

## South East Local Government Association Naracoorte Town Hall 20 August 2014 Summary of Workshop Outcomes

### Theme 1 - Roles and Responsibilities

#### *State Planning Commission*

There was general support for the idea of establishing a State Planning Commission as it was considered that this would improve coordination and make planning more strategic. An important qualifier on this idea was that the Commission needs to be genuinely empowered to make decisions and not add 'another layer' to the system.

#### *Regional Planning Boards*

In principle support was given to the idea of Regional Planning Boards. Many participants noted that this may improve regional input in decision making and provide Councils with a greater say in the strategic plan for the Region. Questions were raised about the composition, appointment and skills/knowledge of board members. Comments reflected the need for regional boards to be independent from State Government and for Councils to be well represented and engaged.

Another key question about the concept of regional planning boards was how the boundaries would be defined and the optimum size of a 'region'. Some participants considered that the current SELGA region is too large geographically to result in a functional authority.

The group recognised the links between the Expert Panel's ideas and the recommendations of the Local Excellence report in relation to regional structures. The possibility for the responsibilities of a regional planning authority to be broadened in the long term to include functions such as health, NRM, Economic Development (RDAs) and tourism was discussed.

Overall, it was considered that the idea has merit, subject to a cost benefit analysis of the proposed model and much more detailed discussion about the apportionment of funding responsibilities between State Government and Councils.

#### *Charter of Citizen Participation*

The idea to introduce a statutory Charter of Citizen Participation was generally supported but considered to need further thought in relation to removing the 'safety net' provided by having minimum standards. The aim of this reform should be to build community trust and increase participation rates (community debate) and there would need to be a high level of accountability to make sure that the Charter is being complied with.

Participants expressed that the Charter would need to be simple and not add significant time or cost to planning processes. There was some concern that a requirement to have an

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endorsed engagement plan may slow down processes such as strategy and policy development.

The Charter should remove the duplication of having to consult with Agencies at numerous points in the policy and assessment processes.

Participants noted that good community engagement can be expensive and the Panel would need to consider how increased citizen participation in the planning system would be funded.

## ***Independent Planning Inquiries***

The group acknowledged that this is a workable idea that may remove barriers and save time and money in planning processes. It was considered that this process would require a high level of transparency, with all advice being published. It was also considered that the process must be truly independent.

## ***Role of Parliament***

This idea was generally supported.

## **Theme 2 - Plans and Plan Making**

### ***Framework for State Directions***

This idea was generally supported.

### ***Reshape Planning Documents on a Regional Basis***

Reform ideas relating to regional strategies are generally supported. Positive points expressed were that there is potential to expand to other policy documents and potential efficiencies for Councils.

There were mixed views about the merits of Regional Development Plans and whether this reform is necessary. The Panel cannot underestimate the importance of retaining local variations in regional planning documents. Councils should have the highest level of influence over local policy matters.

### ***Enact a State-Wide Menu of Planning Rules***

This idea was generally supported as it would improve consistency and currency of policy and create greater efficiency. An important caveat on this idea is the inclusion of regional and local variations to recognise unique issues and opportunities.

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## ***Build Design into the Way We Plan***

Improving design outcomes through better guidelines and standards was generally supported. One comment reflected the need for design standards to be consistent with the Building Code and other standards.

The group did not support the introduction of form-based codes (particularly in regional areas). It was noted that there would be considerable expense involved in introducing this reform and the resulting training/education requirements for authorities, professionals, developers and communities. There was also some concern that it would provide a 'way around' traditional zoning, which is considered to be working well.

## ***Heritage***

The Panel's ideas were generally supported, in particular providing more support and direction to heritage property owners.

There was a view that the need for a heritage survey should be removed and that Councils should be able to move straight into a DPA process if they are working with a heritage consultant.

## ***Making Changing Plans Easy, Quick and Transparent***

There was strong support for streamlining of SOI and DPA processes, particularly delegation of approvals to a State Planning Commission or Regional Board. The group recommends caution in opening up the DPA process to land owners.

There was a view expressed that the Panel's reforms do not go far enough in 'redesigning' the process as a completely new way of doing things.

## **Theme 3 - Development Pathways and Processes**

### ***Adopt Clearer Development Pathways***

The reform ideas to make development pathways clearer are generally supported. An important qualifier is that Councils need to be involved in developing the new pathways.

There was strong support for introducing a 'prohibited' category of development as it was considered that it may improve public faith in the system. However, it was discussed that there still needs to be a non-complying equivalent pathway.

### ***Staged and Negotiated Assessment Pathways***

There were mixed views regarding the staging of consents. A potential positive is that issues could be identified before proceeding too far with an application. Potential negatives are that the process could become more complicated and take more time.

Providing a statutory indemnity for planners providing pre-lodgement advice is supported but participants were cautious about issuing an 'in-principle' consent without all of the relevant information. It was also acknowledged that this would require a change in culture.

### ***Improve Consultation on Assessment Matters***

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The Panel's ideas were largely supported. There was doubt as to whether improving consultation on planning matters would lessen requirements for consultation at the DA stage - most people don't read or engage with policy.

The idea of attaching notices to development sites was supported.

## ***Regional Independent Development Assessment Panel***

There were mixed views expressed regarding the role of Council Members in the development assessment process. Some took the view that Elected Members can provide greater community advocacy by not being involved in the Development Assessment Panel, and others strongly held the view that Council Members bring important local knowledge to planning decisions, which independent DAP members have come to rely on. Council Members bring value by considering broader community impacts beyond the boundaries of the site.

The distance that would need to be travelled to attend a regional DAP meeting in a large geographic region may make the process less accessible to Councils and community members.

Another key issue is whether, in the event of an appeal, Councils would be responsible for the costs of defending a decision made by a Regional DAP.

One participant raised concerns with the concept of 'delegated authority' and a perceived or actual lack of rigour when a decision is made by an individual. It was noted that the Panel is proposing a merit review process, including re-hearings by a regional assessment panel.

## ***Transparency of Major Project Assessment***

This idea was generally supported, particularly bringing decision making to the region where regional context/issues are better understood.

There was concern that bringing mining approvals into the planning system would result in a 'hand ball' from State Government. Many regional Councils would not have the resources and expertise to deal with mining applications and may need to fund Regional Panels to undertake this function.

## ***Make the Appeals Process more Accessible***

This idea was generally supported as it would make the appeals process more accessible to the public and potentially more affordable.

## ***More Effective Enforcement Options***

This idea was generally supported

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## **Theme 4 - Place-Making, Urban Renewal and Infrastructure**

### ***Open Space***

The Panel's idea to review the provision of open space was generally supported. The quality and usability of open space needs to be considered in addition to the amount provided. There was a query about how open space funding would be determined and whether it would be subject to consultation.

### ***Infrastructure***

Better strategic alignment between infrastructure and land use planning at a regional level was generally supported. Local Government is keen to be involved in discussions about the mechanisms that would support more equitable funding arrangements.

## **Theme 5 - Alignment, Delivery and Culture**

### ***Referral Process***

It was generally agreed that the current referral process is not working. Receiving conflicting advice from referral bodies was a key issue noted. It was considered that this could be resolved through the Panel's ideas about clear endorsed policy positions from referral agencies and better integration of legislation (particularly NRM).