











Preliminary High Level Analysis of Impact on Local Government Roles and Responsibilities

Planning Role or Function	Current System	Proposed System	Impact on Local Influence	Impact on Resourcing
Strategic Planning				
Development/Review of Regional Planning Strategy	<p>Direct responsibility rests with the State.</p> <p>Local Government is consulted in the development of the strategy and may attend workshops etc.</p> <p>Costs to Local Government primarily involve staff time, but can also include consultant costs for external reviews and submissions.</p>	<p>Development of the strategy would occur at the Regional Board level (in regions) or the State Planning Commission (metro).</p> <p>There is potential opportunity for more direct Council involvement.</p> <p>The Panel's view is that Council employed planners would provide the required staff resources.</p>	<p>Potentially more influence. </p> <p>A regional board would liaise more closely with Councils to develop the strategy, with direct input from Council staff.</p> <p>Less benefit in the metro area, where planning strategy would be coordinated by the Commission.</p> <p>It is not intended that individual Councils would need to 'sign off' on regional planning strategies.</p>	<p>Increased costs </p> <p>Increased staff time resulting from more participation in the process. Local Government senior officers would play a key advisory role.</p> <p>Co-contributions to Regional Board would be required.</p>
State Directions	Not a feature of the current system	<p>New suite of high level targets and directions issued by the Minister, with advice from the Commission.</p> <p>Local Government may be consulted on State Directions.</p>	<p>Neutral impact. </p> <p>This creates a new vehicle for State Government to exercise existing powers to issue a direction that must be complied with in planning strategy and policy documents.</p>	<p>Possible increase costs through staff time to participate in consultation processes. </p>
Public Health Plans	<p>Not currently integrated with the planning system under the Development Act.</p> <p>Under the Public Health Act, Councils are required to adopt a public health plan, either individually or as a region.</p>	In time, public health plans would be integrated with regional planning strategies, rather than 'stand alone' plans.	<p>Potentially less influence </p> <p>Councils current have autonomy to develop an individual plan, subject to meeting legislative requirements. Individual Councils may have less influence over a regional plan</p>	<p>Decreased costs or neutral impact </p> <p>This does not result in new requirements for Councils and theoretically there should be reduced costs to produce a fewer number of plans.</p>

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			that is authorised at the Regional Board or State Planning Commission level.	
Non-legislated plans Open Space, Infrastructure, Environmental Plans etc	Not currently integrated with the planning system under the Development Act. Some Councils currently produce strategies or plans for a range of functional areas that are not required by legislation. For example, some Councils adopt an environmental management strategy or open space/recreation strategy	In time, it would be a requirement for regional strategies to incorporate infrastructure, open space, environmental and other considerations.	Neutral impact overall Considerations would be at a regional level, rather than a local level. Benefit is improved integration.	Variable The cost impact would vary between Councils depending upon whether Council is already investing in the development of these plans. May result in more effective service delivery and operational savings in time by avoiding 'over delivery' of services on a regional level.
Section 30 Strategic Directions Report	Councils are required to prepare a Strategic Directions Report (SDR) at least every 5 years. Often undertaken in conjunction with Strategic Planning under Local Government Act 1999 Costs include staff time, public consultation and consultants.	Councils would no longer be <u>required</u> to prepare an SDR. However, Councils would still be required to submit strategic plans under the Local Government Act. Councils <u>may</u> be consulted on State Planning Directions.	Neutral impact Local planning processes such as the SDR are important in understanding community expectations, but respond to, rather than influence, state plans. No certainty about level of Council involvement in State Directions.	Potential savings Councils would no longer need to fund a Section 30 process. However, potential savings are likely to be redistributed to participation in other planning processes such as planning strategy and state directions.
Structure Plans	Currently prepared by DPTI in consultation with Councils as the plan for implementing the Planning Strategy in a specific area.	No direct mention of structure plans in the Panel's recommendations. However, they may be an aspect of Regional Planning Schemes.	Neutral impact	No new obligations for Councils, but possible increased costs through co-contributions to Regional Boards
Planning Policy				
SA Planning Policy Library	The Planning Policy Library is maintained by DPTI, with input from other State Agencies.	The 'library' would be replaced by a State Planning and Design Code, which is maintained by	More influence through the ability to initiate changes to the Code.	No new obligations for Councils.

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	<p>Reviews and updates of the library are not systematic. Councils are given an opportunity to comment when updates are proposed.</p> <p>There have been applications to the LGR&DS by agencies to update the library, indicating that current state government funding is inadequate.</p>	<p>the State Planning Commission.</p> <p>Councils would be consulted on changes to the Code and would have the ability to initiate changes to the Code.</p> <p>A systematic review is proposed every 5 years.</p>		<p>New opportunity to initiate a change to the State Planning and Design Code may result in additional costs.</p> <p>Staff time would be required to participate in regular review process.</p>
Development Plan Amendments- Statement of Intent	<p>A Statement of Intent (SOI) is required to commence each individual Council initiated Development Plan Amendment.</p> <p>This has become a significant process in terms of the time and cost involved.</p> <p>An SOI must be considered by DPTI and authorised by the Minister.</p>	<p>The Statement of Intent would be short, simple document and could initiate a program of amendments, rather than individual amendments.</p> <p>SOIs for Council proposals would be authorised by a Regional Board.</p>	<p>Neutral impact</p> <p>Councils would retain the ability to commence a Development Plan Amendment (or series of amendments)</p> 	<p>Decreased costs</p> <p>Potential for saving through reduced staff time to prepare and manage individual SOIs.</p> <p>Less investigation will be required at the SOI stage, but this is cost neutral as they are likely to still be required at the amendment stage.</p> <p>Potential for savings related to economics of scale if Councils collaborate on a program of amendments.</p> 
Development Plan Amendment	<p>A Council Development Plan can be amended by the Minister or a Council.</p> <p>Council amendments must be supported by significant investigations.</p>	<p>Council Development Plans would be merged into a Regional Development Plan (one plan for metro area).</p> <p>Amendments could be proposed by the Minister, Council, regional planning</p>	<p>Potentially less influence, depending on the extent to which local variations can be included in regional plans.</p> <p>Councils are likely to feel less 'ownership' over a regional plan</p> 	<p>Potential reduction in staff time for Council led DPAs if process becomes more straightforward and is more efficient.</p> <p>It is likely that Councils would be managing a reduced number</p> 



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	<p>Significant staff time is required to prepare and manage an amendment, which may be active for several years.</p> <p>Councils are required to select policy content from the SA Planning Policy Library, with undefined scope to include local policy variations.</p> <p>Agency and public consultation is required</p>	<p>boards, state agencies, land owners and infrastructure providers.</p> <p>Timeframes would be imposed at each stage of the zoning process.</p> <p>Most amendments would be authorised by the Commission.</p> <p>Zones and policy would be selected from the State Planning and Design Code, with some scope for local variations.</p> <p>Updates to the state Code would flow automatically across Regional Plans</p>	<p>that can be amended by an increasing number of other bodies.</p>	<p>of amendments due to automatic updates.</p> <p>However, this saving may be off-set by staff time spent reviewing and responding to DPAs commenced by other bodies.</p> <p>Potential increase in community engagement costs to comply with the Charter (unlikely to impact on those Councils already exceeding statutory requirements.</p> <p>There is no suggestion that a reduced level of investigations would be required.</p>
Development Assessment				
<p>Consultation on DAs</p>	<p>Approximately 15% of Development Applications require a form of consultation.</p> <p>Cat 2 applications (10%) require a written notification to directly adjoining/adjacent owners/residents.</p> <p>Cat 3 (5%) require written notification to affected residents and a notification in a newspaper circulating in the relevant area of the state.</p> <p>Other processes include:</p>	<p>It is proposed to streamline development pathways and reduce the number of development applications that would be subject to consultation. In the proposed model, public consultation would be concentrated at the strategy and policy setting stage.</p>	<p>Neutral impact</p> <p>Staff employed by the Councils would continue to undertake objective assessments against the Development Plan.</p>	<p>Administration costs associated with the notification process (printing and sending of the letter etc) are recovered/subsidised by development application fees.</p> <p>Reduced processing requirements could reduce the timeframe for some assessments and save staff time.</p> <p>In the early stages of reforms, savings on processing times and likely to be offset by</p>







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	<ul style="list-style-type: none"> Advising the applicant of representations received; Negotiating amendments to address concerns Preparation of a Development Assessment Panel report Presentation of report at DAP meeting Advising representors of decision 			increased community enquiries and complaints as a result of less notification. This could be addressed in time by a comprehensive community education campaign, which would require resources to implement.
Development Pathways	<p>Currently development is assessed within three basic pathways:</p> <p>Complying (incl. Res Code)- 8% Merit- 90% Non-complying 2%</p> <p>This means that the vast majority of 'development' (defined in legislation) is subject to a full assessment against all relevant provision of the Development Plan.</p>	<p>Four development pathways are proposed:</p> <p>Exempt Standard Assessment Performance-Based Prohibited</p> <p>These proposed pathways would significantly reduce the number of matter that require a full merit assessment.</p>	<p>The level of influence Council has over development outcomes is dependent on matters such as:</p> <ul style="list-style-type: none"> The assignment of different development types to each category (including prohibited); The content of the State Planning and Design Code; and Ability of Councils to impose conditions of consent. 	<p>Council would continue to receive and process all development applications.</p> <p>Conceptually, the new development pathways would simplify the assessment process- resulting in less staff time required to process the majority of applications.</p> <p>Cost impact needs to be informed by a review of development application fees.</p> <p>Creating or reproducing community education resources would be beneficial, at additional cost.</p>
Development Assessment Panels	Councils are required to establish a Development Assessment Panel (CDAP) as the delegated authority for	It is proposed that individual Council DAPs be replaced by Regional Panels, which would only consider applications	<p>Reduced influence</p> <p>Councils would not have a role in</p>	<p>The costs of a Regional DAP would be shared by the Councils in a region (through contributions to</p>








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	<p>development assessment. Councils may establish a Regional Development Assessment Panel.</p> <p>Panel members are appointed by the Council and typically include an independent Presiding Member, three independent members and three Council Members. At least 50% of the ordinary members must not be Council Members or staff.</p> <p>Councils currently decide the matters that are delegated to the Panel and those that are delegated to staff via Council's delegation register.</p> <p>RDAPs currently rotate the administrative arrangement between the member Councils on a yearly basis.</p> <p>On average, less than 10% of a Council's development applications are referred to the Panel.</p>	<p>within the performance-based pathway.</p> <p>The Regional Board would appoint the Regional Panel, selecting from independent accredited experts.</p> <p>A Regional DAP coordinator would be employed by the Regional Board.</p> <p>Council planning managers would present assessment reports to the Panel.</p>	<p>appointing CDAP members (or a reduced role)</p> <p>Elected Members would not have a role in the assessment of development applications.</p>	<p>the Regional Board), resulting in cost efficiency.</p> <p>Administrative staff time would be saved as a result of not having to prepare a DAP agenda and prepare for a meeting.</p> <p>Administrative process relating to the appointment of DAP meetings would no longer be required- resulting in saving of staff time.</p> <p>Depending on any registration or accreditation requirements, some Councils may not employ an officer at the level of 'planning manager'.</p>
Major Projects	<p>Minister can call-in a development application as a 'Major Project' for assessment by the DAC</p> <p>The relevant Council(s) can make a submission to the DAC</p>	<p>There would be better defined triggers for the assessment of a major project, but little change to the role of Councils.</p> <p>Consultation requirements would be in accordance with the</p>	Neutral impact 	Neutral impact 

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	during a public consultation period.	Charter of Citizen Participation.		
Assessment of Significant Assessments (Coordinator General)	Development proposals of economic significance, with a value exceeding \$3 million can be called in by the Coordinator General for assessment by the DAC.	<p>This process does not feature in the Panel's final report.</p> <p>The Panel has favoured the establishment of Regional Development Assessment Panels to deal with these matters.</p>	<p>Potentially more influence </p> <p>Applications likely to be lodged with Councils to prepare an assessment report for a Regional Development Assessment Panel.</p>	<p>Development assessment fees for more significant applications may be returned to Council as the assessment authority. This would reverse the significant financial impact created by the Coordinator General reforms. </p>
Appeals	<p>In the majority of cases, applicants have the right to lodge an appeal against a refusal, condition of approval, disputed procedural matter or enforcement action.</p> <p>Third party appeal rights are available to representors for Category 3 developments.</p> <p>The appeal process includes a compulsory conference to seek a resolution prior to proceeding to a Hearing.</p>	<p>There have not been significant amendments proposed to the appeal process.</p> <p>A desk-top review option is proposed for straightforward matters, in place of a current process.</p> <p>There could be a reduction in the number of matters that could be subject of a third party appeal.</p>	<p>Neutral impact </p>	<p>Potential saving resulting from streamlined appeal processes and a reduction in the number of matters proceeding to an appeal. </p>
Enforcement	There are a number of compliance and enforcement responsibilities that Council have under the Development Act. Of particular importance is for Councils to ensure that all 'development' occurs with the appropriate consents, that all conditions of approval are complied with and all work is	The Panel proposes to introduce more sanctions and penalties to deter people from doing the wrong thing.	<p>Neutral impact </p>	<p>Requires further review </p> <p>More enforcement options will possibly result in more administrative costs, which may be offset or subsidised by expiations.</p> <p>Simplifying enforcement processes may reduce staff</p>

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	<p>undertaken in accordance with the approved plans.</p> <p>There are other matters in which Councils may issue sanctions such as failure to advise that building work at various stages had been commenced and completed.</p>			<p>time and court costs.</p> <p>Council may recover more costs associated with costly Court processes.</p>
General				
E-planning	<p>Currently there are varying degrees of capability across the sector for planning processes to occur electronically. Some Councils accept electronic lodgement of applications and/or payment of fees.</p> <p>All land division applications are recorded and progressed using an online platform (EDALA)</p>	<p>The Panel proposed a central portal for all planning information, including strategies, policies and assessments.</p>	<p>Neutral impact</p> <p>The benefits of this reform relate to efficiency and accessibility of planning information.</p> 	<p>Councils may be asked to contribute to the start-up costs of establishing an online platform.</p> <p>Maintenance costs can be built into assessment fees.</p> <p>Long term savings are likely as a result of increased efficiency.</p>  
Performance Monitoring	<p>Councils are currently required to supply data returns to DPTI, Local Government Grants Commission and the ABS.</p> <p>The information collected is used to report on the 'health' of the planning system and measure development activity.</p> <p>Collecting this information can be tedious and time consuming.</p>	<p>The Panel recommends that more rigorous performance monitoring be undertaken to introduce greater accountability for all decision makers.</p> <p>This will be supported by an e-planning platform, which provides a central collection point for planning data.</p>	<p>Neutral impact</p> <p>Benefits relate to greater accountability in the system.</p> 	<p>Potential increased costs for data collection, if not adequately supported by e-planning.</p> <p>Funding incentives for high performing Councils may be explored.</p> 
Professional Accreditation &	<p>Currently planners do not have to be registered or accredited to</p>	<p>To improve the culture of the planning system, the Panel</p>	<p>Neutral impact on local influence.</p> 	<p>Potential for increased costs to Councils for</p> 

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Development	undertake planning functions, with the exception of the preparation of a DPA.	proposes that the State Planning Commission may require professional accreditation and regular training and development.	Benefits are related to the quality of planning work undertaken.	<p>registration, accreditation and professional development of planning staff.</p> <p>In some cases, Councils may be required to 'buy in' the expertise of an accredited professional. This may have significant cost implications for regional Councils.</p>