



Office of the Director General

Dear Mr Laird,

I read with interest the media release issued this week by Lock the Gate about the Planning Bill. I understand that your members are particularly interested in how mining proposals are considered in the planning process. I would like to take an opportunity to explain to your members how we are addressing some of the issues you raised.

The community can be assured of its rights to participate in – and review – planning decisions, including those about major projects, under the new planning system.

Local councils and communities will continue to be consulted when major mining projects are assessed. The independent experts at the Planning Assessment Commission will continue to determine most major mining projects in NSW.

I can assure you that that we are not making any changes that would limit the existing community appeal rights for decisions about developments that may have significant environmental impacts – things like coal mines or gas fields.

We have undertaken unprecedented public consultation on the changes to the planning system – around 6,000 people attended some 160 meetings in 50 locations around the state during the past 2 ½ years, many of them in regional NSW.

We are committed to introducing effective, upfront community engagement in strategic planning in the new planning system. This will give the community more input where it can have the greatest influence – upfront, when new strategic plans to guide development and manage growth are being prepared. In this way, we are returning planning powers to the community.

On the issue of corruption, the legislation includes significant elements to minimise opportunities for corrupt behaviour. It delivers increased certainty, transparency and new requirements for decision makers to publicly notify decisions and publish reasons. It also strengthens the requirements on disclosing political donations when planning applications and submissions are made.

Importantly, the ICAC has also written to the department to acknowledge that changes to the legislation address to a significant extent concerns it had raised. ICAC's letters on the Planning Bill, and the department's responses, are all available on our website.

Finally, I can assure you we are committed to protecting our state's valuable water resources and aquifer. The provisions in the Planning Bill reflect that we have now introduced strong protections for aquifers through our strategic regional land use policy.

We've also established the Mining and Petroleum Gateway Panel to provide an independent, upfront and scientific assessment of potential mining impacts on strategic agricultural land and its water resources – before a development application is even lodged.

Yours Sincerely,

Sam Haddad
Director-General

15/11/2013 .