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JBA Planning launches in the Hunter!



JBA is pleased to announce the opening of our new and third office in the booming Hunter!

Whilst the office in Newcastle is new, JBA is not new to the region. Some of our better known projects in the area include the redevelopment of the Royal Newcastle Hospital Site, the Huntlee New Town, Branxton, the Knauf Insulation Plant proposed for the Steel River site, and the Magenta Shores resort complex at North Entrance.

The new Hunter Office, located at 35-37 King Street Newcastle, demonstrates JBA's commitment to servicing a region that encompasses a strong, diverse economy with impressive growth forecasted.

We've appointed two fantastic senior people to head up our office there. Newcastle local Scot Brown, an Associate of the firm, has been appointed the manager of the Hunter Office. Scot's 2IC will be Shannon Sullivan, a well-known local planner with over 15 years experience. Shannon has worked in consultancies in the Hunter for the past five years and before that worked for four Lower Hunter Councils.

An official party to launch the new office and introduce all of the senior JBA staff is being held this week at The Sebel Newcastle Beach, a venue close to JBA's heart as one of our local projects.

A Special Edition of the JBA Alert on the new Hunter office will be released next week. Stay tuned!



Welcome to the JBA Alert!

The JBA Alert is a regular newsletter from JBA Planning to our key clients and contacts.

In this edition of the JBA Alert, we keep you updated with the previously announced NSW Planning Review and the Waverly and Canada Bay draft LEPs recently placed on exhibition.

In our feature article, we profile the outcomes of the workshop between Corrs Lawyers and JBA Planning about Section 94 and Voluntary Planning Agreements (VPA).

We have exciting news in our JBA Update announcing the opening of our third office in NSW, and the commendation extended to our Founding Director, Julie Bindon, as the winner of the UDIA NSW Women in Development Leadership Award.

Are you interested in more information on what we do at JBA? Visit the "News" section of our website to browse other editions of the JBA Alert.

www.jbaplanning.com.au

Kind regards,

[Andrew Duggan](#) and [Lindsey Gray](#)
(editors)

Planning Review Update

The NSW Planning Review continued throughout October, with a number of sessions held across NSW. The key discussion points of each of the sessions are available on the Planning Review website. The sessions will continue through November, with a number of sessions to

be held across Sydney. No registrations are required, refer [here](#) for the session details.

The Planning Review intends to issue a Issues Paper in early December. Register [here](#) to receive an electronic copy of the Issues Paper. The JBA Alert will provide a summary of the Issues Paper once released.

JBA & Corrs Workshop

On the 3rd of November 2011, JBA Planning and top tier law firm Corrs Chambers Westgarth, held a workshop with clients to discuss developer contributions and voluntary planning agreements. See the [Feature Article](#) following for more details.

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Electronic Housing Code Pilot Program

The Department of Planning & Infrastructure has released the pilot project '[Electronic Housing Code](#)', an online system for the electronic lodgement of complying development applications under the NSW Housing Code for lots 200m² and above. Using the Electronic Housing Code, applicants can:

- Investigate your development options for an individual site;
- Generate an exempt development report;
- Prepare your complying development application electronically;
- Lodge your application electronically; and
- Monitor the progress of your application.

For a complete list of the 11 Councils participating in the pilot project click [here](#).

Developer Contributions and Voluntary Planning Agreements

Corrs Chambers Westgarth and JBA Planning Workshop with Clients

On the 3rd of November 2011, JBA Planning and top tier law firm Corrs Chambers Westgarth, combined their knowledge and expertise to hold a workshop with clients to discuss contentious issues around the developer contributions and voluntary planning agreements (VPAs) regime under the Environmental Planning and Assessment Act 1979 (EPA Act).

During the workshop, our clients had the opportunity to raise issues relating to this topic, which JBA and Corrs will translate into a written submission to the NSW Planning System Review.

Special guest, Peter Holt, Senior Legal Advisor at the Department of Planning and Infrastructure also attended, and spoke about State infrastructure contributions.

The workshop generated lively debate about the practical workings of the current system. Some of the many issues raised during the evening were:

- Section 94 contributions have a significant impact on development feasibility. Developers should have the right to elect to provide works in kind instead of monetary contributions. Works in kind contribute to a sense of place and add direct value to a development.
- Section 94 contributions are often very difficult to calculate at the due diligence/feasibility stage.

- VPAs are being used for purposes that were not originally intended; for example, as an additional tier of development control and as a supplement to or replacement for conditions of consent.
- A third party umpire should be introduced to oversee the use and content of VPAs, and to resolve commercial conflicts during the negotiation phase.
- There needs to be a system to handle the pooling of contributions for infrastructure and/or refunding contributions paid by 'first in' developers, and/or to allow forward funding by Councils or Government agencies.

JBA Planning wishes to thank Corrs Chambers Westgarth and all of our clients who participated in this dynamic session, and Peter Holt from the Department for generously giving his time and contributing to the workshop.

**CORRS
CHAMBERS
WESTGARTH**
lawyers

JBA
planning

JBA Approved Projects

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St Catherine's School, Waverley

On 31 August 2011, the Sydney East Joint Regional Planning Panel (JRPP) granted development consent for the refurbishment of administration offices and the construction of a new 3 storey Music and Visual Arts Wing at St Catherine's School, Waverley. The JCA Architects' designed scheme will provide St Catherine's with improved access and street appeal, and provide existing staff and students with an upgraded/new learning and working environment. A compliant and sensitively designed scheme, along with JBA's collaborative working relationship with Waverley Council, ensured the proposal also received Council officer support. JBA is pleased to have been able to assist St Catherine's, Australia's oldest independent girl's school, in obtaining approval for this important school project.

Client: St Catherine's School



Source: POD Group



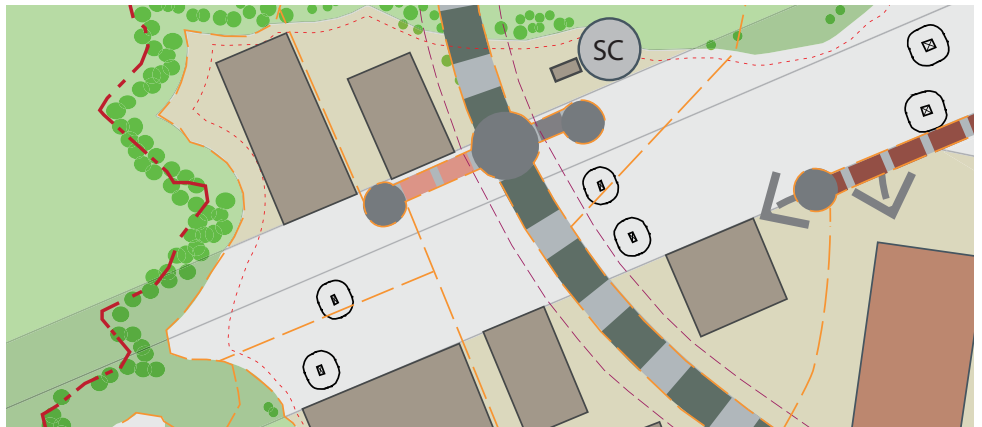
Source: Lucid Metal

45 Macquarie Street, Parramatta

On Friday 28 October 2011, the Planning Assessment Commission granted approval to a new mixed use development in the Parramatta City Centre comprising some 1,400m² of retail floor space, 3,000m² of commercial floor space and 367 high-quality residential units. In its northern section, the development will accommodate a ground floor archaeological plaza with an associated interpretation centre and café. The archaeological plaza will provide an in situ display of some of Australia's most valuable convict-era archaeological finds. JBA assisted the developer, Crown International, in gaining approval for this exceptional project which involved a rigorous design review panel process to ensure that the development achieves the design excellence and a high level of residential amenity.

Client: Crown International

Ropes Creek Concept Plan and Project Approval



Also in October 2011, the PAC and the Department of Planning and Infrastructure approved a Concept Plan and concurrent Project Application for the redevelopment of land at Ropes Creek within the Western Sydney Employment Area (WSEA). The Concept Plan provides for 81 hectares of developable land which has the ability to deliver between 1,620 and 3,240 jobs. The stage 1 Project Approval relates to the construction of the first two warehouses

within the Concept Plan area which have a combined Gross Floor Area of 42,470m². On behalf of the land owner, Jacfin Pty Ltd, JBA prepared the Environmental Assessment Report, Concept Plan Drawings, Site Development Design Guidelines and the Preferred Project Report.

Client: Jacfin Pty Ltd

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Source: Marchese Partners International

619 Pacific Highway, St Leonards

JBA recently assisted Duppa Pty Ltd in obtaining approval for a 16 Storey mixed-use building comprising 48 apartments and 21 serviced apartments. The DA was recommended for approval by North Sydney Council officers and subsequently approved by the Sydney East Joint Regional Planning Panel on 19 October 2011. The Marchese Partners designed building maximises the highly constrained site to produce a striking tower at the entrance to the St Leonards Centre.

Client: Duppa Pty Ltd.

LEP Update

Draft LEP for Waverley Council

Waverley Council recently placed the [draft Waverley Local Environmental Plan 2011](#) and [draft Development Control Plan 2011](#) on public exhibition. The draft LEP implements the Standard Instrument and aims to consolidate the existing planning instruments that apply across the LGA, including the Waverley LEP 1996, Waverley LEP (Bondi Junction Centre) 2010 and Draft Waverley LEP 1996 (Amendment No. 33).

The public exhibition of the draft plans closes on 30 November 2011. To make a submission, email Council at planning@waverley.nsw.gov.au. If you require any advice regarding the draft Waverley LEP or DCP, please contact [Andrew Duggan](#), Director Research and Advice.

Appointments to Advisory Local Planning Panel

A new Local Planning Panel has been set up by the Department of Planning and Infrastructure to engage with councils and industry groups about how the flexibility of the standard instrument LEP could be improved. Tony McNamara from

Canada Bay Council has been appointed chair with Glennys James, Blacktown City Council, and Melissa Watkins, Dubbo City Council, along with representatives from the Department of Planning and Infrastructure.

Draft LEP for City of Canada Bay Council

On 1 November 2011 the City of Canada Bay Council resolved to publicly exhibit its draft Comprehensive Local Environmental Plan from 14 November 2011 through to the end of February 2012. The LEP generally translates the existing controls within Canada Bay Local Environmental Plan 2008, into the Standard LEP Template Format. It does, however, include the rezoning/upzoning of several key sites and the

reclassification of some Council land. The draft Comprehensive LEP and supporting documents will be available on Council's [website](#) from 14 November 2011. Council will also be holding information sessions for interested persons.

If you require any advice regarding the draft City of Canada Bay Comprehensive LEP, please contact [Andrew Duggan](#), Director Research and Advice on 9956 6962.

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UDIA NSW Women in Development Leadership Award Congratulations Julie!

Special congratulations go to our founding Director, Julie Bindon, for taking home the honours of the UDIA NSW Women in Development Leadership Award!

The winner of the award was announced during the Gala dinner of the UDIA NSW State Conference 2011 held on the 13th of October.

From early on in her career, Julie saw a need to bridge what can sometimes be a significant cultural gap between the development industry and the planning profession. Accordingly she has worked on many planning and industry committees and through lecturing to students.

Julie started JBA Planning at 35 years of age after 5 years as a partner in an architectural/planning firm. She is also the mother of two children (now both Uni students) and has set an example for other female and male colleagues on the possibility (and benefits) of combining a successful career with having a family.

Julie's leadership ability is evident not only in the exceptional growth of JBA Planning during the past two decades, but in her guidance and maintaining our company vision as the 'Leading Independent Experts' in the planning industry. She has sought to bring on board other talented planners, administrative staff and business coaches demonstrating her true leadership by recognising the talents of others and encouraging a collaborative team approach.



UDIA NSW President, Barry Mann, Julie Bindon and Chairperson UDIA Women in Development Committee Madeleine Culbert

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Scot Brown
Associate
BURP

Scot Brown joined JBA Planning in October 2011 as an Associate within our Coastal & Regional Projects team. Scot heads up JBA's recently established Hunter Office in Newcastle. Scot holds a Bachelor of Urban Planning and has over 19 years planning experience both in New South Wales and Queensland.

Scot's statutory planning background provides a comprehensive understanding of the development assessment process from project feasibility through to approval, construction and compliance. He has assessed, prepared and coordinated many major development applications and has extensive knowledge of the legislative planning provisions across New South Wales and Queensland.

Good communication skills and direct involvement in a range of projects compromising intensive stakeholder consultation have provided Scot with the ability to resolve planning and development related issues through a process of negotiation and mediation.

In his spare time, Scot enjoys four wheel driving, camping, bush walking, playing golf and throwing the frisbee.



Shannon Sullivan
Principal Planner
BURPRegPlan BNatRes

Shannon Sullivan also joined JBA in October 2011 as a Principal Planner in our Coastal & Regional Projects team, to assist in the operation of the Hunter Office where he will be based. Shannon holds a Bachelor of Urban and Regional Planning and a Bachelor of Natural Resources. With over 15 years planning experience in both the public and private sectors, Shannon has extensive knowledge in statutory planning and its associated legislation as well as a sound and skillful understanding of the process of guiding a development through to approval.

Prior to joining JBA Planning, Shannon worked for CBRE's Hunter Division as an Associate Director, and before that in ADW Johnson as a Senior Planner. Since joining the private sector, Shannon has worked on numerous projects that include major developments, residential flat buildings, commercial and industrial developments, land use rezonings, subdivisions of up to 600 lots, education and civic developments, and residential housing.

Away from the office, Shannon enjoys spending time with his wife and two daughters, going to the beach and keeping active and fit.