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Ms Paulina Wythes
Director, Planning Legislative Reform
Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2124

Dear Paulina

A new approach to rezonings in NSW

Thank you for the opportunity to comment on the Discussion Paper, *A new approach to rezonings*, December 2021. The Housing Industry Association (HIA) is supportive of a new approach that would simplify the existing rezoning process and reduce assessment times. Our members consistently report their frustrations with the length of time it takes for a planning proposal to be assessed within the current NSW system.

HIA is Australia's national association representing the interests of the residential building industry. HIA represents a membership of 60,000 across Australia and this includes a diverse mix of companies, including new home builders, renovators, trade contractors, land developers, related building professionals, and suppliers and manufacturers of building products. HIA members construct over 85 percent of the nation's new building stock.

HIA attended the Department's industry briefing session held 10 February 2022 on the new approach to rezonings, and a group of our members have since met to discuss the proposed changes.

The key issues that came out of HIA's discussions relate to the following sections of the Discussion paper:

Introduction (page 12)

- There is concern that the proposed approach (dot point 3) to allow *councils to receive and determine private proponent-initiated LEP amendments, with no or minimal department involvement in assessment*, will likely lead to further delays. Workloads in NSW councils are already stretched due to under-resourcing and skill shortages, and the new approach for the Department to step back and funnel more work to councils is of great concern.

New terminology (page 15)

- The proposed new terminology for planning proposals (Table 1) is supported. The new simplified terminology of rezoning application and rezoning authority should help clarify roles and processes in the rezoning of land.

New categories and timeframes (pages 16-17) and Scoping (page 24)

- Most rezoning applications will fall into the proposed Category 3 (Complex), which captures proposals to change the land use zone and/or principal development standards of the LEP. However, the proposed 'Scoping' stage for Category 3 is very lengthy (up to 12 weeks), and during this period (which is at the earliest stages), the local council has the potential to obstruct the proposed rezoning application, if not supportive of it.
- It is recommended that DPE issue guidelines about Scoping documents, otherwise proponents could be subject to unreasonable pushback and 'red-tape'.

New appeal pathways (page 35 onwards)

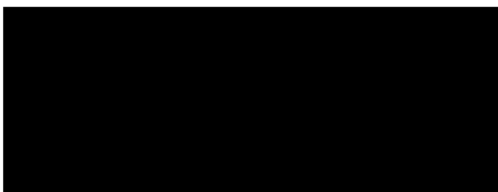
- The proposal to introduce a new appeals pathway for rezoning applications is supported.

The above comments reflect our members initial thoughts on various parts on the Discussion paper. The fact that we have not commented on all parts of the Discussion paper does not mean that we either agree or disagree with the changes proposed.

Thank you for the opportunity to comment on the proposal on exhibition. HIA would like to continue to engage with the Department on this important matter and be informed on progress made with the proposal and its implementation.

For further information on the matters raised in this letter and for future engagement, in the first instance please contact HIA's Assistant Director Planning, Cathy Towers on [REDACTED] or telephone [REDACTED].

Yours sincerely
HOUSING INDUSTRY ASSOCIATION LIMITED



David Bare
Executive Director NSW