

Eyre Peninsula Local Government Association District Council of Cleve 5 September 2014 Summary of Workshop Outcomes

Theme 1-Roles and Responsibilities

State Planning Commission

The concept of a State Planning Commission was generally supported subject to qualifiers about the membership including an understanding of regions. Positive comments about this reform included improving consistency and uniformity, being more accessible than the Minister and consolidating roles of DAC and DPAC.

It was suggested that a Commission and Regional Boards should all be measured against clear and meaningful KPIs.

Regional Planning Boards

The concept of regional planning boards was generally considered to warrant further investigation. Matters that need to be carefully considered prior to this model being implemented include:

- How regional boundaries would be determined – Eyre Peninsula is large geographically. The differences between provincial cities and rural Councils would need to be recognised.
- The distance that would need to be travelled by communities to participate in regional decision making.
- How this model would impact on efficiency and red-tape.
- The potential for video conferencing of regional meetings (questions about reliability/availability of technology).
- The composition of regional boards and their Terms of Reference.
- How members would be appointed - there was a suggestion that the regional chairs should be appointed by the Commission rather than the Minister.
- How much access would there be to accredited professionals at the Regional Board level - what would be costs be?
- The level of funding required from Councils and how contributions would be determined - how would additional costs be covered?

There was some cynicism about how this model would work based on experiences with other regional boards. Local Government is wary about cost shifting.

It was recognised that some decisions would become more local (those currently made centrally by State Government).

Regional Boards would need to be empowered to make decisions and carry out its functions with autonomy from the State Government.

Consultation Summary

Charter of Citizen Participation

The idea of a Charter of Citizen Participation was genuinely supported. Particularly improving engagement at the policy level and scalability to suit the complexity of a project.

There was some frustration expressed that Councils spend a lot of money and go well above the prescribed standards to engage with Communities and still get a low response rate and complaints about a lack of consultation.

The potential for increased costs to planning authorities was noted.

Independent Planning Inquiries

This idea was generally supported, subject to inquiry panels being independent.

Role of Parliament

This idea was generally supported, but there was some caution about the extent to which the system could be made more complex by expanding the role of Parliament - there was resistance to adding 'another layer'.

Theme 2 - Plans and Plan Making

Framework for State Directions

This idea was generally supported to promote better alignment and consistency across regions; however it was noted that directions can keep changing and other plans quickly become inconsistent.

State Directions need to be developed in collaboration with agencies and Councils and in consultation with communities.

Reshape Planning Documents on a Regional Basis

There was a strong view that Councils should have primary responsibility for local policy setting (particularly if independent panels are introduced). This may be possible within a regional plan if Councils can have local variations and local structure plans etc.

Regional Boards should be empowered to develop regional strategies without too much interference by other 'layers'.

The complexity of getting agreement between Councils within a Region on strategic directions was acknowledged as a potential barrier.

The group recognised that there are both positive and negatives to this reform and a thorough cost benefit analysis would be required.

Consultation Summary

Enact a State-Wide Menu of Planning Rules

This idea was generally considered to be workable and suitable, subject to qualifiers about capacity to include local variations.

If the menu is constantly evolving and being updated, it would be very difficult to consult with the community and Councils.

As with the current library, policy detail at a zone level (height, density, set-backs etc) should be discretionary and should be determined by the relevant Council. General policy such as aquaculture, primary production, mining, industry etc can be dealt with consistently.

Build Design into the Way We Plan

The concept of form-based codes was generally not supported. Mixed use zones in the right locations may achieve the same objective.

Design guidelines should promote uniqueness and variation in built form in some locations and sensitivity and compatibility in others.

Heritage

The reform idea was generally considered to be workable and suitable, particularly improving clarity to owners of heritage properties about what they can and can't do.

It was recognised that the audit of properties would probably result in costs to Councils. Local input in heritage matters should be retained and may be achieved through a Heritage Advisory Committee.

Making Changing Plans Easy, Quick and Transparent

Improvements to the DPA process are strongly supported.

Reducing requirements for an SOI are generally supported, if it adequately recognised that complex or contentious proposals should require a strong planning business case.

There is some caution about a direct approach to a regional board by a private land owner. It is suggested that these proposals should continue to be facilitated through the relevant Council. Private land owners should be required to submit a detailed business case/statement of justification in support of rezoning proposal.

There is support for tightening of interim operation criteria.

Consultation Summary

Theme 3- Development Pathways and Processes

Adopt Clearer Development Pathways

A prohibited category of development was generally supported.

Reducing merit assessments is supported in theory, but members of the group were wary of how this would work. Rather than remove matters from the system, it would be better to have clear assessment pathways with clear processes and expectations to provide greater certainty.

Staged and Negotiated Assessment Pathways

Introducing a 'staged' planning consent was generally not supported - it is considered to be too complex and impractical.

A formal pre-lodgement process was generally supported, subject to cost recovery fees. Statutory indemnity is supported.

A complaint process for information requests may hold up the process and be a waste of time. It would be better to provide clear information request guidelines.

Improve Consultation on Assessment Matters

This idea was generally supported.

Introducing site signs is a good idea, for development that is of large enough significance to warrant general notification.

Regional Independent Development Assessment Panel

Councils expressed some concern about being asked to fund a Panel that they have no influence over.

The Panel should be aware of the challenges of getting skilled and qualified independent experts to the Regions and the significant costs to Councils.

There should be enough accredited professionals within a region so that meetings can be held in various locations without needed to travel great distances.

Make the Appeals Process more Accessible

This idea is generally supported.

Overall the group didn't object to Council having a mediation role, but suggested that a cost recovery fee would be important. Another important qualifier is that mediation should not be the role of the assessment officer.

Consultation Summary

There needs to be a mechanism to ensure that the re-hearing process is not used for frivolous or vexation complaints. A timeframe in which to request re-hearing needs to be implemented.

More Effective Enforcement Options

This idea received general support.

The group suggested the idea of monetary penalties include a charge on the land.

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Investment in a state-wide system needs to come from State Government.

Culture

The need for a change in culture was recognised by some members of the Group. The culture needs to be more supportive of development and planners need to work with applicants to facilitate development.

The culture of State Government also needs to change. The relationship with Councils needs to change so that issues/decisions are fully explained before you get a 'no'.

Other Issues Discussed

- There needs to be a thorough economic analysis of this package of reforms. Costing the current system versus the proposed system.
- The recent announcement about the role of the Coordinator General seems to be at odds with the direction of the Panel, which is seeking to increase decision making within Regions. The \$3 million threshold is in conflict with the Panel's recommendations and brings doubt about the Government's appetite for the planning reform ideas.