

Resolution of Council

27 October 2025

Item 10.6

NSW Government Planning Reforms Risks to Transparency, Affordability and Supply

Moved by Councillor Ellsmore, seconded by the Chair (the Deputy Lord Mayor) –

It is resolved that:

(A) Council note:

- (i) that the Environmental Planning and Assessment Amendment (Planning System Reforms) Bill 2025 introduced by the NSW Labor Government, makes sweeping changes to the Environmental Planning and Assessment Act 1979; and
- (ii) that the Council and the Lord Mayor have consistently and strongly advocated against changes to the planning system which undermine transparency, local planning, environmental sustainability and affordability; and

(B) Council further note:

- (i) that the new Bill significantly increases the discretion and control over development in NSW by the Minister for Planning and by planning authorities appointed by the Minister. This increases the risk of influence and corruption in planning processes, and will decrease community input and confidence in planning decisions;
- (ii) that the Sydney Morning Herald published an article on 19 October 2025 entitled “How Morris lemma helped James Packer get his way on a \$100m Potts Point development” which reported alleged lobbying by the former Labor Premier Morris lemma in relation to the controversial “Chimes” development in Potts Point;
- (iii) that this development would demolish 80 low-cost studio and one-bedroom units to build 34 luxury apartments, with a small number of affordable units included for a limited time;

- (iv) that this development has been the subject of extended legal action, including as a result of Council's refusal of development applications for the project;
- (v) that this development faces strong and consistent opposition from the community, who are campaigning to maintain and expand affordable housing supply in their local area;
- (vi) that lobbyists for the developer, when Council was introducing the proposed "dwelling retention" rules which could impact this development, lobbied Council for a "savings provision" to protect developments like theirs;
- (vii) that Council did not agree to introduce the savings provision into the Council's draft "dwelling retention" rules that were requested by the developer's representatives;
- (viii) that through the Gateway process - which Council is required to follow when amending its planning rules - the NSW Minister for Planning Paul Scully required that a savings provision be included; and
- (ix) that this development is now the subject of an application for approval through one of the "streamlined" planning pathways, which remove Council's ability to collect affordable housing levies from the increased value uplift.

Carried unanimously.

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