25 October 2013

Response to questions about upcoming changes to complying development.

RESPONSE:

The new planning system delivers a number of improvements to the complying development track.

Significantly, councils will be able to amend the statewide complying development code to reflect the local character of their areas. That means a say on issues driven by local conditions such as placement of windows, privacy and light.

Residents will also benefit from new changes to notification of complying development including the introduction of a new mandatory 14 days notification period prior to approval.

There will also be a mandatory notification to neighbouring residents, seven days before construction commences, up from the existing two day notification.

These are important changes as complying development now accounts for more than 25 per cent of all development approvals in NSW and is a faster assessment process.

The latest Local Development Performance Monitoring Report (2011-12) found the median determination time for a complying development was eight days, showing most complying developments are determined quickly and any delays are generally resolved between the applicant and the certifier (or council).

There is no change to the appeal rights that apply to complying development. Whilst there are no applicant appeals available for complying development, individuals can lodge a development application as an alternative to the complying development application.