

Our Reference: 101581 LT :DB

21 June 2013

Hon John Rau MP
Minister for Planning
GPO Box 464
ADELAIDE SA 5001
DX336 Adelaide

Dear Minister

Urban Renewal Amendment Bill 2013

Thank you for your engagement with the LGA on the *Housing and Urban Development (Administrative Arrangements) (Urban Renewal) Amendment Bill 2013*. Having an advance copy of the Bill allowed the LGA to commence immediate and informed consultation with Councils and make a productive and constructive contribution.

The commitment you have given to continue working with the LGA on a number of issues between the Houses of Parliament is appreciated. I would like to reinforce that the LGA broadly supports the intent of the Bill and the efficiencies this new mechanism could bring to the planning and development process. We believe there are a number of improvements to be made to incorporate more checks and balances and limit potential long-term impacts on the Government, developers, Councils and communities.

The attached table provides an outline of the specific issues the LGA would like you to consider and proposes a series of amendments that will achieve the objectives we are seeking. These amendments would more clearly define the roles of the State Government, Councils, developers and communities in decision making, delivery and long term management of development and better describe the relationship between these key players.

In relation to the role of Local Government, we are seeking more clarification about the different levels of engagement that Councils would have in the process under the various precinct authority scenarios. We are pleased that Councils will have the opportunity to be appointed as a precinct authority and we are aware that some Councils have already identified the opportunities this may present. Further consideration is required of how this will role would interact with a Council's function under the Local Government Act.

In circumstances where another precinct authority has been appointed, it is imperative that Councils have an influential role in developing precinct plans and decisions about long-term servicing, maintenance and management of precincts. We have a shared goal of ensuring that urban renewal development is integrated, well serviced, affordable and sustainable. This objective won't be achieved without transparent, accountable and collaborative decision making. The Bill needs to better contemplate the level of consultation and types of agreements that are required in relation to vesting of assets, servicing plans, hand over arrangements and the collection of rates.

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The role of the communities in shaping precinct development also needs to be better provided for the Bill. I acknowledge that the Bill does provide for community involvement through a reference group and public consultation but there is an uncomfortable level of discretion and flexibility within the Bill. There should be minimum consultation requirements that can be 'scaled-up' for large developments, rather than standards that are vulnerable to manipulation by being 'scaled-down'. The LGA looks forward to further discussion on this matter.

We do not want to unreasonably fetter the use of a precinct planning process and limit the potential to deliver better development outcomes for existing and future communities. However, the risk of not providing clear precinct establishment criteria is inconsistent decision making. For example, the broad Major Project provisions in the *Development Act* evolved over time into a questionable interpretation of 'state significance'. This can place a Minister in the difficult position of having to wear the criticism of poor decision making by their predecessors and trying to regain ground with a mistrusting community. I look forward to further discussion on the business case proposal suggested by the LGA.

I thank you once again for your engagement with the LGA on this Bill. We have highlighted a number of matters which require more thorough consideration and look forward to ongoing collaboration with you. I note that LGA staff have been meeting with DPTI officers to progress discussions.

I would like the opportunity to meet with you to further discuss the LGA's position and how our suggestions can be included in the Bill. My LGA Executive Officer, Jacqui Kelleher will contact your office shortly to arrange a suitable time for us to meet.

Kind regards

Mayor Lorraine Rosenberg
Vice President

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Attach: LGA Proposed Amendments Table (101582)

Copy to: Minister for State/Local Government Relations, Hon Gail Gago, MLC