

DEVELOPMENT PLANNING

1. **Background – the *Development (Sustainable Development) Amendment Bill 2004***

The Development (Sustainable Development) Amendment Bill 2004 was released for public consultation on 27 February 2004. Key elements of the Bill include:

- increasing the State Government's requirements to review the Planning Strategy to at least every five years;
- a requirement for councils to establish strategic planning and development policy committees;
- changes to councils' Section 30 reports, which will become Strategic Directions and Infrastructure Reports;
- changes to the time management process and content of Plan Amendment Reports;
- the replacement of the Development Assessment Commission by a State Development Assessment Panel;
- changes to the number and mix of members on Council Development Assessment Panels; and,
- an increased priority for the establishment Regional Development Assessment Panels.

Public consultation on the Bill closed on 11 May 2004. The Minister for Urban Development and Planning will provide the Forum with a brief verbal update on the nature of the 135 submissions on the Bill.

1.1 **Local Government Association response to the *Development (Sustainable Development) Amendment Bill 2004***

On the 10 May, the Local Government Association submitted a draft submission on the Bill to the Minister for Urban Development and Planning. The final LGA submission was presented to the Minister on 24 May 2004 to facilitate the incorporation of feedback from councils from the President's Forum on the Bill held on 19 May 2004, enabling the LGA State Executive to consider the final submission on 20 May 2004.

It is clear from the joint consultations that Local Government does not support the Bill in its current form. In particular councils continue to express concern with the timeframes required to process PARs. It became evident during the consultations that until this matter is addressed councils are unlikely to have confidence in the changes sought in the draft Bill, particularly those relevant to development assessment panels.

The LGA submission includes comments on all aspects of the Bill including the following areas:

- strategic planning issues, including the increased emphasis on infrastructure planning and the State Strategic Plan;
- proposed changes to the process of producing Development Plans;

- the proposed increase in Ministerial intervention into councils' development planning processes to ensure compliance with the legislation; and,
- the proposed changes to the composition of Development Assessment Panels, and the establishment of Regional Development Assessment Panels.

It is expected that the LGA will continue negotiating with the Minister for Urban Development and Planning on the final content of the Bill over the coming months, including the LGA proposal that State and Local Government agree on a program of planning reforms that address legislative and non-legislative matters.

1.2 Strategic Management Planning and Infrastructure Planning

The *Development (Sustainable Development) Amendment Bill 2004* contains a number of proposed amendments to Section 30 of the *Development Act 1993* and consequential amendments to the *Local Government Act 1999* that, if supported, will potentially impact on councils' strategic management planning processes. These include:

- a greater emphasis on infrastructure planning in the production of Section 30 reports, to be renamed Strategic Directions and Infrastructure Reports;
- a proposal that councils may gain recognition under the *Development Act 1993* and or the *Local Government Act 1999* if they have prepared a strategic planning document and attachments that satisfies the requirements of one or both Acts;
- more specific guidance for the inclusion of long term financial planning in councils' strategic management planning; and
- a requirement for councils to pay particular attention to the State Strategic Plan in their strategic management planning processes.

Initial feedback from councils indicate interest in the proposed recognition for Strategic Directions and Infrastructure Reports, however, greater clarity will be needed for councils on the way to achieve this. Councils also expressed the view that the emphasis on infrastructure above other social, environmental and economic considerations when the *Local Government Act 1999* requires councils to consider all such matters equally needs further consideration. Councils also sought to have a better appreciation of the linkage with, and requirements on the State Government, with regard the preparation and use of the State Infrastructure Plan to ensure that practicable across sectors co-ordination occurred.

Planning SA, in conjunction with OLG and the LGA will continue work to clarify these issues. It is intended that the work undertaken will include specific detail on how councils can receive recognition under the two Acts in order to streamline their strategic management planning.

3. Better Development Plan (BDP) Project

The Better Development Plan (BDP) project has been under development by Planning SA as part of the overall improvements to the State's Planning and Development System.

The intent of the BDP project is to improve the structure and content of Development Plans to introduce a greater level of consistency of policy and to enhance policy links

with the Planning Strategy. This will be achieved by the development and use of a series of planning policy modules. The major component of the implementation of the project will be the conversion of councils' existing development plans into the module-based form, an exercise that is expected to take several years.

Prior to commencing this exercise, Planning SA is working with a number of councils to undertake a pilot of Development Plan conversion, in order to check the applicability of the modules, and to test the conversion approach. These pilot conversions will begin in June 2004, and involve the City of Salisbury, the City of West Torrens, the South East Local Government Association and a group of three mid-north councils (Flinders Ranges Council, DC Orroroo/Carrieton and DC Mt Remarkable). However, during consultations on the draft Bill it was clear that councils and the LGA have not considered the findings/outcomes from the BDP project. The LGA has therefore indicated in its submission on the *Development (Sustainable Development) Amendment Bill 2004* that at this stage, they do not support provisions relating to the modules within the Bill.

It should be noted that councils are encouraged to continue their PAR program through the BDP program period.

4. Planning Skills Shortage

The Forum has previously endorsed the work of the LGA in developing with the Adelaide Institute of TAFE the Certificate II and IV in Planning and Management, aiming towards the introduction of support persons to planning professionals.

The LGA Education and Training Service recently offered a series of Vocational Education and Training (VET) units, designed to provide councils with para-professional support in the Development Assessment area. Overall, 102 participants attended these workshops, held at Local Government House, and presented by the Adelaide Institute of TAFE. Participants can now choose to complete work based assignments to gain national accreditation for these units as part of the Certificate IV in Local Government – Planning and Management of the Physical Environment. Further units to enable completion of the Certificate are available from the Adelaide Institute of TAFE and other Registered Training Organisations.

Planning SA and the LGA will be establishing a number of awareness programs to assist planning officers become more aware of the opportunities available under the State's Planning and Development System.

5. Recommendation

That the Forum:

- 1. Note the update provided on the progress of consultation on the *Development (Sustainable Development) Amendment Bill 2004*.**
- 2. Note the progress of the BDP project.**
- 3. Note progress to address planning skills shortages.**