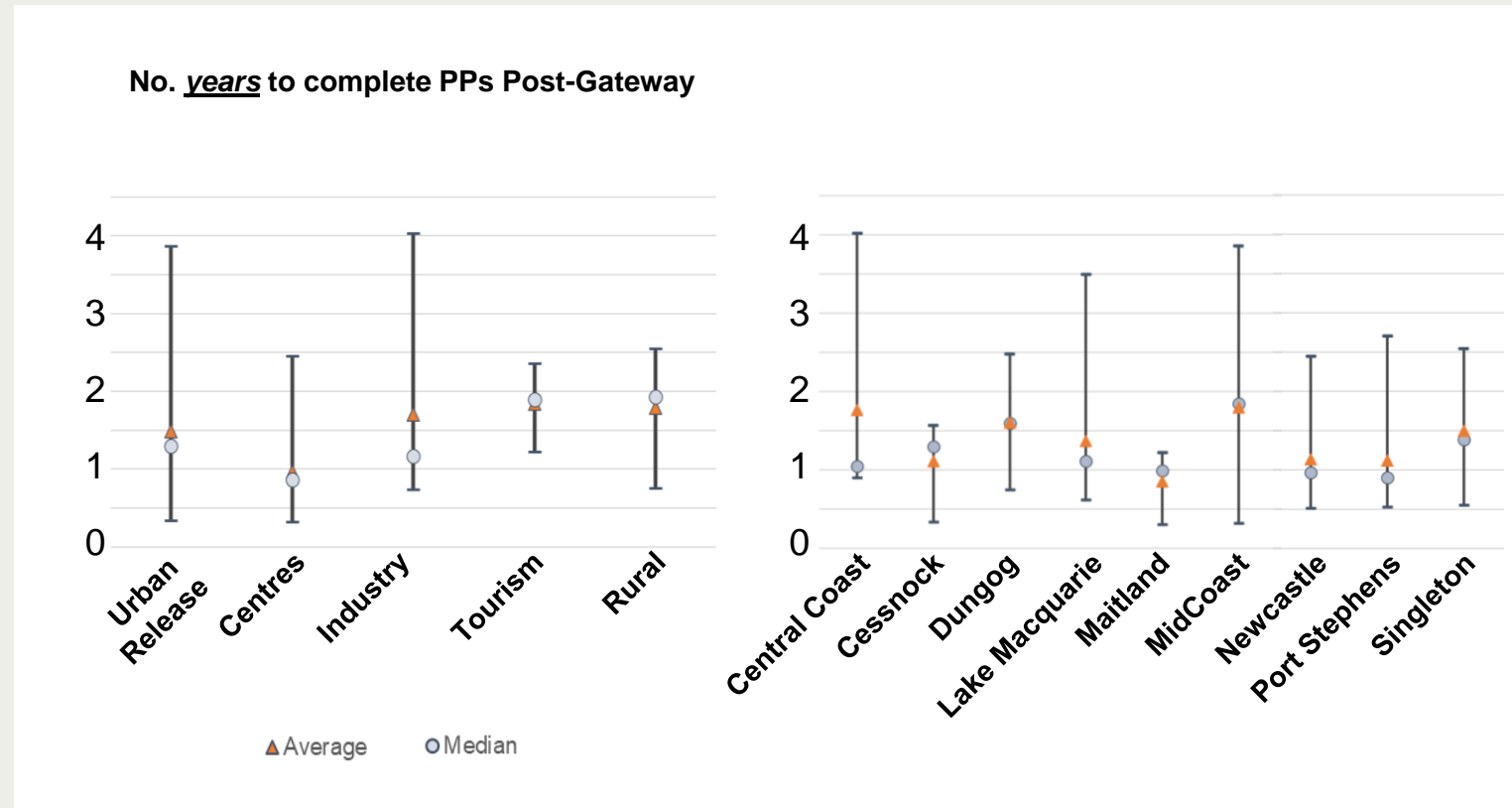
# Planning Proposals take a long time

## Each one has its own journey

The 110 Planning Proposals that were part of our stocktake audit each had their own story. But looking at the timeframes collectively reveals some interesting insights.

Planning Proposals did not need to be fully consistent with all aspects of a regional-level plan in order to proceed. There were examples of Planning Proposals that had one or several inconsistencies which had been considered and approved within the study timeframe. This demonstrates that Regional Plans are one of several factors informing the decision-making process.

The timeframes for completing a Planning Proposal are highly variable, and no single factor emerged from our review that correlated with a shorter or longer timeframe. This demonstrates the complex and somewhat rigid nature of the decision-making process.



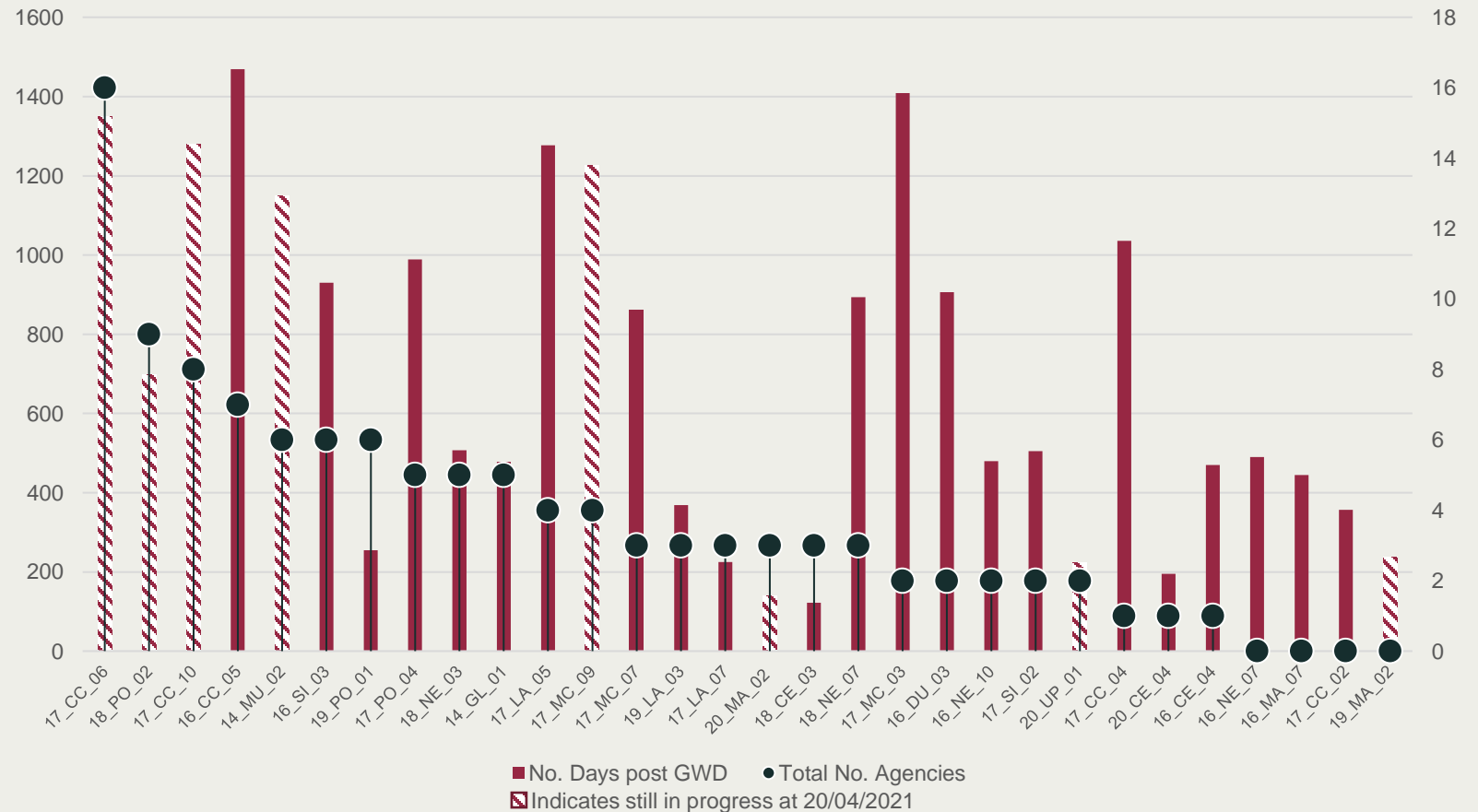
# Planning Proposals take a long time

## Each one has its own journey

That said, our Phase 2 detailed audit did involve looking at some highly complex Planning Proposals with comparatively faster assessment timeframes. These appear to have benefitted from any or all of the following:

- Precinct-level planning, where issues had been considered and resolved for a catchment that may have exceeded the boundary of the Planning Proposals.
- Involvement with referral agencies prior to the Gateway, in some cases negating the requirement for further involvement.

Based on our Phase 2 detailed audit, Planning Proposals relying on the post-Gateway resolution of issues relating to biodiversity and bushfire (in consultation with the relevant authorities) tended to incur much longer completion timeframes.



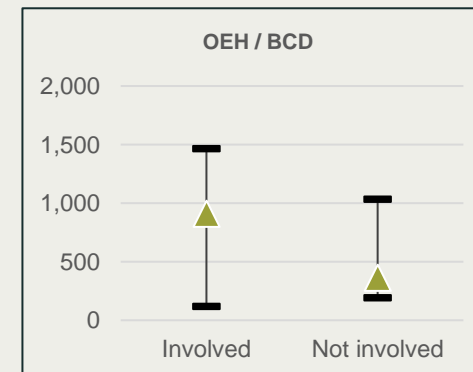
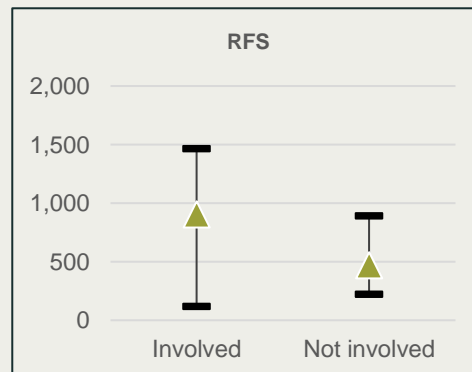
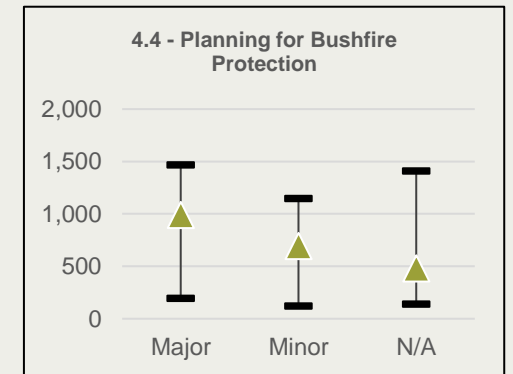
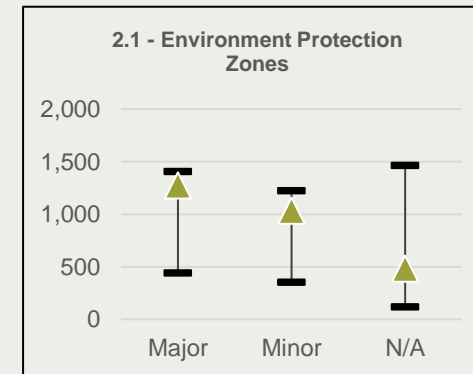
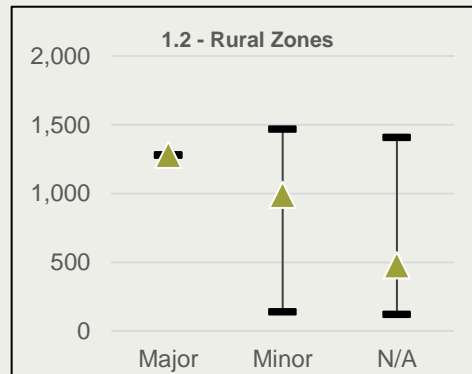
# Planning Proposals take a long time

## ‘In Plan’ doesn’t always smooth the way

Regional plans are only effectively given consideration in the Planning Proposal process through Ministerial Direction 5.10 where they are considered alongside other Ministerial Directions and SEPPs. In many cases, the requirements to demonstrate consistency with other Ministerial Directions and SEPPs relies on a more detailed understanding of the proposal in the context of specific site conditions.

In examining the impacts on post-Gateway timeframes through our Phase 2 audit, we found evidence to suggest that Planning Proposals dealing with biodiversity conservation, bushfire, and State transport issues tended to experience substantially lengthier timeframes.

This insight indicates further examination is required to better understand if, and how, these issues could be addressed earlier in the process.



Showing minimum / maximum number of days post-Gateway to complete or, if incomplete, status as of audit data date 20/04/2021  
 ▲ = median number of days

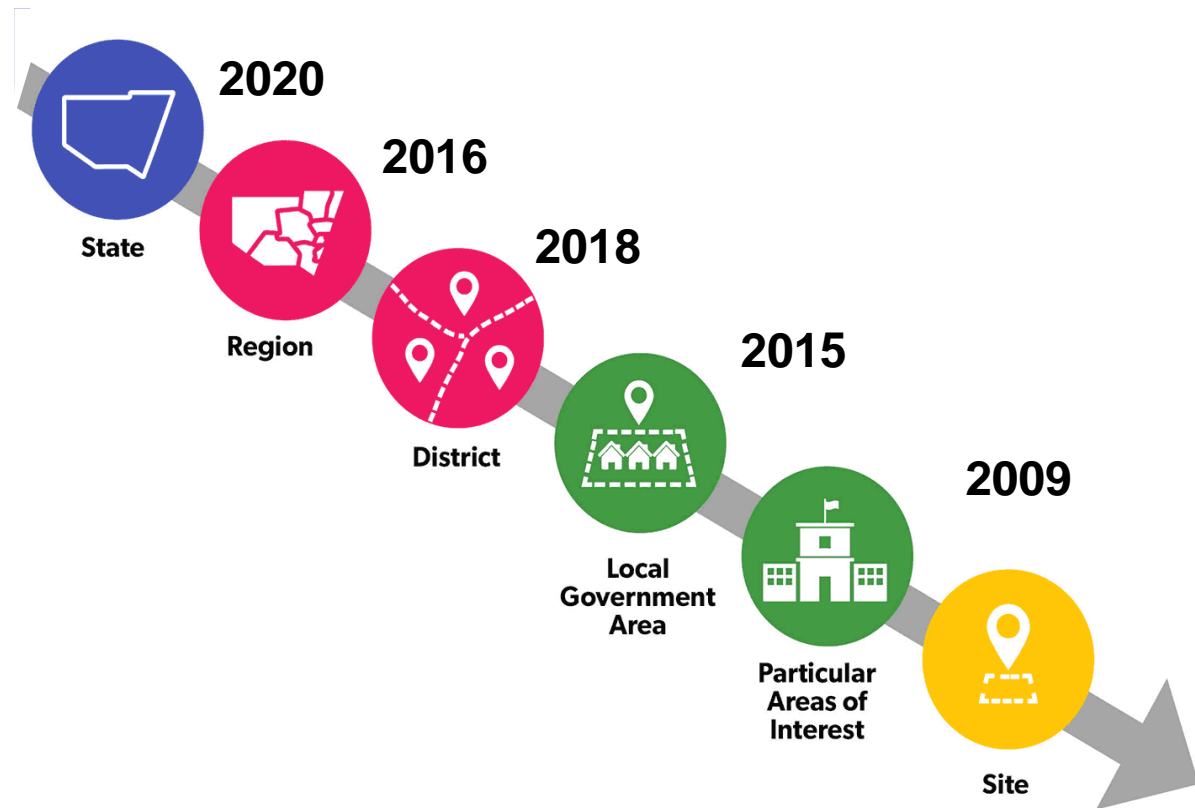
# The line of sight can be blurry

## And, quite often, is not sequential

The NSW Government has worked hard over the last 5 years to establish a clear line-of-sight for planning from top-level down to site-specific detail. The publication of the Regional Plans was a critical first step in this process. In many instances, the non-sequential nature of documents at different levels can cause confusion about what is (or is no longer) the current policy position for a particular topic or location.

There is an expectation that the level of planning detail increases further down this line of sight. This provides an opportunity for more site-specific issues (e.g., for biodiversity, bushfire, or transport) to be addressed ahead of the Planning Proposal process.

The blurriness of this line-of-sight also relates to a lack of common information or understanding about the quality assurance process for Council-prepared documents, such as Local Strategic Planning Statements, Local Housing Strategies, and Growth Management Strategies, which tend to play a strong role in indicating where and when Planning Proposals would be considered / supported.



# Timing is everything

## The plan making process doesn't end

Decision-making timeframes for Planning Proposals are heavily influenced by changes in the delivery context, which includes major changes to strategies, policies, and plans at all levels.

A lot of change has happened since the Regional Plans were released. At first glance, looking at the processing timeframes for Planning Proposals across the five Greater Newcastle Local Government Areas suggests the 14 that had received a Gateway Determination prior to the making of the Greater Newcastle Metropolitan Plan but were still in progress when it was finalised experienced a lengthy delay (nearly a year).

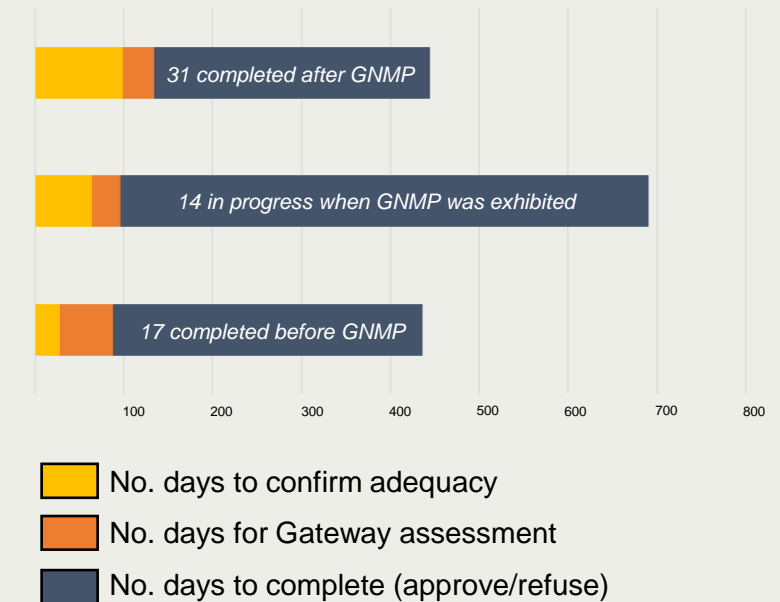
That said, there is probably never a time when every strategy, policy, and plan relevant to a Planning Proposal is current and static. Decision-making must proceed as improvements and updates occur, even if that means things take longer than expected.

And it is important to note that there were several other reforms occurring in this timeframe, which may have also contributed towards longer processing timeframes. These include (but are not limited to):

- Changes to biodiversity legislation, resulting in changes to biodiversity assessment methodologies and mechanisms for satisfying offset requirements,
- Councils were in the process of implementing some of the Hunter Regional Plan actions, including the preparatory work feeding into the Urban Development Program,
- The phased reform of SEPPs were underway, and
- The ever-present influence of political landscapes.

### The GNMP effect?

Milestone timeframes for GNMP PPs





# Maps matter

## But need to be regularly updated

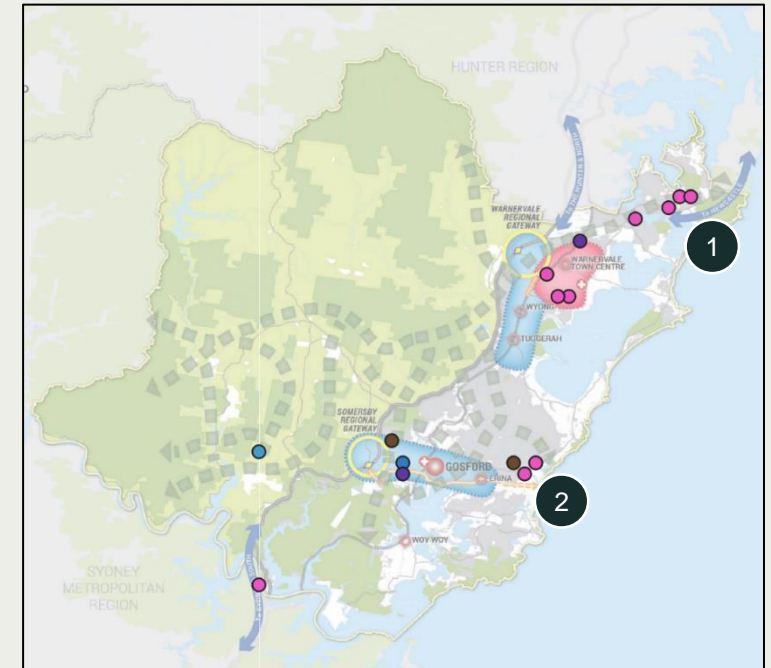
Stakeholder feedback in relation to regional-level mapping generally supported more indicative symbology. This was a particularly strong message from Council assessing officers across.

What this means is that regional-level mapped directions should be visually represented in a way that allows some flexibility how locations are indicated. In other words, area boundaries should not align with property / lot boundaries. This recognises that those directions are usually showing where further actions or investigations are required to definitively set where development is either constrained or suitable.

Mapping the Planning Proposals based on the 'nature' of the change onto the visionary mapping provided in all subject plans was a useful mechanism to consider where land use changes were being sought outside of areas that had been anticipated or supported at a regional level.

The example at right shows the importance of mapping at two key locations across the Central Coast (for example):

1. Around Lake Munmorah, Planning Proposal activity increased following the removal of mines subsidence constraints from the area in 2019 and **Council's subsequent preparation of a structure plan** for the area (not yet reflected the Regional Plan). The four Planning Proposals here were all submitted in 2020, are still in progress, and, collectively, have the capacity to provide up to around 1,000 dwellings.
2. At the 'urban fringe' in the former Gosford LGA. There is a large footprint of land that where the making of contemporary planning controls has been deferred. The three Planning Proposals here each deal with sites **where the future land use intention and release strategy has not yet been set**. Collectively they deliver around 25 dwelling, taking anywhere from 1-5 years to complete post-Gateway.



# Place based is preferred

## Making sense of it all here

Stakeholders also expressed strong support for place-based directions to assist in making sense of ‘thematic’ directions in a particular location. This was equally supported by both Council planning assessment staff as well as public and private stakeholders as Planning Proposal proponents. The approach taken in the Greater Newcastle Metropolitan Plan was cited several times as a good example of how this is could be achieved.

It would not be reasonable to expect Regional Plans to offer mapped directions to this level of detail everywhere. But, our Phase 2 detailed audit was most useful in identifying where regional-level directions may be warranted to assist with issues that are: regionally-significant, cross-jurisdictional, and/or highly complex or contentious.

These locations are identified and discussed in the recommendations section of our report.



### **Broadmeadow Station Precinct**

Newcastle City Council will review local plans to facilitate increased feasibility of medium to higher density housing that transitions to surrounding residential areas.

Transport for NSW will improve the integration of public transport services at Broadmeadow Station, and work with Newcastle City Council to improve the street layout to increase pedestrian access between Broadmeadow Station and surrounding residential and employment areas.

### **Nineways Precinct**

Newcastle City Council will:

- align local plans to facilitate office, retail and medium density housing
- improve the public domain and increase pedestrian amenity along Lambton Road
- work with Transport for NSW to identify and protect corridors for major future public transport improvements such as rapid bus or light rail extensions, including potentially along Priority Multimodal Corridors.

# Missing or misinterpreted directions

## Issues that tended to cause concern or confusion

The issues listed at right were raised by stakeholders and/or emerged across several Planning Proposals where guidance either appears to be missing from regional-level planning or tends to be misinterpreted in the Planning Proposal process. This lack of clarity can lead to complexities causing delays, reliance on multiple or overly-prescriptive technical studies or (worst case) refusals.

Some of these issues are locational and could be assisted through the place-based directions described previously. Others are more thematic and could be supported by the incorporation of regional-level (non-property-specific) mapping into Regional Plans, or the commitment towards establishing these ahead of future reviews.

Several of these issues are highly complex or contentious and may also be outside the influence of regional-level planning – for example, where they rely on state-wide directions or policy changes.

Stakeholders appear to be accepting of the fact that regional-level plans cannot contain all the answers or anticipate all the changes possible during the lifetime of a plan. They did, however, request some common understanding of how Planning Proposals could (or should) incorporate new or unforeseen information or circumstances.

- *Sequencing planning proposals*
- *Aligning infrastructure*
- *Measuring the 15-year land supply*
- *Vision for the Hunter Valley Vineyards*
- *Defining the Central Coast ‘Urban Edge’*
- *Vision for the Hunter Expressway*
- *Incorporating tourism into anything*
- *Planning for Manufactured Home Estates*
- *Defining & mapping Strategic Ag Land*
- *Defining & mapping Scenic Landscapes*
- *Mapping biodiversity corridors*
- *Using conservation tools & investments*

03

# Recommendations

**For consideration**

# Introduction

## How to use these recommendations

We have prepared a series of recommendations for DPIE to consider when reviewing and updating the subject plans. These have been derived from insights emerging through the desktop audit as well as inputs provided from the Council staff and development industry stakeholders who participated in the workshops.

The recommendations are designed to highlight where new or additional clarification of existing regional-level directions may be warranted, based on issues emerging through the Planning Proposal process for those subject to the audit or based on the level of Planning Proposal activity that has occurred in a particular area during the study timeframe.

The recommendations are set either in relation to general or thematic elements of the subject plans or as relevant to a particular location (place-based recommendations), noting place-based recommendations have been provided separately and confidentially to DPIE for consideration.

In preparing these recommendations, we were mindful of the following insights and expectations expressed by stakeholders:

- Place-based directions are preferred in areas where a higher level of growth is occurring or where growth is occurring in a complex delivery context.
- Longer processing timeframes (post-Gateway) tend to reflect a reliance on additional technical studies or Agency engagement.
- Higher levels of Planning Proposal activity indicates where future approvals and infrastructure coordination are required.
- Planning Proposals occurring in areas not 'mapped' either reflects where Local-level planning has occurred since the subject plan was released OR where unanticipated growth has occurred.

# Central Coast Regional Plan

## General recommendations

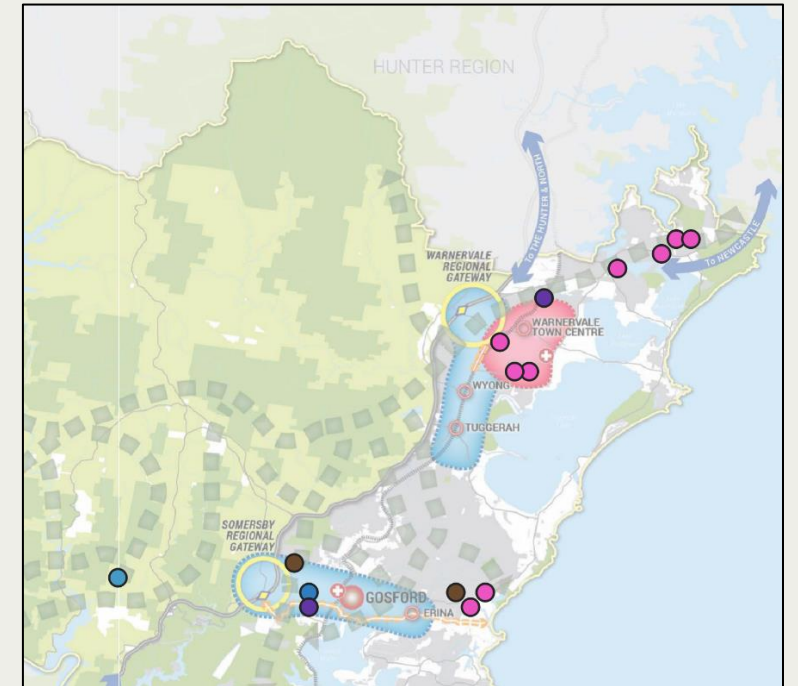
As a single-LGA region, it is important for the Central Coast Regional Plan to set out the NSW Government's directions for where Planning Proposals are expected, and how they will be considered.

Some of the Planning Proposals considered during the study timeframe were either complicated by a lack of comprehensive local-level planning (which was then required to be completed in conjunction with a single proposal) or were held back until local-level plans or strategies could be prepared.

We recognise several factors contribute to how the local-level strategic planning program is prioritised. Describing the 'triggers' for considering / sequencing Planning Proposals in certain areas (where known) would assist with managing development industry expectations and Council resourcing.

Planning Proposals that involve biodiversity offsets often attract much longer timeframes. Elaborating on the existing recommendations for planning within biodiversity corridors, including through mapped or written directions, would provide a common understanding of how conservation tools and investments can be incorporated into the Planning Proposal process, particularly given the relatively new introduction of these methods.

Finally, it may be worth reiterating in the Regional Plan that growth is not solely achieved via Planning Proposals. This would involve demonstrating the planned capacity of land already zoned to continue delivering new projects leading to an increase in housing and jobs throughout the Region.





# Hunter Regional Plan

## General recommendations

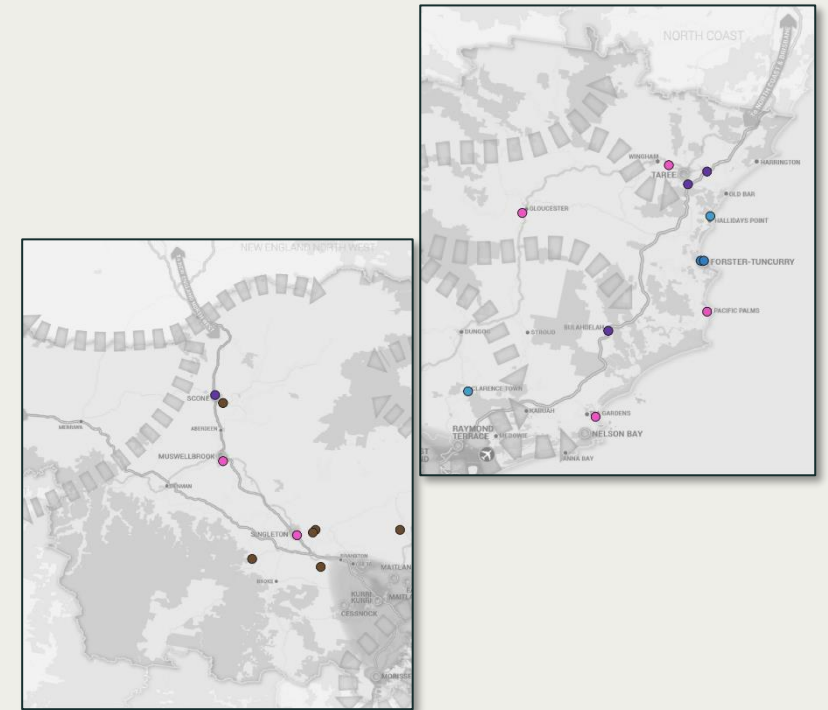
The Hunter Region (excluding the Greater Newcastle Metropolitan area) dealt with a high volume of rural and tourism-focused planning proposals. These tended to involve some of the missing or commonly misinterpreted planning directions for matters such as:

- Identifying and protecting agricultural lands,
- Incorporating development into and/or directing conservation investments towards biodiversity corridors,
- Protecting and enhancing scenic amenity and landscapes,
- Establishing the need and appropriate controls for tourism developments, and
- Establishing controls for manufactured housing estates.

We recommend providing clearer regional-level directions and guidance in relation to these issues specifically.

Several Councils advised the application of the Coastal SEPP within the Planning Proposal context would benefit from additional regional-level guidance. The desired outcome was an understanding of:

1. Circumstances or locations where the Coastal SEPP considerations could be deferred to DA stage, and
2. The scope of information expected at Planning Proposal stage to adequately address Coastal SEPP considerations.



# Hunter + Greater Newcastle Planning

## Planning ‘around’ the metro area

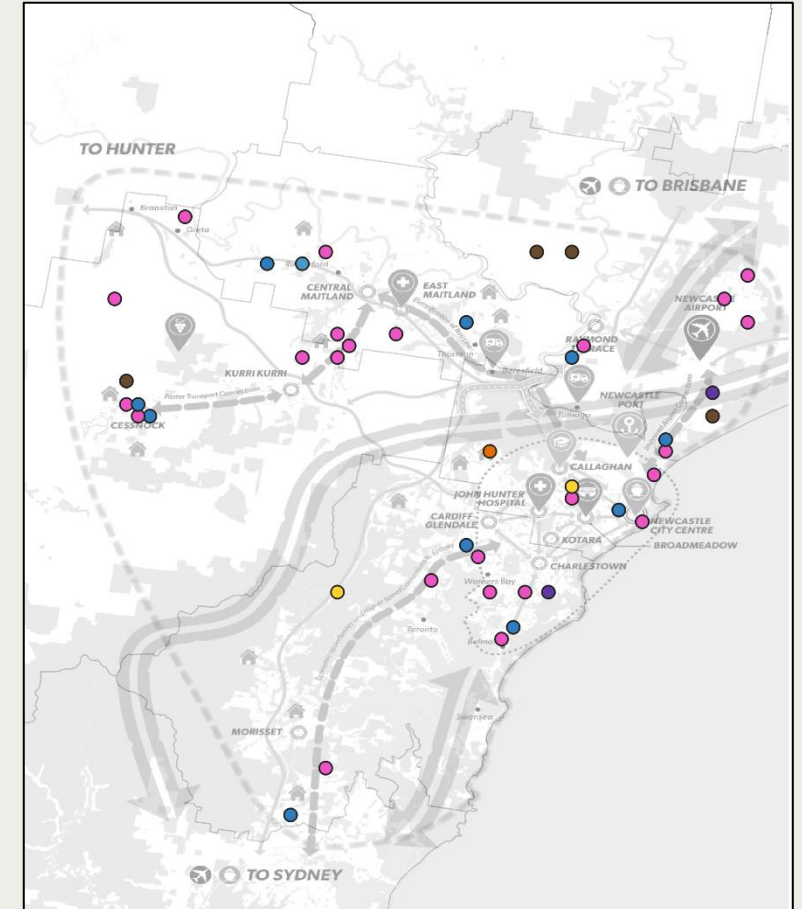
The Greater Newcastle Metropolitan Plan is a supporting document to the Hunter Regional Plan. An updated Hunter Regional Plan can assist in providing greater certainty in the Planning Proposal process by:

- ‘Retiring’ elements that either duplicate or are superseded by metropolitan-level directions.
- Recognising metropolitan boundary ‘edge effects’ are likely to occur, leading to a higher expectation for Planning Proposals to be supported in areas that have convenient connections to Greater Newcastle ‘strategic centres’ or catalyst areas. This includes land on the cusp of the indicative boundary in Port Stephens (e.g., Wallalong), Dungog (e.g., Clarence Town), and Singleton (e.g., Branxton) Local Government Areas.
- Identifying the significance of the Hunter Valley Vineyards.

The Greater Newcastle Metropolitan Plan introduced a 15-year supply benchmark to indicate the timing for Planning Proposals to release additional land for housing.

Feedback provided by stakeholders indicates this benchmark is also expected to apply more broadly across the Hunter, and feedback from the development industry in particular questioned whether it was adequate in limited-supply or supply-driven markets such as Port Stephens and the MidCoast.

Regional-level directions on housing supply benchmarks in these areas would assist with clarifying the trigger for new Planning Proposals.





# Process improvements

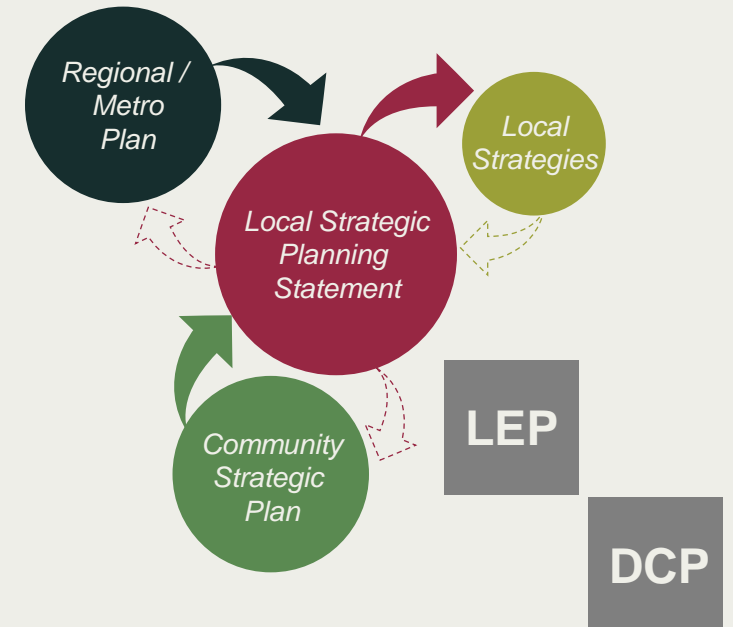
## For performance and monitoring

This Planning Proposal Audit proved useful in considering how the directions and actions currently described in Regional Plans have influenced decisions shaping settlement patterns across the Hunter and Central Coast. The method also revealed broader issues that could be addressed.

Firstly, Regional-level plans work in tandem with local (Council-prepared) plans. We recognise several recent State-wide initiatives are progressively working towards more common/standardised approaches to setting local directions for planning, including requirements for Councils to prepare Local Strategic Planning Statements and Local Housing Strategies. These types of documents have only started to come into force since 2020, which did not provide an adequate basis to determine their influence on the overall Planning Proposal process.

Providing a transparent quality assurance / endorsement process for these types of documents would assist with strategic merit considerations for future Planning Proposals.

We also recommend any future detailed Planning Proposal audit involves clearly establishing the extent to which each proposal is consistent with local strategic plans and whether those plans are endorsed. This will assist with highlighting where additional resources may be required to improve or update local planning directions.



# Process improvements

## For performance and monitoring

Planning Proposals often go through several iterations and rely on a range of technical studies to inform strategic and site-specific merit considerations. Stakeholders across the public and private sectors sought clarification in relation to what is a reasonable level of 'Pre-Gateway' documentation. We recognise there is no one-size-fits-all response to that issue but recommend establishing a standard typology framework for Planning Proposals.

The recent adoption of the NSW Government's Planning Portal system as the State-wide platform for submitting Planning Proposals to Council will provide an opportunity to more effectively monitor and analyse the role of Regional Plans (and other factors) in future. We anticipate this will immediately assist with tracking timeframes occurring before a Planning Proposal is submitted for Gateway.

We also recommend the following features are incorporated into the portal.

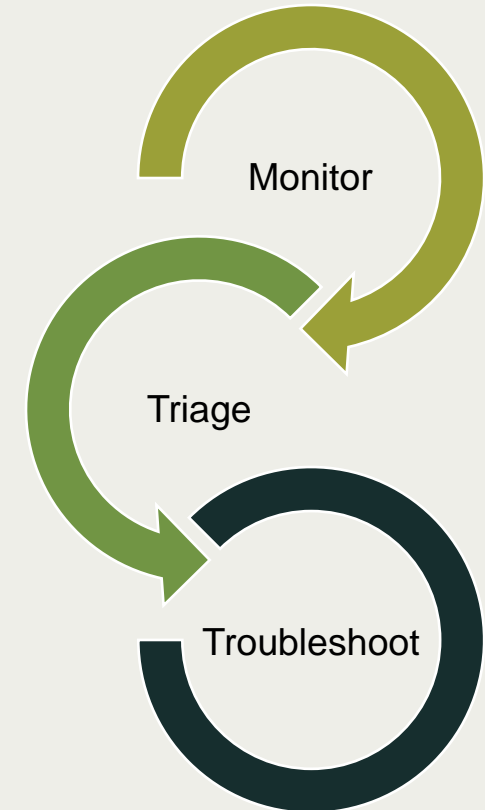
**General characteristics.** In line with our audit methodology, agreed conventions in relation to the following would prove useful both in terms of processing Planning Proposals and in terms of completing future audits:

- LEP Type – categories may include: 3.22s, Housekeeping, Principal, Policy, and Site specific.
- Scale – based on the area of land and the relative infrastructure burden.

**Re-submissions under Section 3.34(2)(b) of the Act,** which tends to indicate where substantial changes are expected to arise from more detailed considerations required ahead of public exhibition.

**Consistency with Ministerial Directions,** with options to indicate minor or major inconsistencies (noting consistency with Ministerial Direction 5.10 would indicate the degree of alignment with the relevant Regional Plan).

**Referral agency involvement** with features that allow referral dates to be tracked.



# GYDE

## Unrelenting rigour

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# GYDE

Planning Proposal Audit  
**Appendices**

A

Phase 1

Stocktake Audit

# P1 Stocktake audit

## Raw data

DPIE provided the raw data used as the basis for the Phase 1 Stocktake audit by exporting information directly from an internal database into a spreadsheet. We understand this directly extracted information that had been manually entered by Assessing Officers as part of the Gateway assessment process.

The data extraction parameters were set to collect Planning Proposals relating to **land in the Hunter or Central Coast regions** that had received a Gateway Determination on or after **1 October 2016**. In a few instances, it also captured Planning Proposals that may have received an earlier Gateway Determination, but had received a Gateway Alteration after that date.

The data was extracted on **20 April 2021**, so it does not include any Planning Proposals that have received a Gateway Determination after that date or reflect any changes to Planning Proposals (e.g., status, outcome, etc.) that occurred since.

### PHASE 1

#### Includes

- Gateway Determination issued or altered since 1 October 2016

#### Does not reflect

- Any changes to those Planning Proposals since 20 April 2021

#### Does not include

- Any Planning Proposals where the Gateway Determination was issued after 20 April 2021

# P1 Stocktake audit

## Cleaning and categorising data

Our first step was to start cleaning and categorising the raw data. We focused on 5 key headings to do this.

- **Type**
- **Nature**
- **Context**
- **Scale**
- **Milestone timeframes**

# P1 Stocktake audit

## Cleaning and categorising data

The raw information provided in the 'LEP Type' category was useful in determining the extent to which Regional Plans were relevant to the assessment of the Planning Proposal. The categories provided manually were reviewed and updated to six (6) categories.

Each Planning Proposal was re-assigned to one of the categories below, and any categories that made nil or negligible substantive changes to policy directions were discounted from the audit.

- 3.22 are 'no impact' and fast-tracked under the EP&A Act.
- Housekeeping are policy-neutral, but not 3.22s.
- Principal means an entire LEP.
- Reclassification under the Local Government Act.
- Policy means not site-specific.
- Site means specific to a location, regardless of size.

- **Type**
- **Nature**
- **Context**
- **Scale**
- **Milestone timeframes**

- ✘ 52 discounted
- 22 Section 3.22s
  - 29 Housekeeping
  - 1 Principal

- ✔ 110 in the 'stocktake'
- 8 Reclassification
  - 6 Policy
  - 96 Site



# 'Type' categories explained

## Discounted

The subject plans had nil or negligible influence on the changes sought through the following categories.

- **3.22** indicates those Planning Proposals that were assessed under Section 3.22 of the *Environmental Planning and Assessment Act 1979*. This assessment pathway is only available to LEP changes that have 'no impact'; for example, correcting typographical errors.
- **Housekeeping** means the change sought is 'policy neutral', or is attempting to provide a like-for-like change. These tend to be motivated where the change facilitates a more transparent or efficient planning control framework. In some cases, the changes sought may have an impact, but this is not likely to be significant.
- **Principal** means the change encompasses the entire LEP for the whole of a Local Government Area (LGA). In this instance, it only related to one Planning Proposal: the consolidated Central Coast LEP. This LEP was the result of Council amalgamations and predominantly sought policy neutral outcomes to provide a consistent planning control framework for the former Gosford and Wyong Shire LGAs.

## Audited

The subject plans were likely to play a role in the assessment of the following types of Planning Proposals.

- **Policy** means the is non site-specific. That is, it is being introduced in a manner that would apply to any relevant land as a consequence of the change. It includes Planning Proposals that, for example, make adjustments to a zone's land use table or introduce a new local provision that applies across the entire LEP.
- **Site** means the change relates to a specific location irrespective of size – including those made to a single property up to those made for an entire precinct.
- **Reclassification** is a narrow segment of site-based Planning Proposal types and indicates where additional requirements are necessary as part of the assessment process under the *Local Government Act 1993* in relation to the management of Council-owned land.

# P1 Stocktake audit

## Cleaning and categorising data

We needed some way of understanding the primary nature of the change sought by each Planning Proposal in a manner that could be tied back to the subject plans. To do this, we reviewed the descriptions provided in the raw data against the directions in the Hunter and Central Coast Regional Plans. Ten (10) categories emerged from that review.

This assignment of Planning Proposals was intended to provide a high-level indication of the predominant nature of change. The assignments are our best-approximation, based on the information available in the raw data.

Where a Planning Proposal dealt with several matters, we selected the category that appeared to be the primary motivation. For example, if a Planning Proposal sought to rezone land for urban development and environmental conservation, we assigned it to the urban release category because environmental conservation tended to a secondary outcome.

- Type
- **Nature**
- Context
- Scale
- **Milestone timeframes**












# ‘Nature’ of the PP

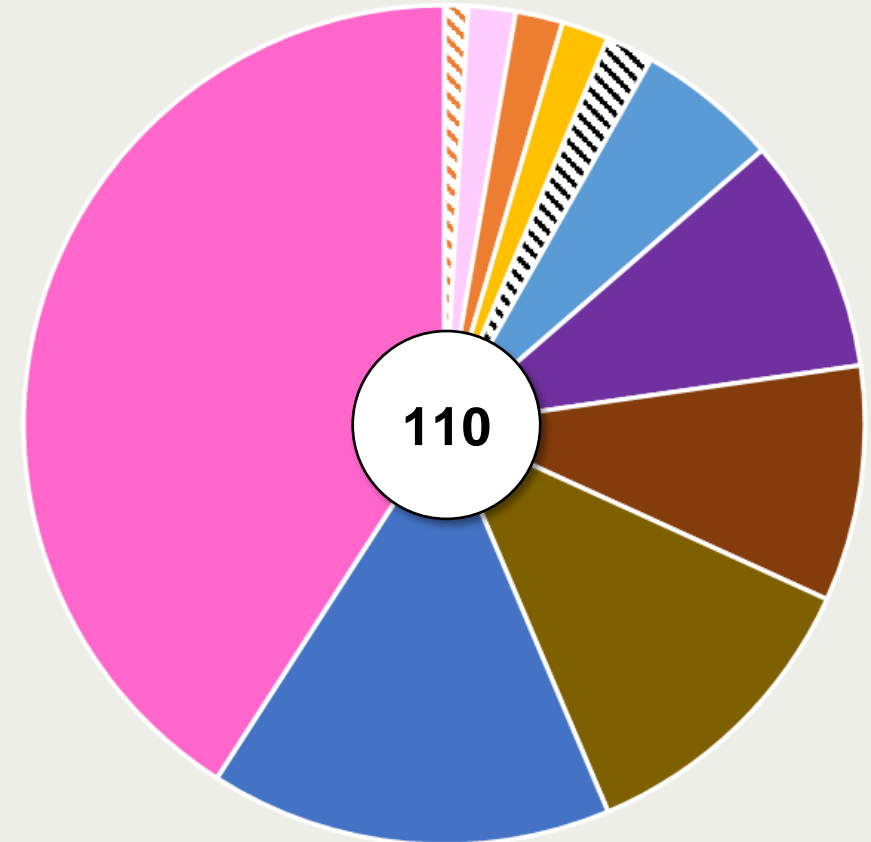
This figure looks at the breakdown of the ‘nature’ of Planning Proposals that have been considered since the Regional Plans were release.

This shows the release of land for urban-related uses - most strongly reflected in the urban release, centres and industry categories – making up around two-thirds of the total volume of Planning Proposals considered in this timeframe.

We then mapped the Planning Proposals onto the vision / directional maps for each of the subject plans, which allowed us to visualise the extent to which these aligned. These maps are provided in the following three slides, showing separate areas for the Hunter (excluding the Greater Newcastle Area), Greater Newcastle, and the Central Coast.

Please note, some Planning Proposals shown in the Greater Newcastle area may have been assessed before that plan was released.












-  Hazard – 1
-  Housing (other) – 2
-  Conservation – 2
-  Infrastructure – 2
-  Various – 2
-  Tourism – 6
-  Industry – 10
-  Heritage – 10
-  Rural – 13
-  Centres – 17
-  Urban Release – 45

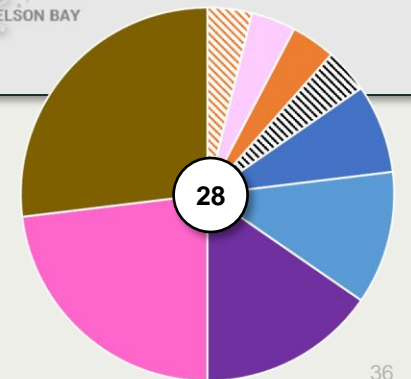
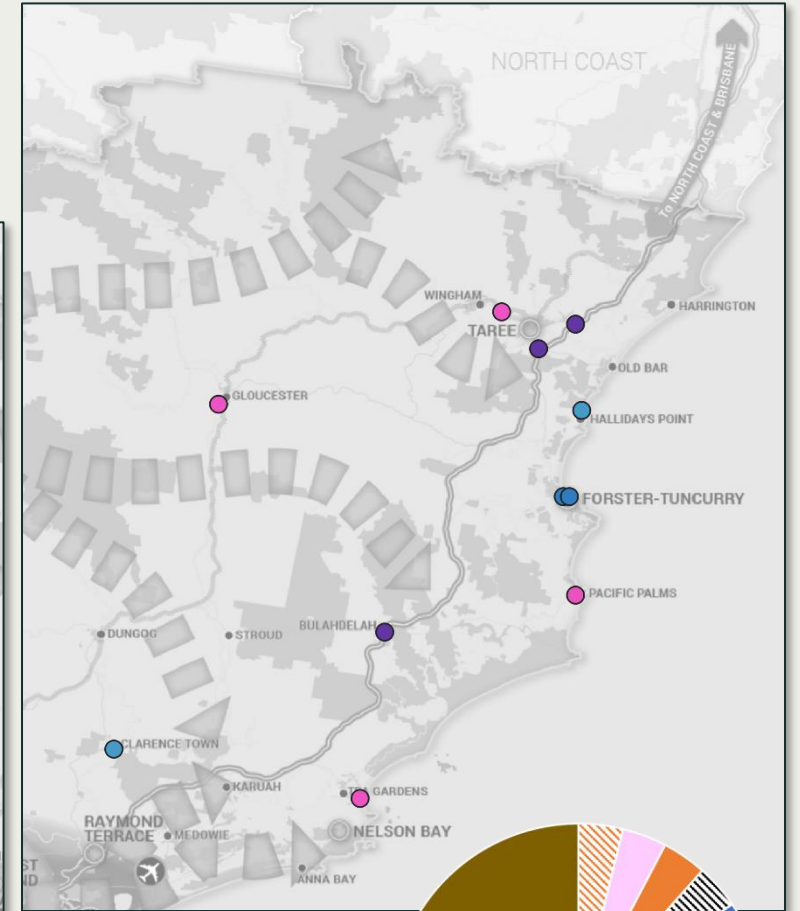
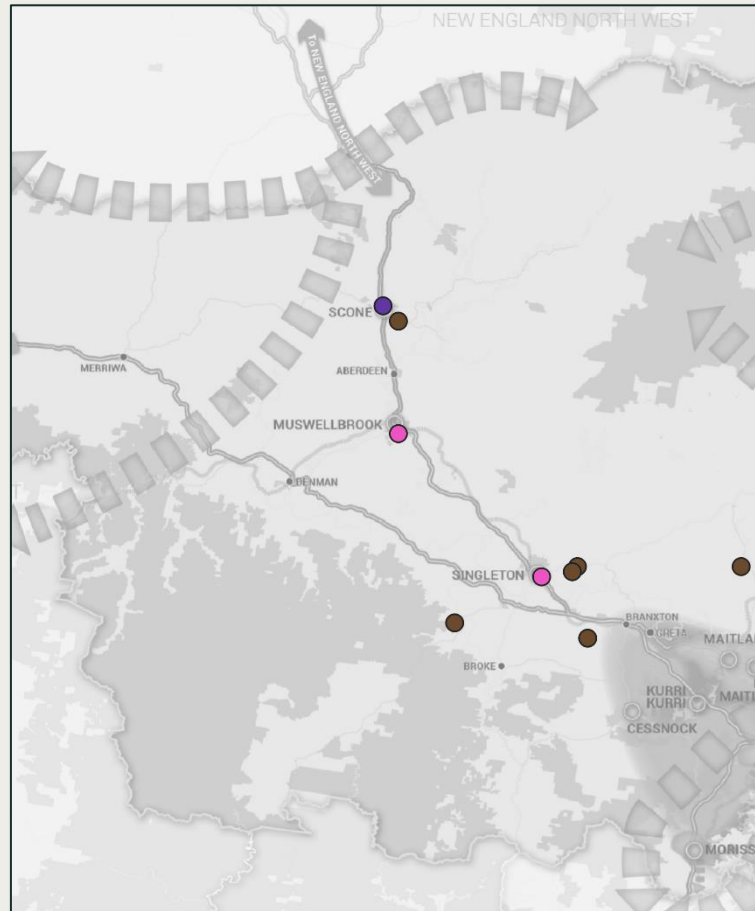


# 'Nature' mapped

## Hunter (exc Greater Newcastle)

*^denotes not mapped*

-  Hazard – 1
-  Housing (other) – 1
-  Conservation – 1
-  Various<sup>^</sup> – 1
-  Centres – 2
-  Tourism – 3
-  Industry – 4
-  Urban Release – 6
-  Rural – 7
-  Infrastructure – 0
-  Heritage – 0

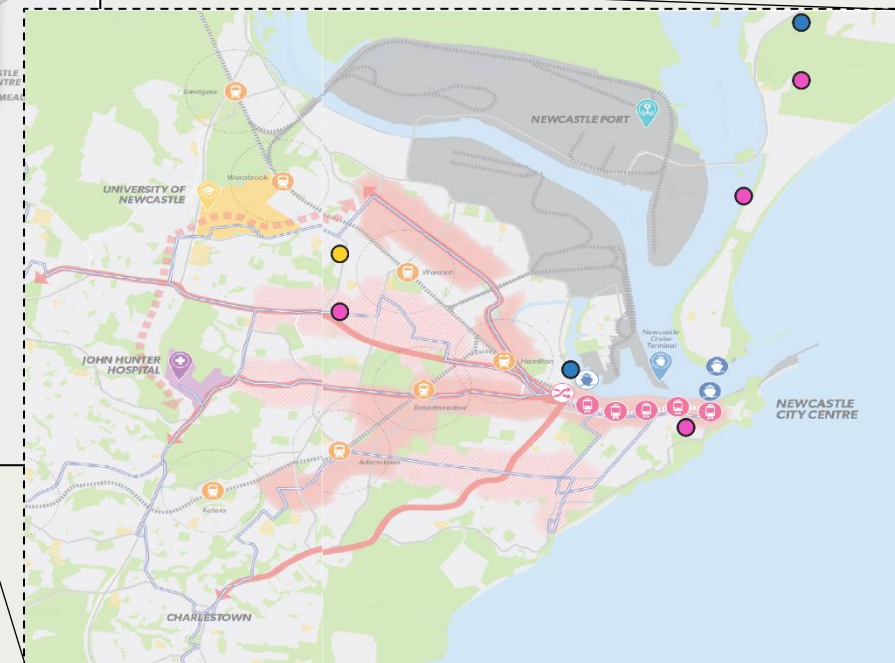
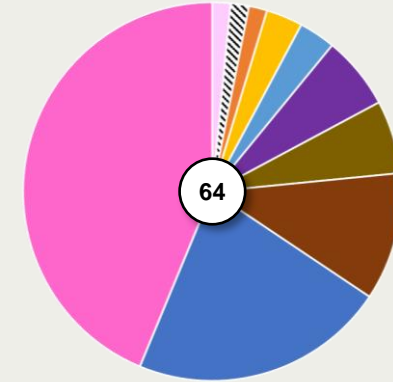
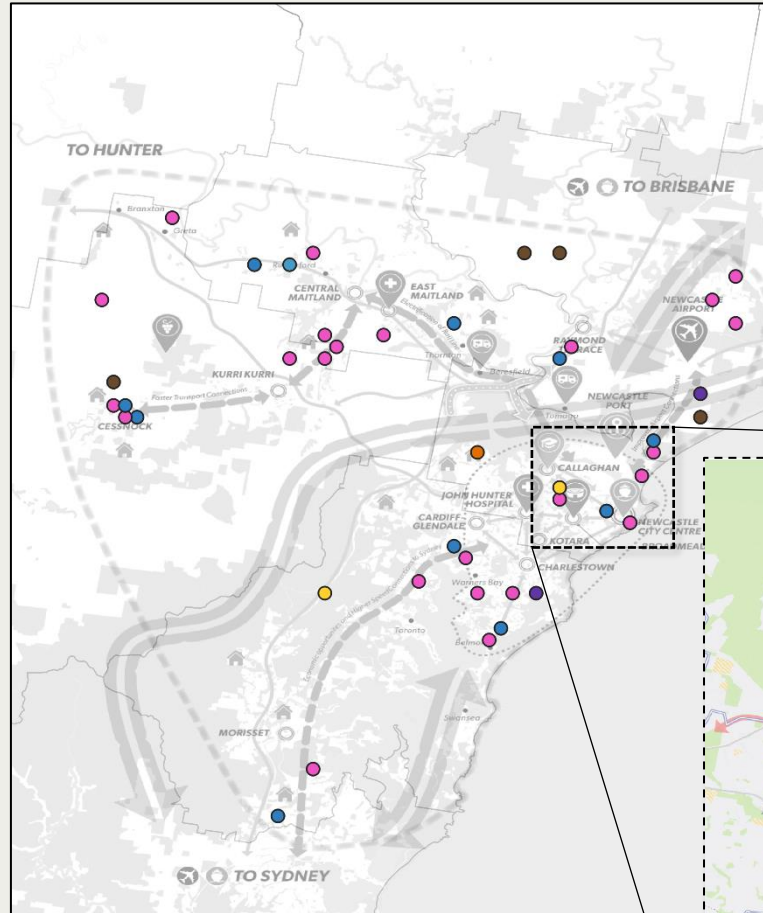


# 'Nature' mapped

## Greater Newcastle

<sup>^</sup>denotes not mapped

- Housing (other)<sup>^</sup> – 1
- Various<sup>^</sup> – 1
- Conservation – 1
- Infrastructure – 2
- Tourism – 2
- Industry – 4
- Rural – 4
- Heritage<sup>^</sup> – 7
- Centres – 14
- Urban Release – 28
- Hazard – 0



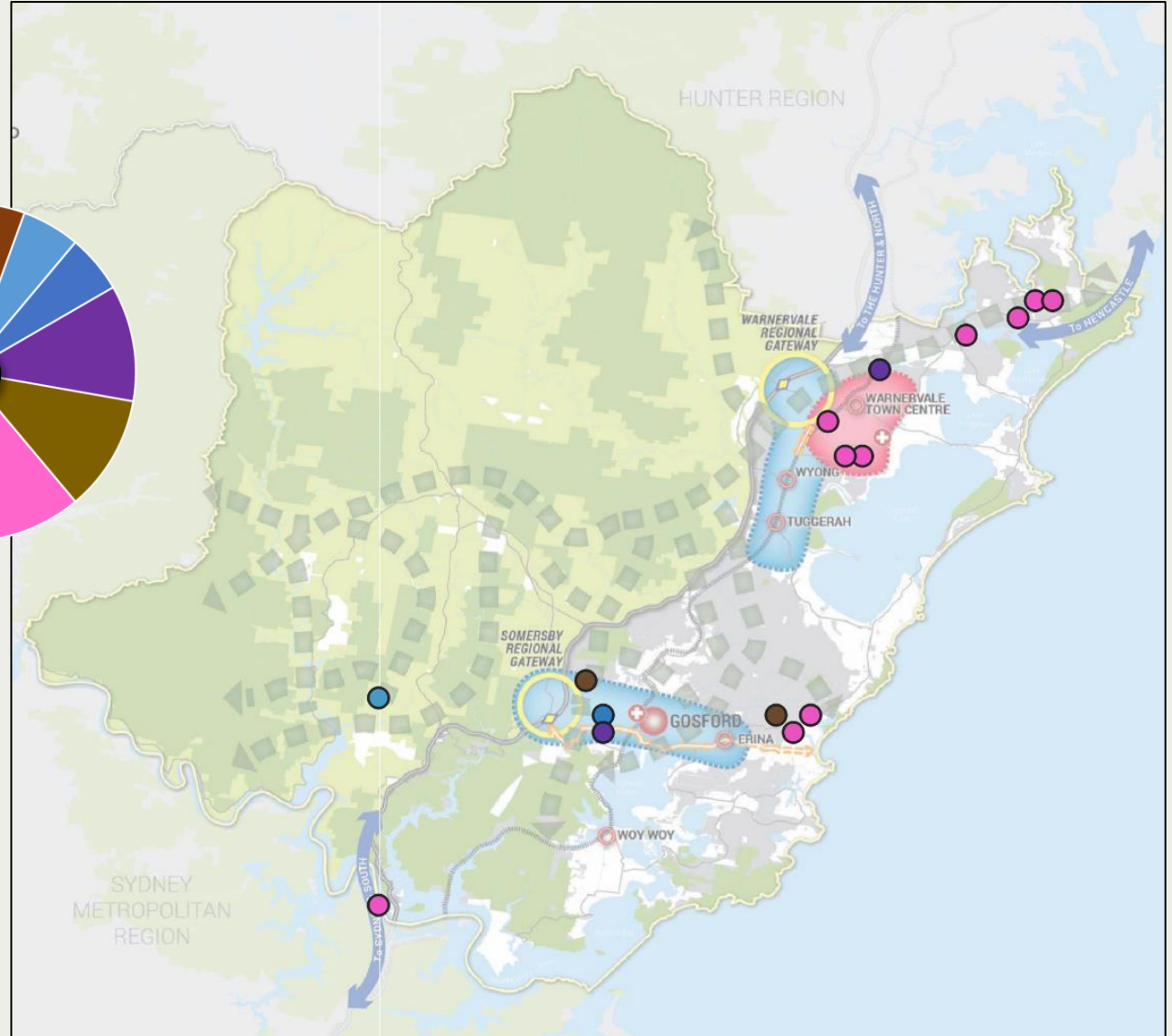
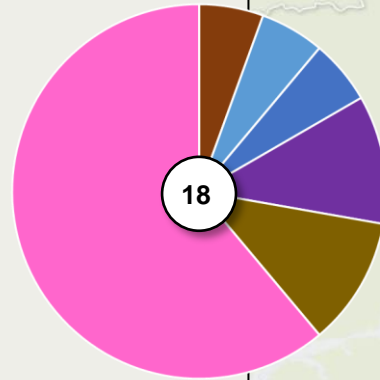


# 'Nature' mapped

## Central Coast

<sup>^</sup>denotes not mapped

- Heritage<sup>^</sup> – 1
- Tourism – 1
- Centres – 1
- Industry – 2
- Rural – 2
- Urban Release – 11
- Housing (other) – 0
- Various – 0
- Conservation – 0
- Infrastructure – 0
- Hazard – 0



# P1 Stocktake audit

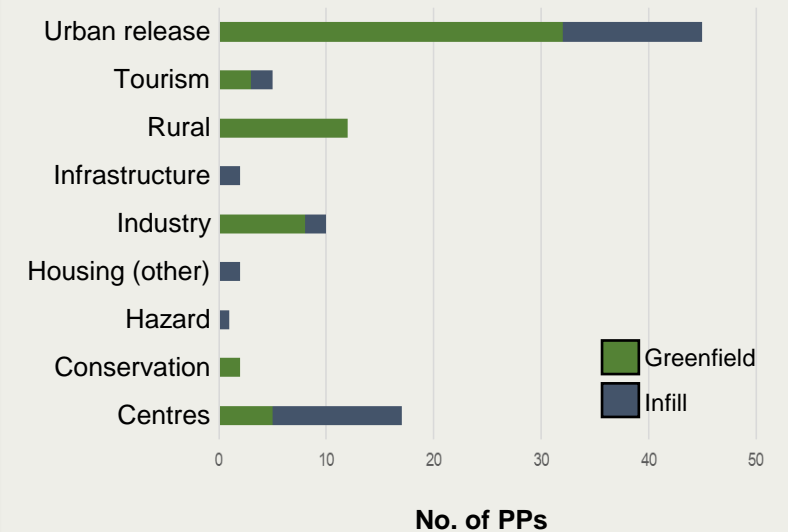
## Cleaning and categorising data

The subject plans set high-level targets in relation to the proportion of growth that is encouraged to occur via the development of greenfield land. To consider this aspect, we assigned Planning Proposals in relation to their context as either

- **Greenfield**, if the mapped location appears to be in a location that had not previously been developed, including where appears to immediately adjoin and expands an existing development footprint.
- **Infill**, if the mapped location appears to be in an area that had previously been developed or is mostly surrounded by existing development.

‘Context’ was not categorised for Planning Proposals that had been previously assigned as being ‘heritage’ or ‘various’ in nature. That is because these tended to relate to several different sites.

- Type
- Nature
- Context
- Scale
- Milestone timeframes



*Excludes PPs of a ‘heritage’ or ‘various’ nature*

# P1 Stocktake audit

## Cleaning and categorising data

The scale of a development can be described in various ways. We understood the key concerns here to relate largely to how much land is involved and the relative impact of the development arising from the change.

Information relating to the scale of the development was not readily available or consistently documented across all planning proposals in the data provided. So, to assign the scale of development we made 'best approximations' using numerical and alphabetical thresholds relating to the volume of land and infrastructure burden as shown.

We acknowledge that this best approximation leads to a lower-level of confidence in the metrics provided for this category.

- Type
- Nature
- Context
- **Scale**
- Milestone timeframes

### 'Scale' numerical value

Relates to the volume of land:

*1 = less than 10ha*

*2 = 10ha or more*

### 'Scale' alphabetical value

Relates to the relative infrastructure burden:

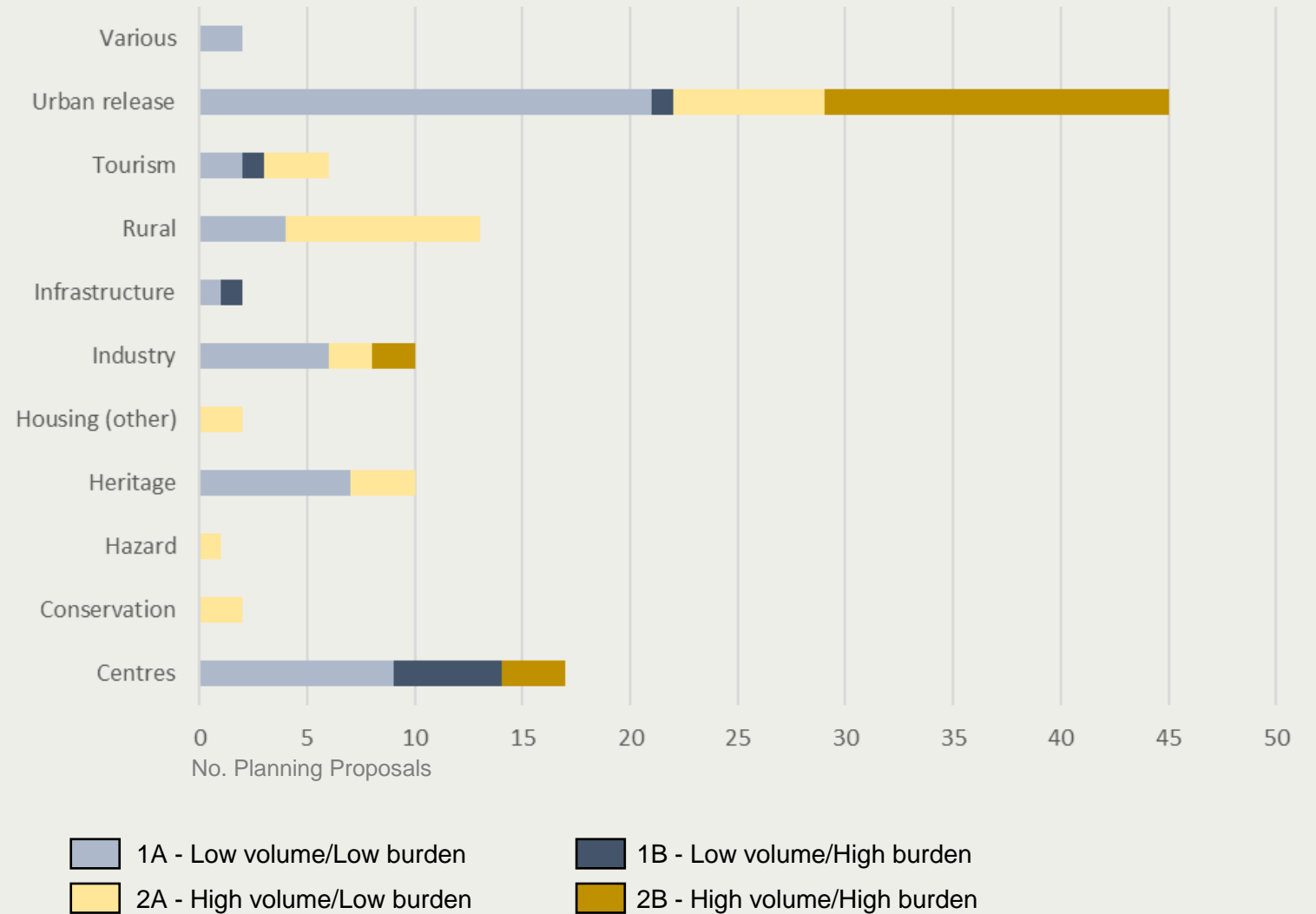
*A = less than 150 lots (or equiv)*

*B = 150+ lots or (or equiv)*



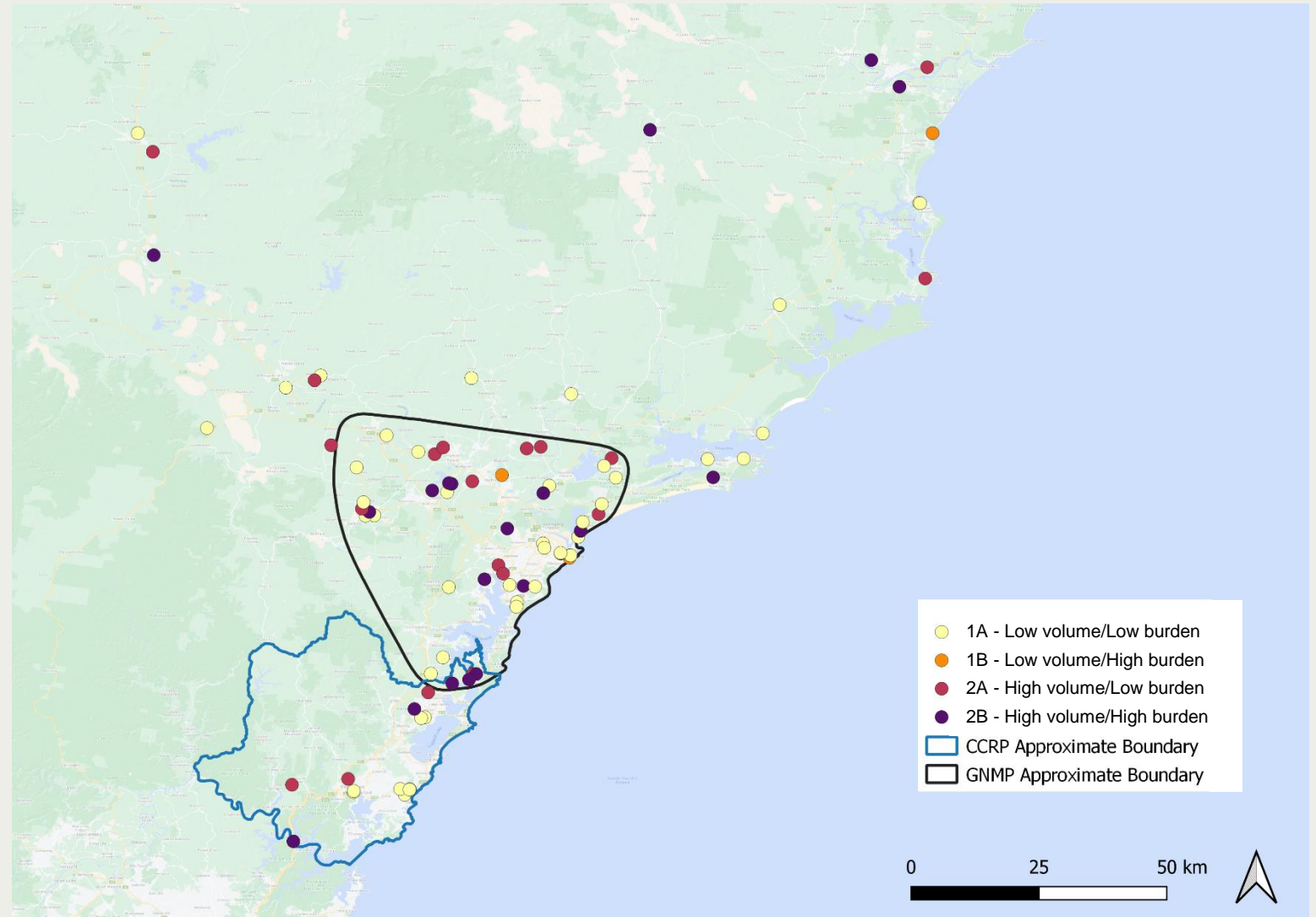
# Scale

The 'scale' assignments show a relatively even split in the total number of small-scale and large-scale urban release planning proposals. It also appears that changes in centres tend to have a higher burden on infrastructure.



# ‘Scale’ mapped

However, the lower confidence level of these assignments means the metrics should be read in conjunction with other information. For example, this information can be useful in understanding where cumulative impacts may be occurring through closely-situated, smaller-scale changes in land use.



# P1 Stocktake audit

## Cleaning and categorising data

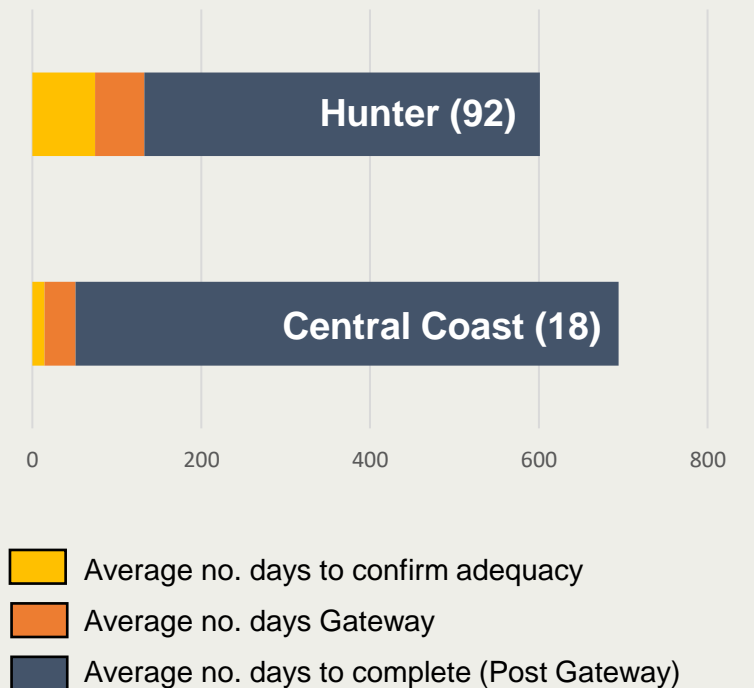
The data provided dates for key milestones associated with the Planning Proposal process. These included:

- The date the Planning Proposal was submitted to DPIE by Council.
- The date DPIE confirmed the information provided was adequate to complete the Gateway Assessment.
- The date the Gateway Determination was issued.
- When Planning Proposal was completed, indicated by the date:
  - It was withdrawn or refused, or
  - DPIE approved it finalisation.

We recognise several factors influence these timeframes, particularly post-Gateway. The metrics provided should be considered in conjunction with other information.

- Type
- Nature
- Context
- Scale
- **Milestone timeframes**

### Milestone Timeframes





# Timeframes

Hunter (excl Greater Newcastle)

*Time taken to from Gateway to completion*

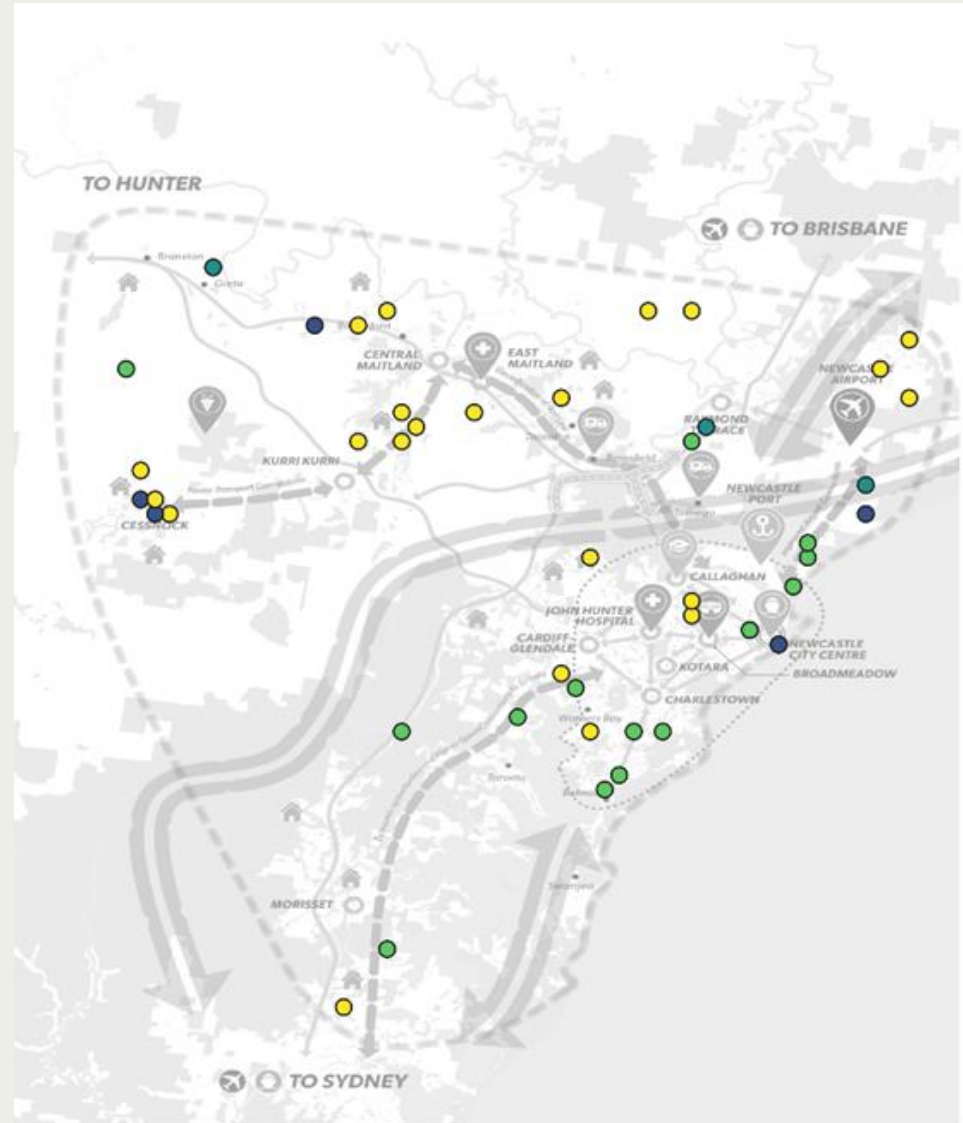


\*Note: Planning Proposals that were still in progress when the data was generated have not been mapped

# Timeframes

## Greater Newcastle

*Time taken to confirm adequacy*

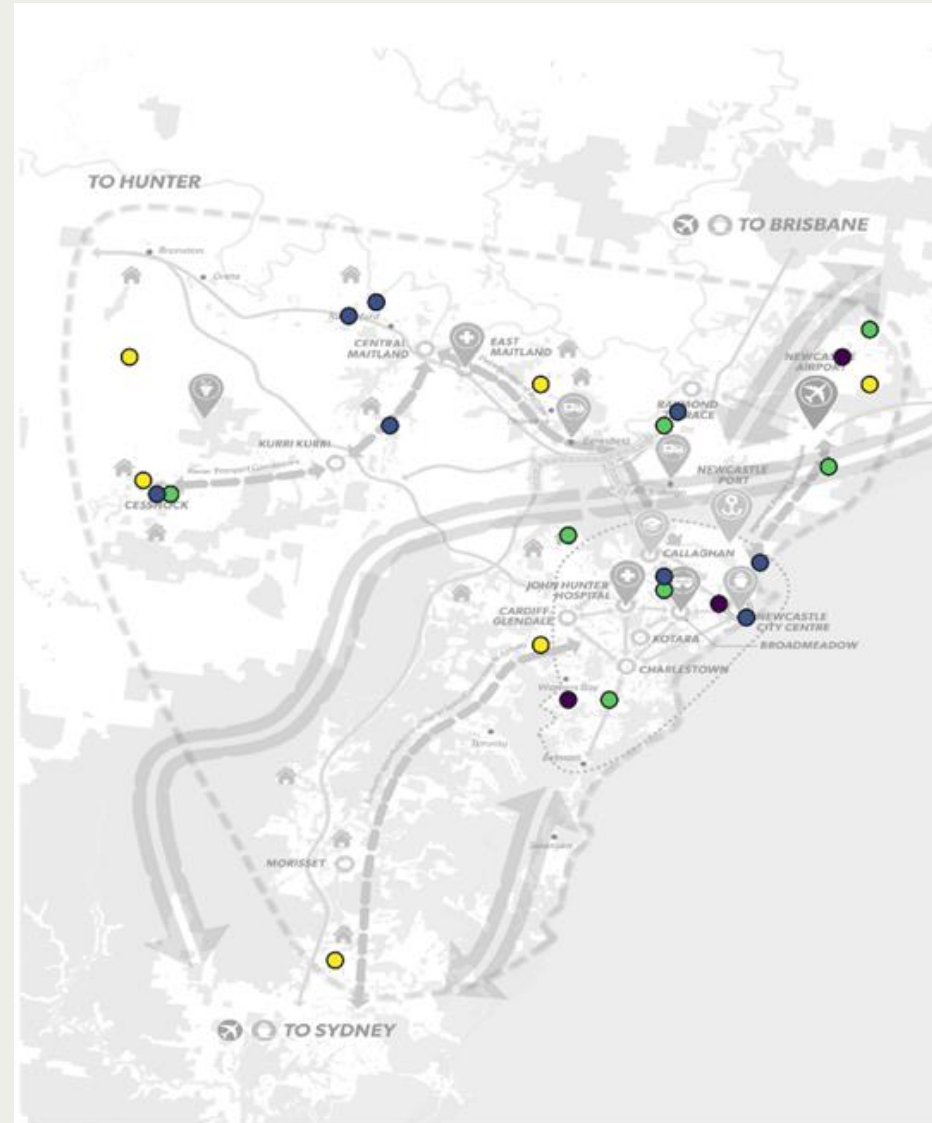




# Timeframes

## Greater Newcastle

*Time taken to from Gateway to completion*



\*Note: Planning Proposals that were still in progress when the data was generated have not been mapped

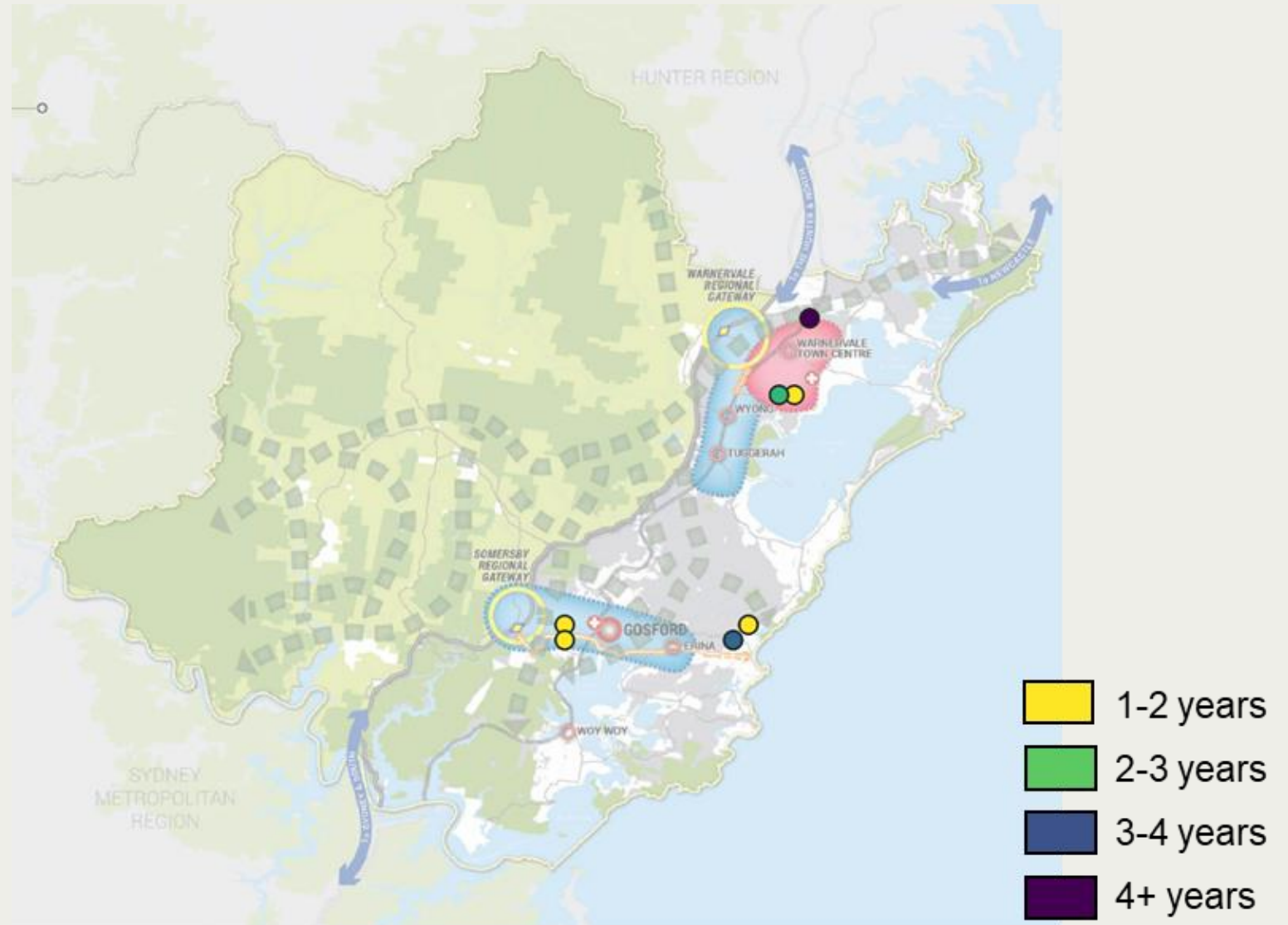




# Timeframes

## Central Coast

*Time taken to from Gateway to completion*



\*Note: Planning Proposals that were still in progress when the data was generated have not been mapped

A

Phase 2

Detailed Audit

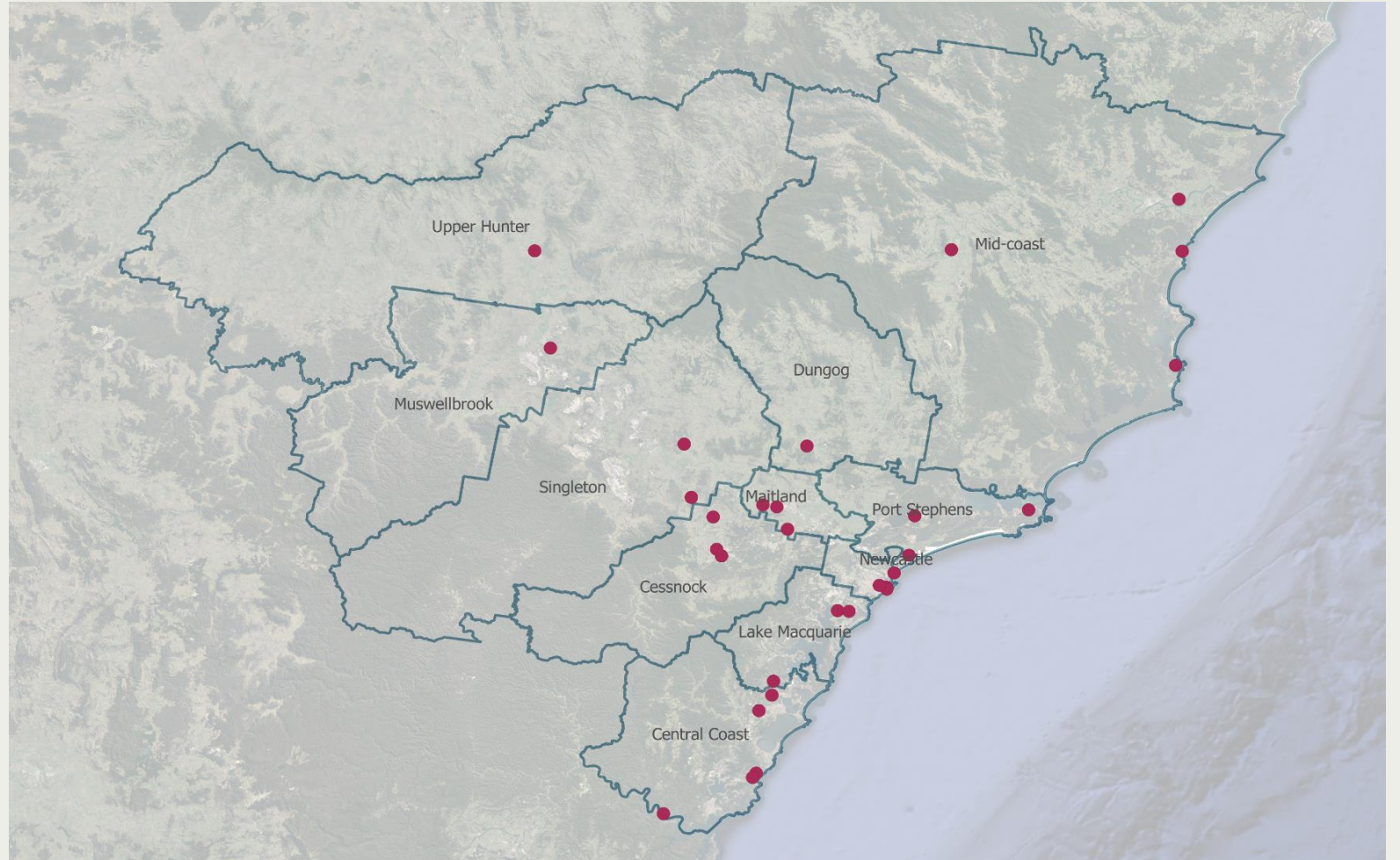
# P2 Detailed audit

## Selection

Phase 2 involved a more detailed audit of 30 Planning Proposals. These were selected to provide a diverse mix in terms of location, nature of change, and scale, as well as ‘in-strategy’ and ‘out-of-strategy’ amendments. A preliminary list was reviewed and updated in conjunction with DPIE and Council planning staff.

To begin the selection process, we committed to including at least one Planning Proposal from every current (or former, in the case of amalgamated Councils) Local Government Area.

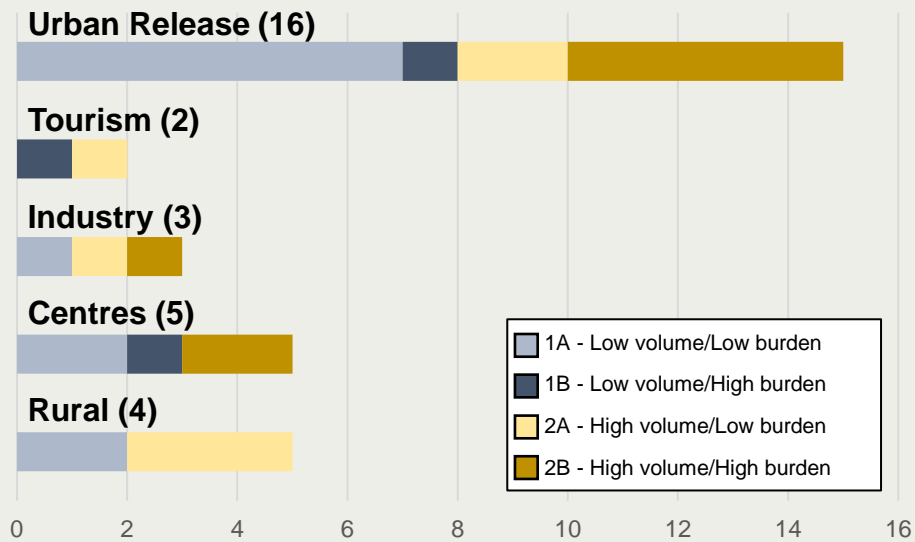
In total, 5 Planning Proposals were selected from the Central Coast Regional Plan area. Of the 25 selected from the Hunter, 13 were outside the Greater Newcastle Metropolitan Plan’s geographical ‘frame’ or timeframe.



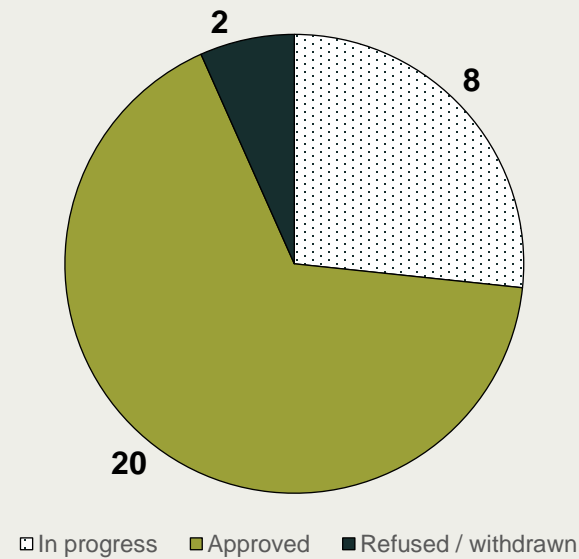
# P2 Detailed audit

## A range of Planning Proposals

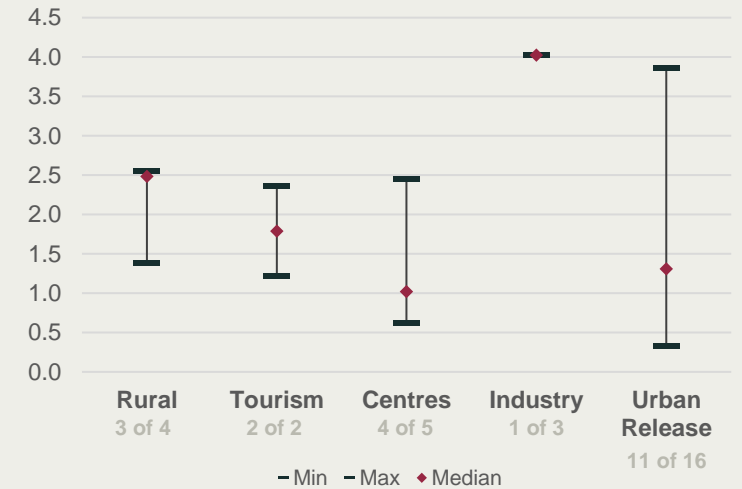
The range of Planning Proposals reviewed Phase 2 also comprised a mix of different characteristics.



SCALE



STATUS



NO. YEARS TO COMPLETE POST-GATEWAY

\*PPs in progress not shown

# P2 Detailed audit

## Sourcing information

DPIE provided the initial information for Phase 2 Planning Proposals in the form of:

- Gateway Determination Reports for all 30 Planning Proposals, and
- Finalisation Reports for 5 the 22 Planning Proposals that had been completed.

Finalisation reports for the remainder of the Planning Proposals that had been completed were requested from the relevant Councils. Of these, we were able to obtain an additional 6 finalisation reports. This left 10 Finalisation Reports (or equivalent documentation detailing why a Planning Proposal was withdrawn or refused) outstanding at the time we prepared our report of findings.

We also requested additional information from each individual Council to assist with understanding Agency referral response times, as this was typically not quantified in Finalisation Reports. Unfortunately we were not successful in obtaining sufficient information in relation to Agency timeframes to be able to evidence stakeholders' assertions that this was a contributing factor to delays in progress post-Gateway.

# P2 Detailed audit

## Reviewing information

We undertook our Phase 2 Detailed audit review over a 3-week time period. This review involved utilising the information provided to consider several lines of enquiry outlined in our Phase 2 brief.

The lines of enquiry were, in essence, centred around two main questions:

1. What led to delays or complexities in processing in-strategy Planning Proposals?
2. What allowed any out-of-strategy Planning Proposals to proceed?

In answering these, we also kept more detailed considerations from Phase 1 in mind, as summarised below.

- Any commonality in requests for additional information or studies needed to inform decision-making.
- Any indication that an intended location of growth is not suitable (e.g., due to flooding, biodiversity, water catchments, etc.).
- The role of studies identified as Actions to be delivered by State Government agencies or documents that were either described in or have commenced since the Plans were released (e.g., Hunter Expressway Strategy; Agricultural Land mapping; Biodiversity corridor mapping; Urban Development Program, etc.).
- The role of 'support' studies prepared or updated by Councils within the study timeframe. This will include but is not limited to corridor strategies and structure plans (for example).
- Any indication that a location currently identified for growth is suitable or not yet ready (e.g., due to state OR local infrastructure constraints or availability of existing supply).

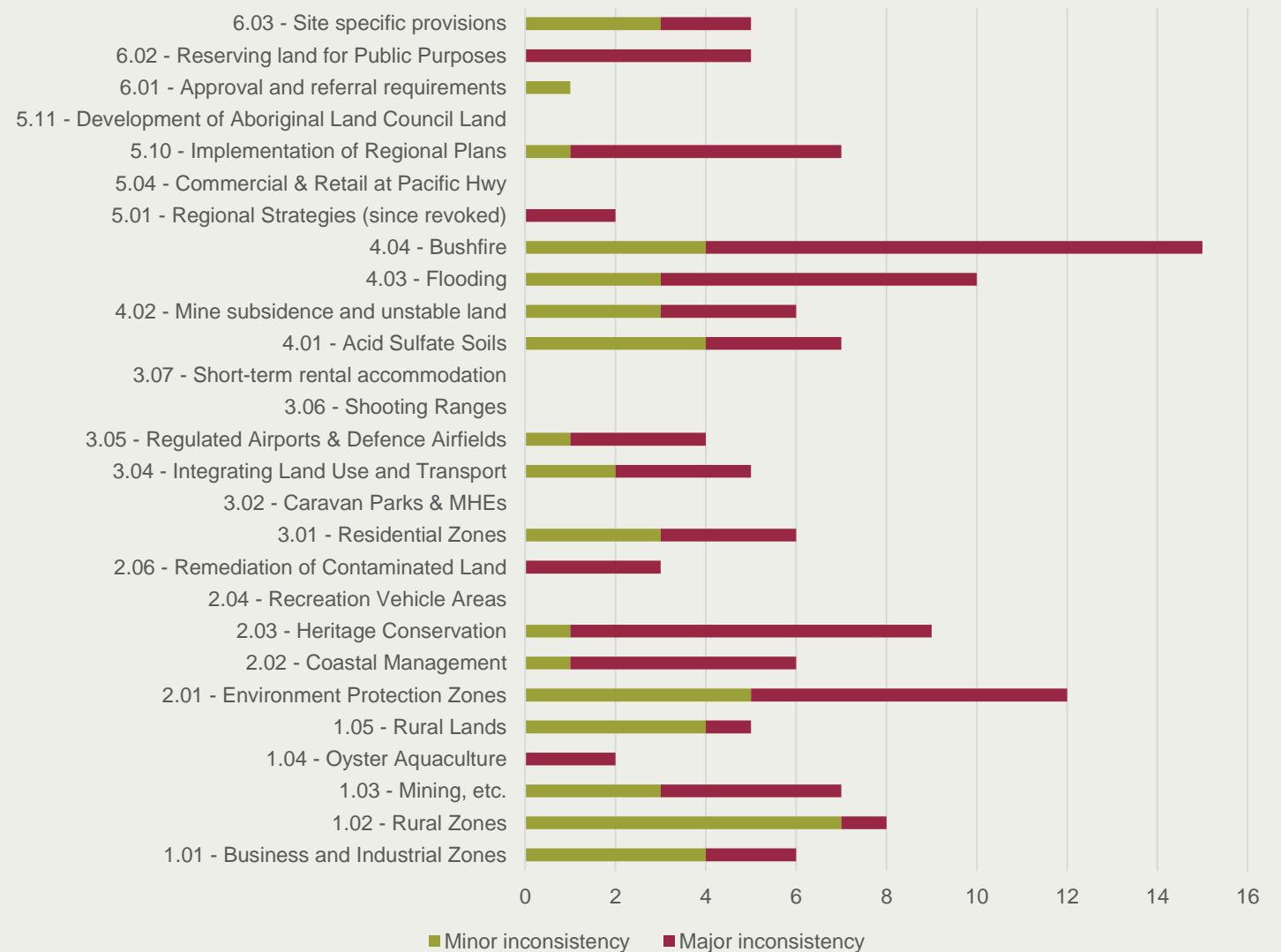


# Ministerial Directions

The extent to which Phase 2 Planning Proposals were consistent with Ministerial Directions is shown here. Of these, inconsistencies with Directions 5.1 Regional Strategies (since revoked) and 5.10 Regional Plans were highly relevant to this Planning Proposal audit.

Eight (8) of the Planning Proposals subject to the Phase 2 Detailed audit had to deal with inconsistencies with regional-level directions (noting some were assessed against both Directions):

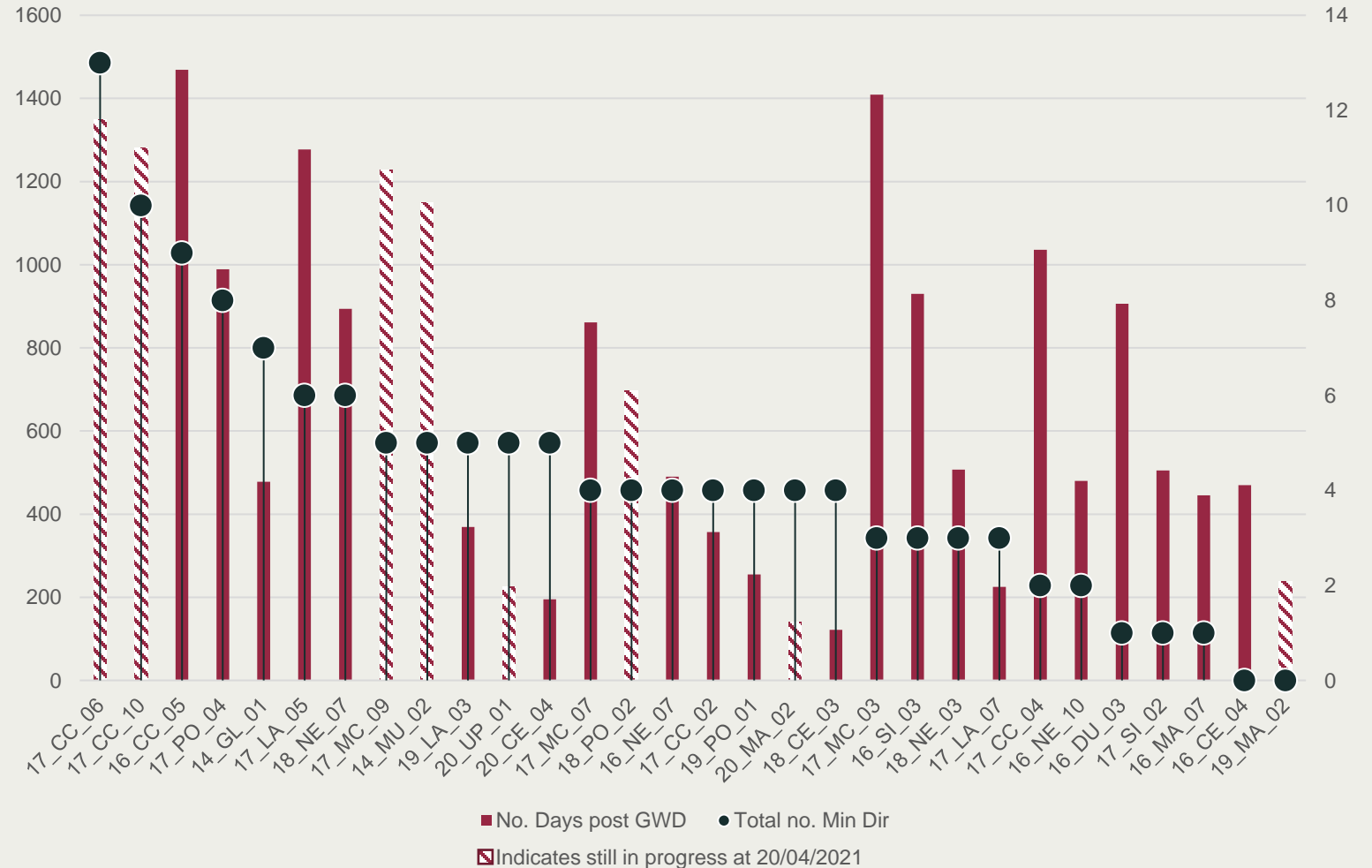
1. 16-SI-03 at Pokolbin
2. 17-LA-05 at Eleebana
3. 18-PO-02 at Fullerton Cove
4. 19-PO-01 at Nelson Bay
5. 16-CC-05 at Wallarah
6. 17-CC-02 at Wamberal
7. 17-CC-06 at Mooney Mooney



# Ministerial Directions

The relationship between the total number of Ministerial Direction inconsistencies required to be addressed at Gateway stage and the length of time required to complete a Planning Proposal is shown here for all Phase 2 proposals. For those Planning Proposals that were not completed at the time the audit data was generated, it shows the number of days that had lapsed between the Gateway Determination date at the audit data date of 20/04/2021.

In our view, there is no clear correlation between these factors based on the total number of Ministerial Directions.



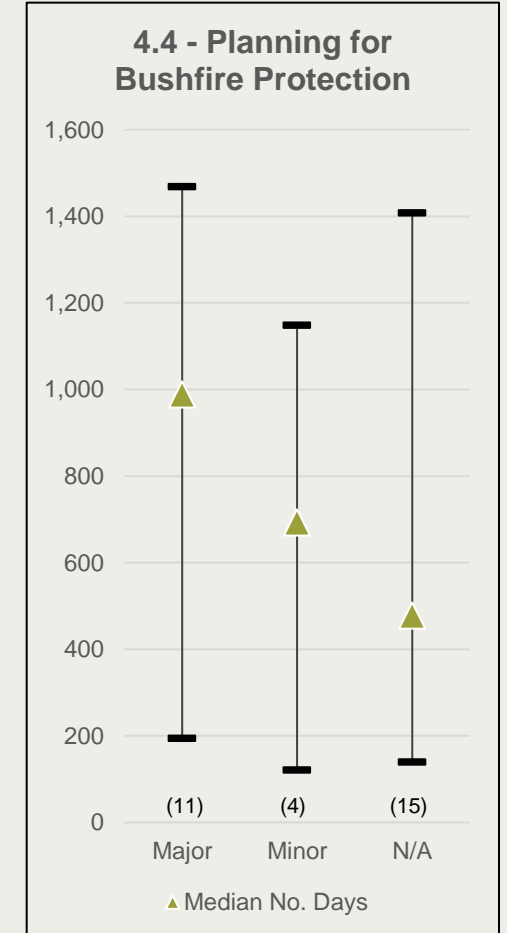
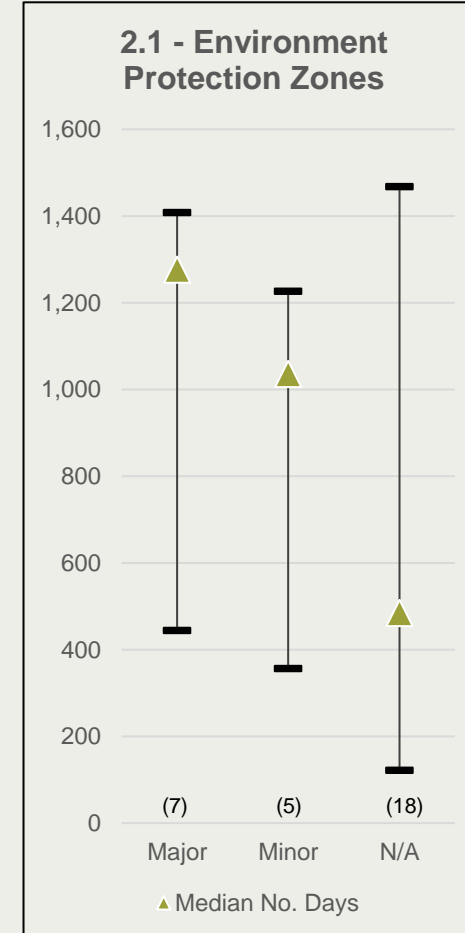
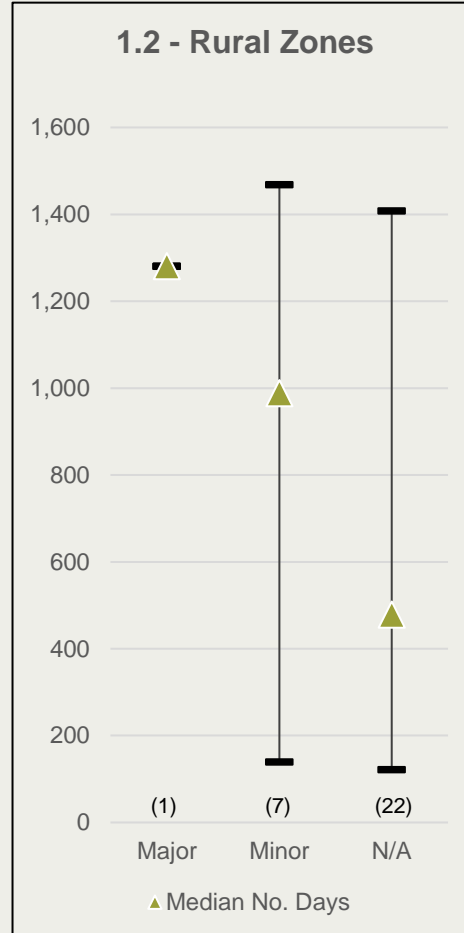


# Ministerial Directions

However, there does appear to be a correlation between completion timeframes and inconsistencies with some Ministerial Directions, notably:

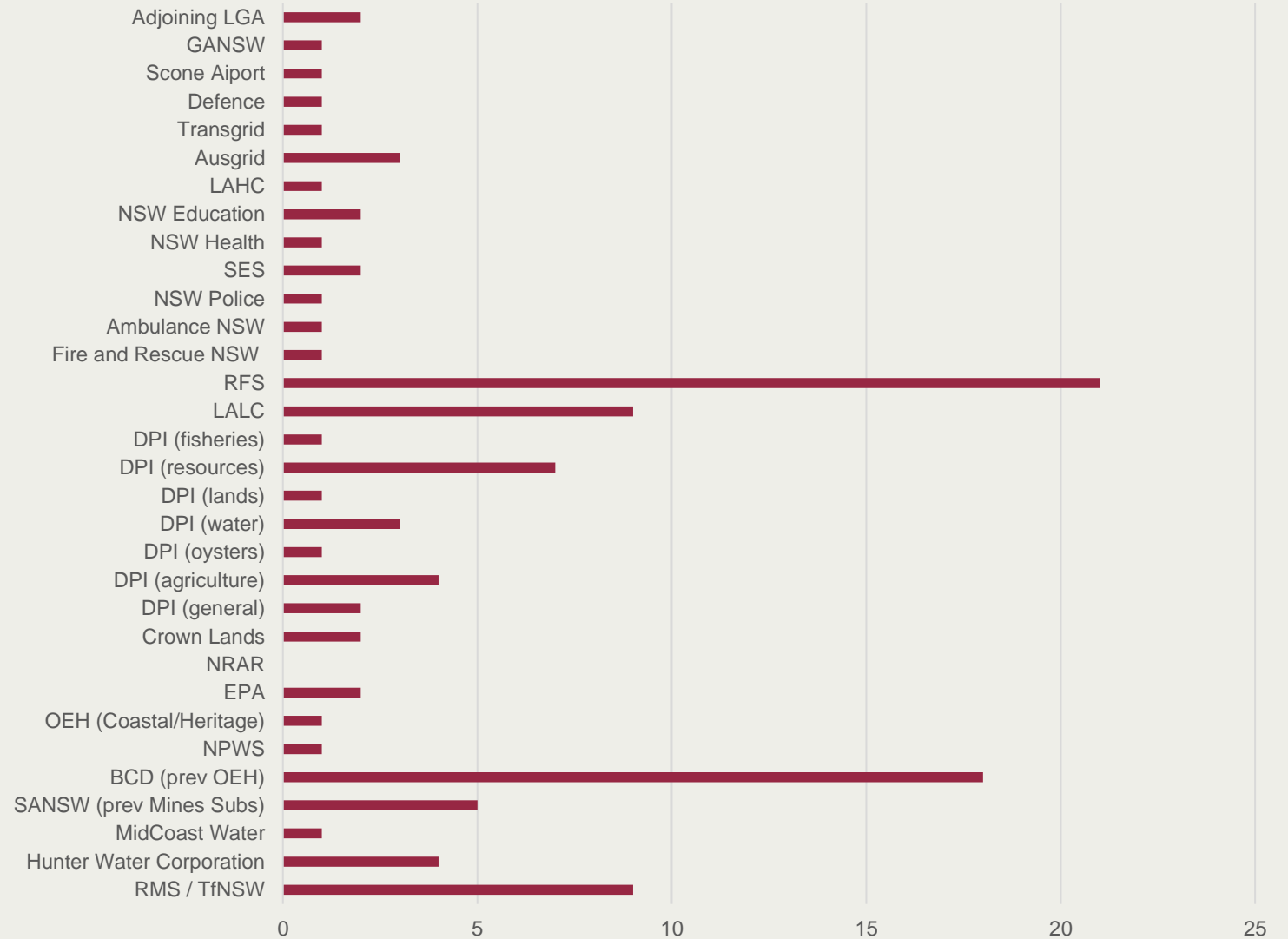
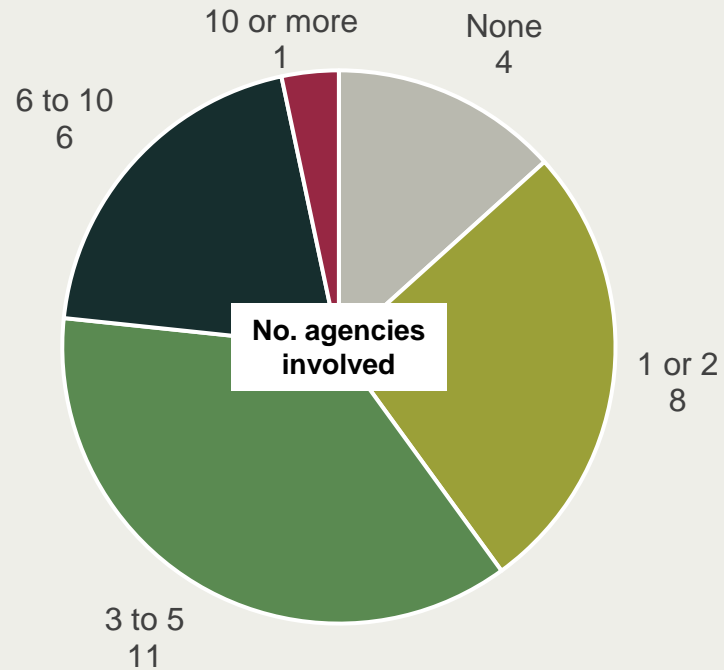
- 1.2 – Rural Zones
- 2.1 – Environment Protection Zones
- 4.4 – Planning for Bushfire Protection

This correlation does match anecdotal feedback from stakeholders but, given our relatively small samples size, we acknowledge that these trends are highly indicative. In other words, it should not be taken as resolute confirmation that agency involvement necessarily leads to longer timeframes.



# Referral Agencies

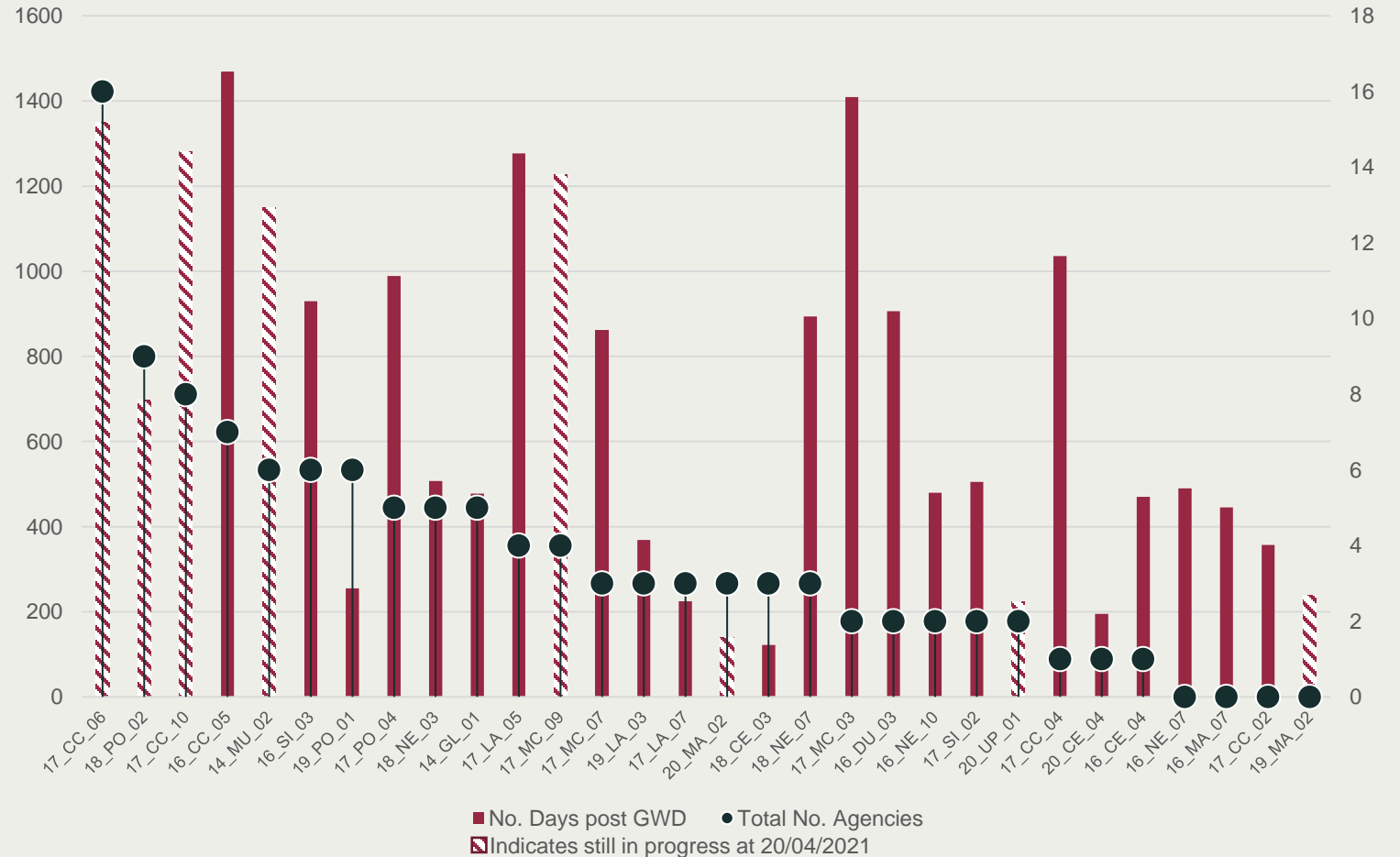
The involvement of referral agencies is an important element of refining Planning Proposals post-Gateway. Most Planning Proposals involved other agencies to some degree, as shown below. The number of times different agencies were involved is shown at right.



# Referral Agencies

The relationship between the total number of Referral Agencies prescribed by the Gateway Determination and the length of time required to complete a Planning Proposal is shown here for all Phase 2 proposals. For those Planning Proposals that were not completed at the time the audit data was generated, it shows the number of days that had lapsed between the Gateway Determination date at the audit data date of 20/04/2021.

In our view, there is no clear correlation between these factors based solely on the total number of Agencies.

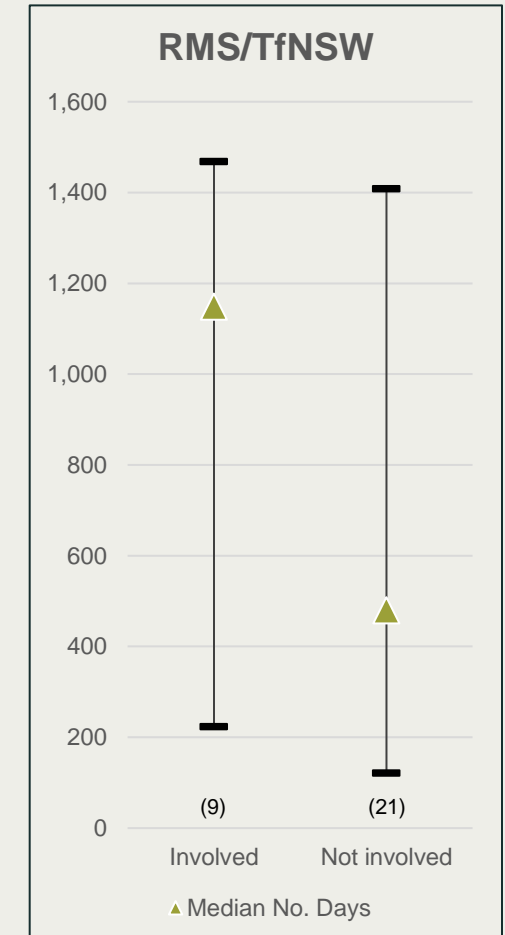
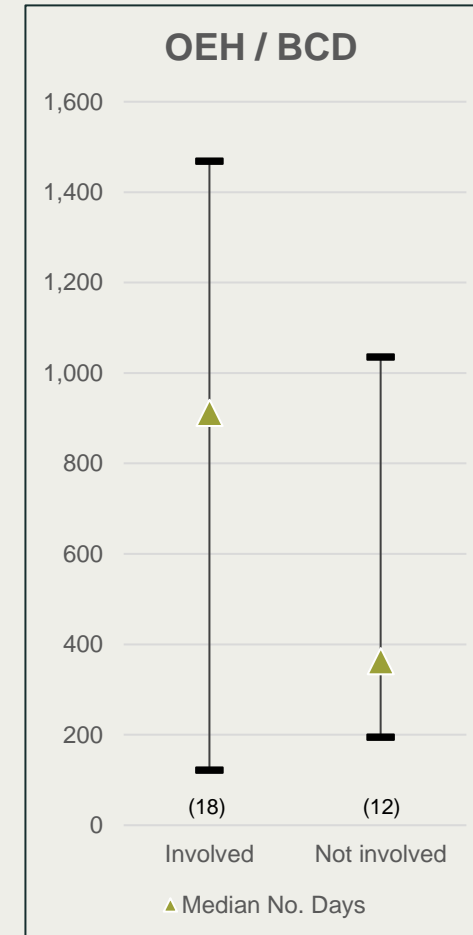


# Referral Agencies

However, there does appear to be a correlation between completion timeframes and the involvement from some Agencies, notably OEH/BCD and RFS, which corresponds with similar trends identified for the corresponding Ministerial Directions. There also appears to be a correlation where RMS/TfNSW was involved, though this relates to a much smaller sample size.

Again, this correlation aligns with anecdotal feedback from stakeholders however, given the sample size it should not be taken as resolute confirmation that agency involvement necessarily leads to longer timeframes.

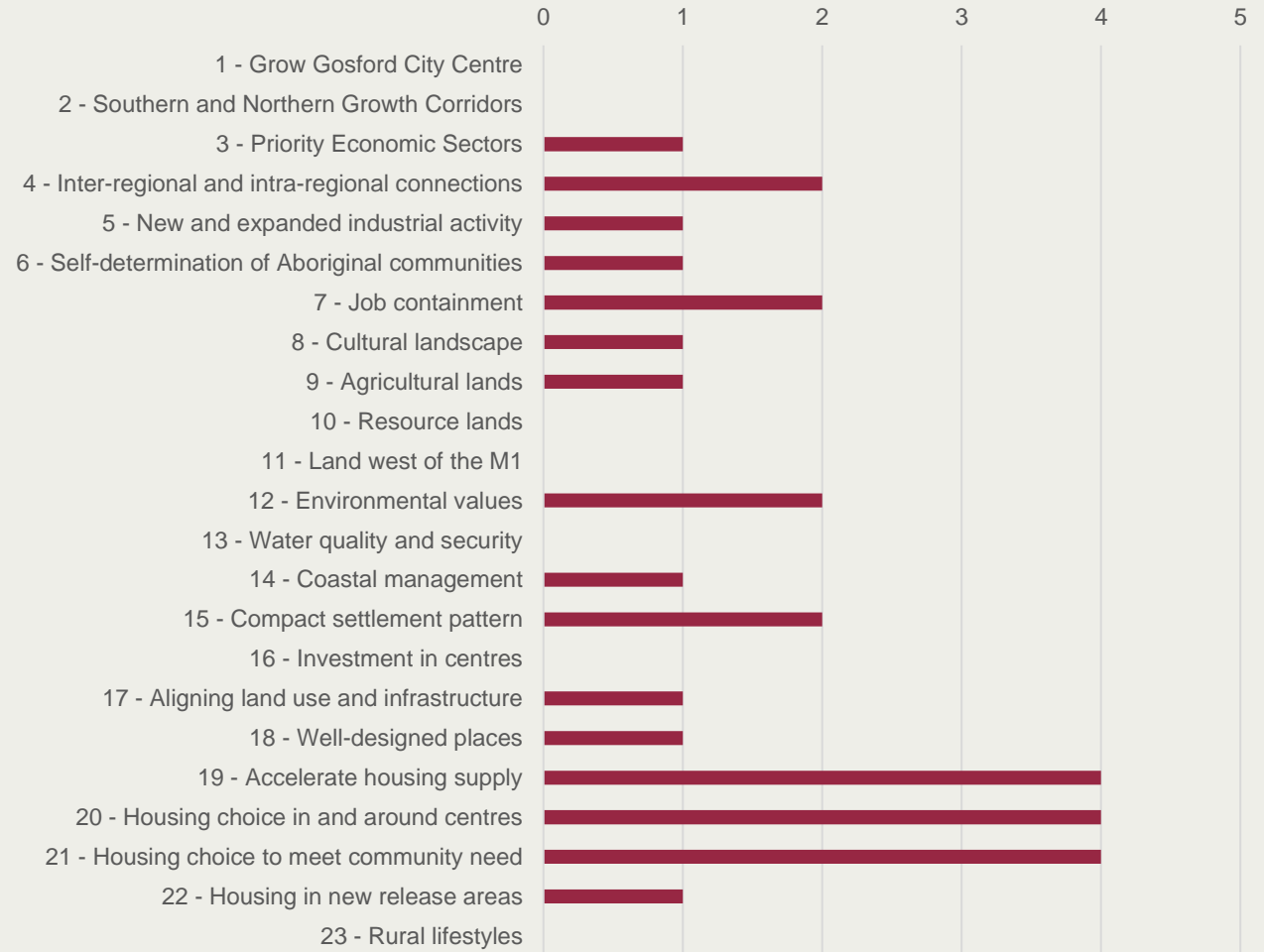
We did not have access to agency correspondence or the dates of their involvement for enough of the Phase 2 Planning Proposals to provide a clear understanding of the reasons for lengthier timeframes.



# Regional Directions

The extent to which regional directions are relevant to Planning Proposals is a key consideration in determining Strategic Merit. Five (5) of the Phase 2 Planning Proposals were considered against the Central Coast Regional Plan, with the number of times directions came up as relevant shown here.

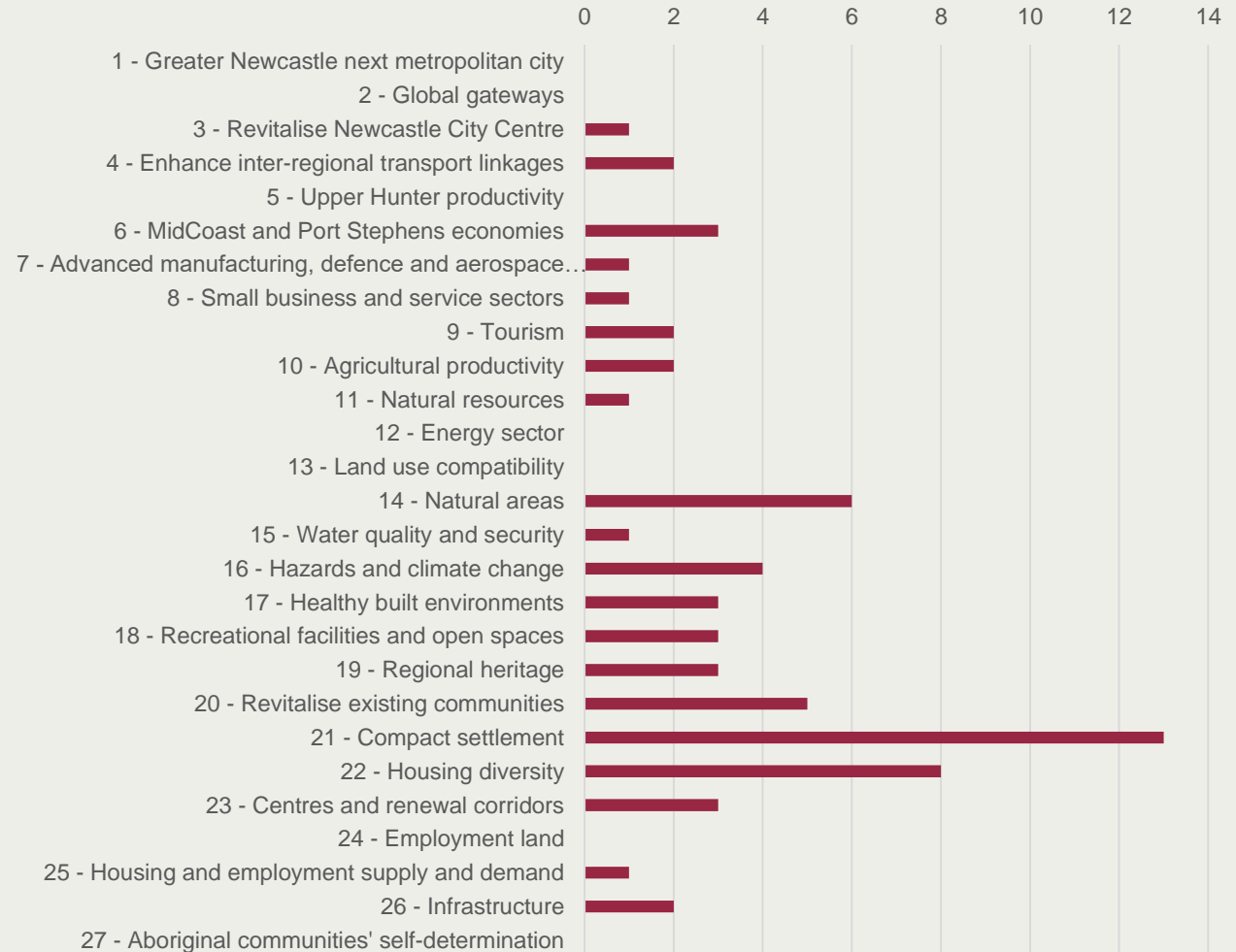
# Central Coast



# Regional Directions

Twenty three (23) of the Phase 2 Planning Proposals were considered against the Hunter Regional Plan, with the number of times directions came up as relevant shown here. Note: the documentation provided for two (2) of the Planning Proposals did not contain a direct assessment against the Hunter Regional Plan.

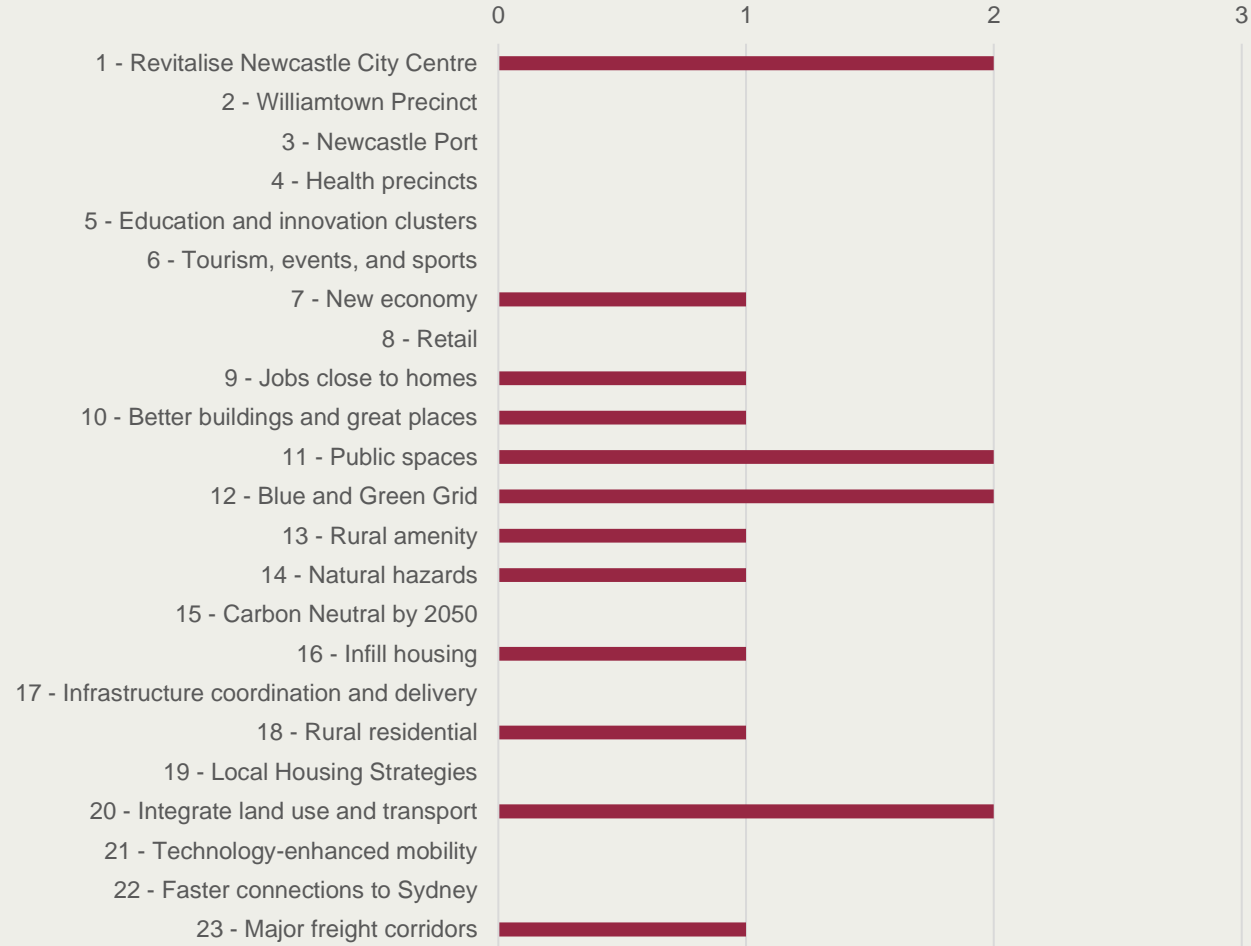
## Hunter



# Regional Directions

Seven (7) of the Phase 2 Planning Proposals were considered against the Hunter Regional Plan, with the number of times directions came up as relevant shown here. Note: the documentation provided for eight (8) of the Planning Proposals did not contain a direct assessment against the Hunter Regional Plan.

# Greater Newcastle





Simplifying  
the complex