

TOWN PLANNING

Napoleons versus Hampdens

TOWN-PLANNING procedures have come under fire from two quarters in New South Wales in recent weeks. One attack has come from the Napoleons of redevelopment, those iron men who want, quick and lively, to rip up the run-down or shabby parts of older residential suburbs and put in bigger and better buildings, usually home units. They complain that local councils are both too slow and arbitrary in their

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decisions, and one of their organisations — the North Shore Planning and Development Group — has called for the curtailment of councils' powers or the replacement of councils by new regional "streamlined administration bodies." They gave this example of the sort of thing they want to overcome: the North Sydney Council recently decided to reduce the amount of unused space around buildings — a decision welcomed in principle by the developers but which by its suddenness and unexpectedness meant that developers had to put all their plans back on their drawing-boards at a cost of several millions of dollars. They would obviously like to see councils abolished, but, meanwhile, they would settle for having their powers reduced.

The other attack has come from those new village Hampdens, the citizens and home-owners who find that the amenity of their suburbs is being destroyed by the redevelopers. They wake up one day to find a huge block of home units going up next door and find they have no rights of appeal against the councils' decisions to allow it, although the developer has the right of appeal to Court if a council refuses to allow him to put up his block of home units. These citizens also have the support of Supreme Court judges, such as Mr. Justice Hardie and Mr. Justice Else-Mitchell, who call for legislation on the lines of the Queensland and Victorian Acts which give the citizen the right of appeal against a council's decision

which destroys the value of his property. It is no use saying, as some aldermen do, that home-owners already have the right to object to councils before a decision is made, since in many cases few people know what the councils are considering.

The first attack was quickly repulsed by the Minister for Local Government, Mr. P. Morton. He said he had never heard of the North Shore Planning and Development Group and that he was determined that councils retain their rights, although he would like to see some streamlining of decisions. The second attack, however, was victorious: Mr. Morton said he would shortly submit plans to Cabinet to allow home-owners the right to appeal against councils' decisions. His problem will be to find a way of protecting citizens' rights against developers while not giving a permanent green light to over-litigious cranks.

But Mr. Morton also made another decision which may go to the heart of the matter. One of the causes of citizens' complaints and developers' delays is the shortage of qualified town-planners in the State Planning Authority. Set up five years ago to help prepare and to approve town-planning schemes and development applications, the SPA has always been hampered by its lack of qualified staff. It now has 55 planners, but even five years ago was meant to have 77. This single factor causes many of the delays. "One of the biggest complaints from developers and councils was the delay in getting planning approval through the authority," Mr. J. P. F. Kacirek, the authority's chief planner, said last week. "We don't blame them. But it's just a question of water running through a pipe: you can only get so much through in a given time."

Since it is hard to recruit good town-planners against the seductions of private industry, the solution approved by Mr. Morton is to allow the SPA to use outside expert planners wherever possible. This could mean that more ratepayers could have the advantage of the planning of such firms as Clarke Gazzard and Partners.

What the Minister has not yet approved, however, is taking certain powers from the SPA and vesting them in the local councils in order to free the SPA and to give more authority to local councils. The SPA has to waste time on a lot of detail that councils

Minister for Local Government Morton (l.) looks things over with N.S.W. State Planning Authority chairman Mr. N. Ashton



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could handle and Mr. Kacirek gave the hint to Mr. Morton: "We have to get local councils doing local things which we, as a State body, should not be required to do," he said.