

Hon John Rau MP
Deputy Premier & Minister for Planning
GPO Box 464
ADELAIDE SA 5001

Dear Deputy Premier

SUBMISSION ON FINAL REPORT OF EXPERT PANEL ON PLANNING REFORM

The Adelaide City Council welcomes the opportunity to comment on the Expert Panel on Planning Reform's final report.

Council has a keen interest in the reform process and intends to participate further as the details of reforms are fleshed out.

Council reiterates that it is supportive of, and/or open to many of the reform outcomes sought by the Expert Panel.

Nevertheless, the distancing of local government and the local community from planning processes remains a key concern.

Council recognises that nimbler delivery of planning outcomes is important, as is the quality of outcomes for places as significant as the City.

Our comments below address key issues and new content, as outlined in the Expert Panel's final report, including the accompanying economic analysis by Macroplan Dimasi.

Part 1: Towards A New Planning System / Cost-Benefit Analysis

The Panel has recommended fairly radical reforms affecting the whole system and associated governance arrangements.

No key areas have been ignored. On the other hand, many of the reform ideas are still at a formative stage – in some instances little more than a set of principles to guide a future review (eg. infrastructure funding models).

As might be expected in a review of a complex system, in some of the reform areas we feel the Panel has over-reached, and in other cases, we feel there are gaps or that the Panel has not gone far enough (and given the broad terms of reference only so much could be done within finite opportunities of time and resources).

The assessment of cost-benefits is limited, in part, because the conceptual stage of the reform ideas tends to preclude credible quantitative evaluation.

Based on the Macroplan Dimasi report, performance data from the State's system indicators program tends to limit meaningful analysis. This must affect overall system review as well as quantification of the cost-benefits of the reform ideas.

Importantly, the Panel acknowledges that engagement of local government is essential for successful delivery of reform.

This needs to be approached as an iterative process encompassing both further evaluation of options and delivery. Local government will no doubt shoulder much of the administrative burden and has extensive experience in planning and its administration. Local government is pivotal to the workability of specific reforms.

The methodology of the review to date, while consultative in several phases, has facilitated use of anecdotal, more so than hard evidence, as the basis for performance analysis and recommendations. This approach has shortcomings. The practicality and viability of reform ideas will need to be subject to further scrutiny including by those experienced in local planning administration in the context of the State Government's formal response, and perhaps alternatives, to the Expert Panel's final report and recommendations.

Part 2: The Panel's Guiding Principles

Facilitation of investment under "Performance and professionalism" is more a policy or strategic than a system principle, thus more fitting to be a State direction. The term *efficiency* may be a sufficient inclusion in core system principles. This has regard to the sets of principles developed for COAG. See also a similar approach at: <http://www.planning.org.au/documents/item/5859>

Attached (**Appendix A**) is Council's assessment of the Panel's recommendations against Council-adopted system principles included in our original submission (October 2013).

Part 3: Roles, Responsibilities and Participation

State Level

Council supports the proposed assignment of the central role to an "independent" State Planning Commission (Reform 1), a key proviso being the membership of the Commission should include local government representation (Council submission of September 2014).

The term "independent" reflects an aspiration that is fully supported, however, the Panel's Commission concept, with greater clarity in the final report, suggests this aspiration is not fully realised. This is a concern.

The concept of a Charter of Citizen Participation (Reform 2) is supported. However, for this to work, there will need to be accompanying accountability and transparency measures throughout the system for the re-structuring of roles and responsibilities to contribute to integrity of, and confidence in the planning system.

It is agreed (with no draft or substantive detail provided to date) that preparation of a Charter is a Priority 1 action and it is logical that the State Planning Commission should lead this. Notwithstanding, existing local government policies and practices (where they are best practice) should be taken into account.

A charter's effective promotion of consistent good practice depends on future content, the broader legislative framework for engagement in planning and its acceptance in mainstream public sector and industry cultures which will require leadership, ongoing resources and promotion from the Commission and others. The cost and reform of practice to achieve such an outcome should not be underestimated.

Council believes there needs to be a shift in the style and performance of State-led planning towards greater transparency and accountability.

With this in mind, it is unfortunate that the final report of the Expert Panel deletes the statement in the interim report (1.2, p32) that:

"The commission should make its advice publicly available wherever possible."

Council waited six months to receive an advisory committee report in relation to a local policy amendment (Central City Heritage Development Plan Amendment) and did not receive earlier committee advice. Submissions to the Panel's Earlier Ideas Report reveal that lack of disclosure and open-ness at State level is a shared frustration.

It is submitted that the remedy lies partly in legislation, including principles and some prescriptive measures. The best intent of any policy statement on public participation or transparency is unlikely to be sufficient to prompt consistent good practice and can tend to lose effect very quickly.

Notwithstanding Council's support for establishment of an independent Commission in principle (Reform 1), a covert Commission unwilling or unable to improve the public interface of planning would defeat the objective of re-establishing public confidence through greater transparency and accountability, a major part of the rationale for establishing a Commission.

Council does not support a Commission in circumstances where there is no greater public accountability or independence in the performance of the roles proposed to be assigned to the Commission. On the other hand, the Panel's emphasis on the independence (to a high degree) of the Commission is strongly supported.

Regional Level

Council remains opposed to two key elements of the Panel's "Regional Delivery Model", the regional boards and regional Development Assessment Panels to the extent that they:

- lead to the exclusion of the role of Councils and elected members from policy development and development assessment; and
- further distance local communities from their ability to influence planning policy and outcomes in their area.

Council outlined a range of alternative regional models in the submission it made to the Expert Panel on Planning Reform in September, and is convinced, that among these there are options better able to overcome distrust, build partnership and efficiently and effectively address the governance needs of a metropolitan region and the constituent local communities while overcoming risk of democratic deficit.

The Panel's recommendations swing the pendulum hard in the direction of centralisation and reduced local autonomy and representation. The specialist (non-representative) regional boards, for example, being appointed by and accountable to State authorities.

This involves greater alienation of planning functions from local representation than the interstate equivalent systems and proposed reforms.

While submissions to the Expert Panel on Planning Reform were divided, concerns that the Panel's report goes too far in this regard were expressed by groups ranging from the Community Alliance SA to Business SA as well as local government.

Regional scale is apt for some, but not all planning purposes. Precinct planning may support a more local, less homogenised approach, yet is not an adequate substitute for the planning functions of local government at a community level.

A concern is that the distinctive features and function of central Adelaide and of the City of Adelaide (including GDP contribution to the State), are not adequately reflected in the governance arrangements recommended by the Expert Panel.

The preferred regional delivery model tends to cut across existing and potential future City or City-Inner Rim arrangements, including the legislative, governance and policy framework for management of the Adelaide Park Lands and even the role of Capital City Committee, in-so-far as it is able to address planning issues.

Potential governance arrangements based on a general review of comparable mainland Australian Capital City LGAs (including some findings of specific independent reviews) were raised in Council's earlier submissions – in particular, our April 2014 submission. This body of work, though disregarded in the Panel's main reports, remains valid and highly relevant.

Further investigation and discussion of alternatives to the sub-metropolitan structure proposed by the Expert Panel (see below) are warranted.

Metropolitan Adelaide

The Panel in its final report advocates 3 to 5 regional planning boards in the metropolitan area and each regional board would cover 2 or more council areas.

The State Planning Commission would take a stronger role in metropolitan/regional strategic planning. (The Expert Panel overcame a reluctance to suggest different governance arrangements for metropolitan and non-metropolitan regions.)

There needs to be a better understanding of the roles that can be regionalised effectively through assigning these to regional boards. This requires a longer conversation on a model that fits the inter-play of different geographies and communities of interests. Such analysis should lead to consideration of the structure and roles for regional coordination, not the other way around, noting that a structure can operate permanently or from time-to-time on a needs basis.

Other Australian metropolitan areas have quite different regional planning governance arrangements. For example, the Metropolitan Planning Authority for Melbourne (mentioned in the final report) is an alternative option, not a working example of the Panel's recommended option.

The submissions of metropolitan Councils on the whole are not supportive of the regional governance arrangements recommended - the Expert Panel's final report acknowledges that regional boards were not widely supported.

The logistics of establishing a new regional layer of decision-making should not be under-estimated. If it only leads to further re-structuring and adjustments this could be very wasteful.

Whether it is an agreed or forced model could be a determining factor. The boards will rely primarily on resources provided by local communities via the associated Councils.

All of the above points to a need for an inclusive, well-informed, ongoing conversation about the best model.

As proposed in our September 2014 submission, we endorse the notion of early establishment of the proposed State Planning Commission to lead formal discussions with Councils on options for sub-regional / local contributions to the regional planning led by the Commission and its implementation.

Independent Planning Inquiries (Reforms 1.10-1.12, final report)

One of the more encouraging recommendations in the interim report (Reform 4) was to establish independent planning inquiries.

Council is aware of the rigor, open-ness and independence of similar inquiries conducted in Victoria conducted by Planning Panels Victoria (PPV) – and commented on this in our April 2014 submission to the Expert Panel on Planning Reform.

In the final report, the Commission is assigned this role as an option it "may from time to time initiate". However, this is now an optional feature, seemingly without a statutory trigger or detail, to be confident that the strengths of the Victorian process (refer Council's April 2014 submission to the Expert Panel) would be replicated.

Noting Council's stated concerns about regional boards, open PPV-style inquiries into local policy amendments could be conducted under the supervision of regional boards, rather than the Commission, to provide greater separation from the Commission's role as decision-maker.

In keeping with the Victorian legislation, the Commission, and the Minister in any "called-in" matter, should be required to publish reasons for any decision that does not adhere to the recommendations of an independent inquiry. Other provisos are (1) transparency of review and reporting steps is required by legislation; (2) publication of the report and recommendations occurs a reasonable time before and not after the decision is made; and (3) reviewer/s are genuinely independent and expert in the matters under review.

As well as for policy issues that are inherently complex, such inquiries may be important to hold to enable public interest issues to be aired and resolved in the event of privately-initiated amendments being an option under new legislation (as suggested by Reform 9.4 – see following).

Part 4: Plans and Plan-making

Reshape Planning Documents on A Regional Basis / Single Metropolitan Planning Scheme (Reform 6)

Consolidation of local plans into a regional scheme would appear to be unnecessary if the system's interface with users can nimbly differentiate content relevant to a land parcel and development concept. Especially with the geographic diversity of the metropolitan or Greater Adelaide area, and number of existing plans, the reshaping of plans as proposed to form a single "plan" risks being an arduous exercise perhaps based on out-dated thinking.

It is inevitable that some elements of regional policy will lack sufficient nexus with the development constraints and opportunities of a particular land parcel and its locality. Policy for coastal or bushfire hazard in the inner city is a case in point (though these are essential considerations in other contexts). An advantage of e-planning therefore would be the ability to layer such policy *where applicable* through local plans, precinct plans or some other kind of context-sensitive policy instrument.

State Planning and Design Code (Reform 7)

The proposed translation of planning policy developed in a State Planning and Design Code and amalgamation of local Development Plans to form a single metropolitan regional planning scheme is proposed as a means of promoting greater consistency across local areas and translation of State directions downwards.

There is merit in a State Code developed *collaboratively* with local government and supported by e-planning systems, having regard to comment on Reform 6 above and provided there is sufficient regard for local variations where warranted.

Council reiterates the need for Code to be prepared thoroughly and with strong feedback loops to reflect lessons from practice and local context and understanding.

Place Heritage on Renewed Foundations (Reform 8)

Council supports a "heritage lottery providing the basis for heritage grants", an idea not included in the interim report, as a basis for further evaluation as a potential State-operated funding model. Our comments on the interim report regarding heritage matters still stand.

Reform 9.4

Reform 9.4 states that:

"Government agencies, infrastructure providers and land owners (subject to criteria) will be able to propose changes to development plans, as will councils, regional planning boards and the minister."

This reform is open-ended with too little detail. Only "Council Rezoning Process" is illustrated, as opposed to conceivable pathways for changes initiated by other parties, p73, though Council is of the view that all should come before Council for decision. The making of plans should be in the public interest, not for private goals or project facilitation *per se*. Legislative safeguards to this end need to be clearly spelt out and debated during consultation before introduction of a Bill.

Part 5: Development Pathways

Development Streams or Levels of Assessment (Reform 10.1 and 10.2)

The aim of ensuring the level of assessment is proportionate to risk is supported. The issue is how best to do this.

It cannot rely on a re-casting of streams without detailed consideration of the drafting/content of policy and tests that would rely on legislation.

This includes the structure and content of the State Planning and Design Code (Reform 7).

Because, the devil is in the policy detail, as well as legislation, the jury is still out on whether the present system or a new one can deliver optional calibration of risk.

Reform 10.1 recommends revising the current system of exempt / complying / merit / non-complying categories development assessment pathways to increase the use of complying pathways.

This is confusing because the present system already has a viable complying pathway.

On the face of it complying is omitted from the proposed new streams: ie. exempt (existing), standard, performance-based and prohibited development assessment streams, noting that prohibited will mean an application cannot be made.

It is assumed (but unclear) that complying and merit paths may be sub-categories of the *standard* stream which refers to a more generic class of applications that will be assessed against the State Planning and Design Code (Reform 7).

In terms of the workability of this approach, a lot relies on the structure and content of the proposed Code, noting that the effectiveness of the SA Residential Code has been limited.

The following are a number of considerations for the Code as well as the proposed new development streams:

- Determining the level of assessment must be simple, accurate and quick, otherwise efficiency (and other values) of assessment will be compromised.
- Merit level assessment covers a large gradient of risk from low to high, yet is still largely capable of accommodating effective, efficient "outcomes-based" professional assessment based on well-crafted policy.
- Though a lot depends on the planning authority's approach, efficiency is often greater with a low-risk merit assessment as this is a task repeated often by the assessment officer, whereas a complying assessment can be a more information-intensive self-assessment by or on behalf of applicant, ratified by either a private certifier or Council.
- It is possible that preparation of a more complex complying application for approval is more like a tax return in terms of data inputs, calculations and perhaps professional fees required, and the merit route may be less costly.

- Further, determination of "risk" is highly contextualised dependent on design, location and trade-offs involving qualitative issues, as is often the case in the City.
- How many exempt and complying developments is both efficient and effective? Efficiency and effectiveness of assessment in the City context, given the nature of development occurring in the City, is likely to require a tailored suite of City-specific approaches (since the City is not homogenous, nor is it the middle-ring or outer suburbs etc).
- As mentioned in our earlier submission (September 2014), which included some preliminary data, Council has already commenced investigations to determine this in the City context. Some initial data is presented in **Appendix B.**
- How many streams is enough? It is noted that Queensland is seeking to simplify the nation's most complex system of development streams, whereas the South Australian system of several decades is a much simpler model that has performed serviceably (but could be tweaked to deal with risk better).

We also have potential concerns regarding the linking of private certification options to particular development streams. The level of detail available at this stage is limited, however, it is important certification is considered as a tool for simple tasks, and does not become a driver of public policy.

Regional Development Assessment Panels (Reform 11)

The Expert Panel is proposing a model which does not exist interstate: regional development assessment panels with no role for the elected representatives of Councils in either appointing or participating on panels, yet with a high degree of reliance on local government administrations to resource and support the new panels.

It is noted that the Compendium of Ideas released at the time of the Expert Panel's interim report included the alternative of regional panels "of 7 or 9 members with representation from state and local government as well as independent members with a mix of professional expertise..." (p47). It was stated in that report that this model is "likely to be administratively costly".

The Panel does not appear to have seriously considered adjustments to local development assessment panels as an option

Commentary such as the current arrangements - comprising local or (optional) regional assessment panels - "have now reached their use-by-date" (page 87) is unreasonably dismissive of potential to adapt the system of local assessment panels or other options. Yet, on page 40, the Panel is advocating that "citizens should be given options to consider" (one of the suggested principles for a Charter of Citizen Participation).

Council does not agree that the status-quo has been effectively de-bunked (which is not to say that it is perfect or optimal). There is no attempt to justify regional panels based on data, their administrative cost is a real concern (as noted in the Compendium of Ideas and regardless of the exact composition of the regional

panels) and there is no community groundswell to back the claim that the proposed regional panels are part of a planning system "we want".

There would seem to be inherent tensions in the regional model proposed by the Expert Panel, including some that could lead to fraught operating environments for Councils. The following is a sample of potential issues.

The Expert Panel argues that by not being tied up in assessment roles, elected members of Council will be able to "advocate more freely for their communities at all stages of the planning process" (p88).

However, if a Council has advocated for or considers itself to be a party aggrieved by a decision of a regional panel, how can Council be expected to assist in defending an appeal? Who will the appeal lie against?

It is anticipated that the regional assessment panels will rely on relevant staff of a Council advising in an impartial capacity irrespective of any Council views, positions or interests. This will have the effect of Council staff serving two masters and the potential of tensions when disputes arise.

Having regard to the suggestion that elected members may be free to advocate on behalf of community members, it is significant that applications to be determined by regional panel may include some likely to be contested, including directly or indirectly by Council members.

If this leads to a situation where it may be deemed appropriate for another assessment manager to take over the roles normally expected of a local government administration (eg. for an appeal, if the panel's and Council's view are not one and the same), who will this be, and who will pay?

If regional panel's role includes determining mining matters, there is no clear justification for this being supported, financially or otherwise, by local government.

Who will undertake pre-lodgement and design review for regionally significant proposals?

Clarify the Approval Pathways for Projects of State Significance (Reform 12)

Among the better recommendations of the Expert Panel's report are inclusion of statutory criteria with a view to proper demarcation of State significance and providing for more rigour and accountability in the relevant assessment steps (12.1-12.4, with more detail on page 95) including advice from the Commission.

Council supports these recommendations. They respond to widespread concern about State-level determination of matters not of State significance epitomised by recently-introduced regulations empowering the Coordinator-General to make discretionary call-ins if a project exceeds \$3 million in value.

In establishing the statutory criteria that the Panel has recommended for State significant matters, Parliament should eliminate opportunity to create "by-pass" regulations in the future of a similar nature to recent Schedule 10 amendments affecting development of \$10 million or more in the City as well as the Coordinator-General "call-in" powers.

Part 6: Place-making, Urban Renewal and Infrastructure

Generally, the comments we made in our earlier (September 2014) submission to the Expert Panel still stand on this topic. It is however worth emphasising the following:

The 18.3 review of the open space levy is recommended as part of a *Stage 2* action (in the Panel's suggested sequencing). However, it is suggested that 17.1, a larger review of an infrastructure funding / delivery model *and a Stage 3 action* – would need to be taken into account in review of the open space levy (18.3). Based on this logic, 18.3 is not a predecessor to 17.1.

Nevertheless, there may be merit in earlier open space review on the basis that issues are perhaps more tractable than overall infrastructure issues.

If infrastructure and open space tools are to be key building blocks for regional, sub-regional and local strategic planning, growth area management and place making they may need to be brought forward.

Reinforce Precinct-Based Urban Renewal (Reform 16)

Council is concerned at the addition of Reform 16.3 which would give private-sector bodies a right to apply to undertake precinct planning processes. To allow private-sector bodies to create and implement policy controls over private-sector activity at a significant precinct level would potentially abrogate responsibility for public interest and the integrity and outcomes of policy-making and project assessment, without a clear, accountable and transparent process.

Part 7: Alignment, Delivery and Culture

The alignment reforms involve changes to a number of different pieces of legislation and require engagement of relevant stakeholders including Council (for example, in relation to liquor licencing reforms) to underpin sound analysis of constraints and opportunities.

Culture is very much a responsibility of all organisations who employ planners and other relevant professionals in the delivery of planning, development, and public realm outcomes. Accordingly, the culture initiatives proposed to be led by the proposed Planning Commission will need to be collaborative to be effective and influential in a sustainable way.

Part 8: Benefits

Refer to earlier comments on Part 1, specifically cost-benefit analysis.

Part 9: Delivering Reform

Council supports the implementation steps recommended by the Panel, including:

- Government should provide a transparent whole-of-government response to this report.
- Draft legislation should be released for comment before it is introduced into parliament.

- Delivery should be staged to avoid reform fatigue and ensure adequate consultation. There should be close liaison with local government during all implementation.
- The government should outline a detailed implementation program, informed by consultation with local government. The program should include clear milestones and be backed by transitional powers in the legislation.
- The State Planning Commission, proposed in Reform 1, should be established as an early priority so it can guide and oversee staged delivery of the reform package.
- Other early priorities for implementation should include key system-wide changes such as the charter of citizen participation (Reform 3), state planning directions (Reform 5), the state planning and design code (Reform 7) and the e-planning framework (Reform 20).
- The government should ensure the State Planning Commission has adequate resources to establish the new planning system. Fair and equitable cost-sharing arrangements should be in place to support the commission's ongoing operations.

Engagement of Councils must surpass recent approaches if the potential benefits to the State are to be realised. Councils have a pivotal role in the resourcing and performance of a planning system – existing and as proposed. Successful delivery will be a function of adequate resources at State level as well as the points made by the Panel.

Council has been an active participant in the consultative planning reform process conducted by the Expert Panel on Planning Reform, and looks forward to being meaningfully consulted and involved in planning reforms that your Government decides to pursue in the interests of the South Australian community.

Yours sincerely

Martin Haese
LORD MAYOR

16 February 2015

cc Premier, DPTI, All State Parliamentarians & SA Councils

APPENDIX A – Assessment of Expert Panel’s Final Report against Good Planning System Principles

Colour scheme indicated assessed degree of comparability: green = high; amber = mixed, moderate or unclear; pink = low (based on available information).

Options/Principles	Roles, Responsibilities & Participation Reforms 1-4	Plans & Plan Making Reforms 5-9	Development Pathways & Processes Reforms 10-15	Place-making, urban renewal & infrastructure Reform 16-18	Alignment Delivery & Culture Reform 19-22
The system promotes quality design outcomes.	Difficult to judge as no new design-focussed process proposed (and without seeing contents of proposed State code)				
Integration and coordination are achieved through implementation of strategies through a clear set of rules which produce a coherent, integrated outcome.	This is hard to assess in advance of a State code ("clear set of rules"?), an infrastructure framework, and agreement on regional planning boards or an alternative vehicle to foster genuine partnership between Local and State Government. For metropolitan planning and other coordination, the Commission is a useful addition. More planning bodies making decisions will add complexity, rather than clarity, particularly in plan making.	Compatible, assuming State directions, State Code and regional strategies provide sound context for risk-based planning assessment settings and address all desired outcomes.	Compromised by absence of infrastructure model (aside from a set of principles).	Relies on Commission to communicate effectively as a credible, independent, expert authority. Reservations about whether WAPC has fully met that objective. Agenda of micro reforms important.	
Certainty is achieved through appropriate consistency and clarity regarding conditions under which development will proceed and the way planning principles and mechanisms will apply.	Demarcation of State significant matters by statutory criteria is step in right direction but need more clarity about Council and regional board roles, Charter of Citizens Participation etc.	State code content and development streams (exempt, standard, performance-based, prohibited) procedures are key and detail is lacking. (Potential strengths or weaknesses.)	As above. Precinct planning is untried perhaps unpredictable element without strong link to strategic planning. Open space contributions changes hinted but not spelt out (limited progress).	Unclear if planning system is to be vehicle for broad public interests or investment facilitation, or a bit of both. Inherent tensions can't be smoothed over by "culture".	
There is responsiveness to changing or unforeseen circumstances both through flexibility and evaluation of trends and performance.	Mandatory monitoring by Commission should help but who independently monitors Commission's performance? There is no provision for local trends analysis like a Strategic Directions Report (SDR).	Addresses delays and inadequacies of present system. Commission can initiate a peer review but there is no provision for strategic investigations at local level (SDR or other).	Prohibited reduces flexibility (or at very least may generate demand for spot zonings).	Precinct planning potentially meets this criterion, but lagging behind on better infrastructure model.	Generally supports improvement of evaluation systems and culture. Greater emphasis on culture which includes responsiveness.

APPENDIX A – Assessment of Expert Panel's Final Report against Good Planning System Principles

<p>The system promotes equity and fairness.</p>	<p>Imbalance between local government's ability to influence outcomes and expectation it will supply most of the resources to operate the new system. Regional strategic planning model involves cost shifting unless Commission leads it in metropolitan area (need to strike right balance). Proper cost-benefit analysis required. Work done for Panel is insufficient.</p>	<p>While there is a lack of analysis of equity in open space and infrastructure provision and funding models, report recommends that the government review these matters.</p>	<p>Evaluation role of the Commission and/or strategic impact assessment could encompass equity and fairness, broadly or in terms of the effect of policy tools.</p>
<p>Efficiency, effectiveness and economy including by keeping processes and governance arrangement to an essential minimum and making decisions at the lowest competent level.</p>	<p>In theory, making decisions at lowest competent level is an efficient choice foregone by increased regionalisation and even centralisation inherent in the re-structuring of roles. More layers promote duplication and require greater degree of administrative coordination. The cost-benefits of the regional boards and panels versus alternatives are not provided. Whether positive or negative change is unclear.</p> <p>Local role is potentially significantly compromised by boards and others operating in the same space without same degree of local knowledge. The regional delivery model adds layer / potential duplication. Similarly, more planning policy proponents (eg. private) will create need for coordination. Automatic updates should improve efficiency though poor-fit outcomes will need to be avoided.</p> <p>While expert panels can be effective it has not been demonstrated that a regional assessment panel is more efficient and effective than all forms of local determination. WA government data suggest regional DAPs struggle to meet statutory timelines (though unfortunately they were not benchmarked against other systems). Applicants unable to choose local path, even if that is likely to be the quickest.</p>	<p>Unclear – ideas too undeveloped or untested.</p>	<p>How Commission operates to facilitate alignment at all levels is critical. Agreed structure at regional level likely to work better than imposed. Challenges for regional boards include being (impartial, neutral?) arbiter between varied statutory or business aims of State agencies / utilities, possibly more focussed State directions and local agendas, noting Panel's expectation that boards can fulfil broader roles (eg. NRM, economic).</p>
<p>Transparency, accessibility, accountability and integrity, including clear and appropriate accountability for decisions and legible systems that users can readily</p>	<p>Generally such mechanisms are most pronounced in local government and the need is increased by greater use of remote decision-making by unelected parties who may have vested interests (private certifiers, members of panels etc). This needs to be accompanied by limited and clearly bounded discretion in the making of decisions by such parties. Accountability of regional panels is to whom? Meetings will be open to public or closed? etc</p>	<p>With privately-initiated precinct planning, there is no easy separation of policy, planning assessment and pursuit of projects for private benefit.</p>	<p>Evaluation measures reasonable, except for evaluation of the Commission by the Commission / or lack of such evaluation.</p>

APPENDIX A – Assessment of Expert Panel’s Final Report against Good Planning System Principles

navigate.					Not addressed (by Panel) - but important check in precinct planning to help emphasise integrity and public good	Responsiveness to need for open, participatory planning is a cultural issue needing to be addressed but unclear how (see Productivity Commission’s 2011 national review of planning systems including its survey of planning agency attitudes)
	Effective community engagement, including participation in planning processes.	Charter of Citizens Participation sound idea but could be taken in either direction. Commission attitude key, as is ability to legislate reasonable, consistent measures in public interest.	Lesser role in policy likely to deter/devalue Council-led engagement, while capacity/motivation of other bodies to do as well or better is open to question. Charter / funding model needs to supply solutions to this. More constraint on use of interim policy control is supported.	Limited measures added, including third-party rights for major projects, but ambition to de-risk a majority of applications will reduce engagement in planning assessment. Cuts across research findings about community expectations in policy vs assessment. Risk level can be high in City.		
Local autonomy balanced with support of broader interests (regional, State etc) recognising that local determination can affect a broader community of interest and local knowledge and ownership are key ingredients of great places.	Local autonomy is reduced considerably across strategy, policy and development assessment. The opportunities for local ownership of policy may be eroded if regional boards do not reflect the preferences of the communities primarily resourcing their role or mechanisms for accountability and transparency are limited. This in turn undermines grounds for removing planning assessment decisions on contested matters to a regional level in the manner proposed.				Unclear, but lacks recognition of the key role of local government in place-making (offers a State agency perspective)	State-directed/appointed Commission and regional bodies need to communicate well with communities, respect local knowledge and “walk the talk” (see above).
Long-term strategies are addressed by a visionary approach.	State Planning Commission must ensure strategic narrative is front and centre and is well founded. If sound, visionary approach should be easier to communicate.	State-regional visions supported but not local vision – this may lead to gaps and imbalances.	Unclear	Unclear	Unclear	Unclear
Continuity is enhanced by building on strengths of the current system.	Proposed reforms entail an overhaul of the system and associated governance arrangements. Options development was truncated without a definitive evaluation against principles or criteria such as the above – noting that these closely align with principles developed by COAG. It may have been possible to define and develop options that are simpler to deliver for potentially comparable or better cost-benefit. Local government’s role will be weakened. Local representation and decision-making will be diminished. The extent of changes suggest that re-training of practitioners familiar with the current system will be a significant transitional cost factor.					

APPENDIX B – CITY OF ADELAIDE DATA

Table 1: Gross Regional Product – City of Adelaide and South Australia, 30 June 2013

	City of Adelaide	South Australia	
Year Ending (June 30)	\$m	\$m	City of Adelaide as a % of SA GRP
20006	13,538	76,689	17.65
2011	16,546	88,580	18.6
2012	17,334	90,557	19.1
2013	18,122	92,069	19.6

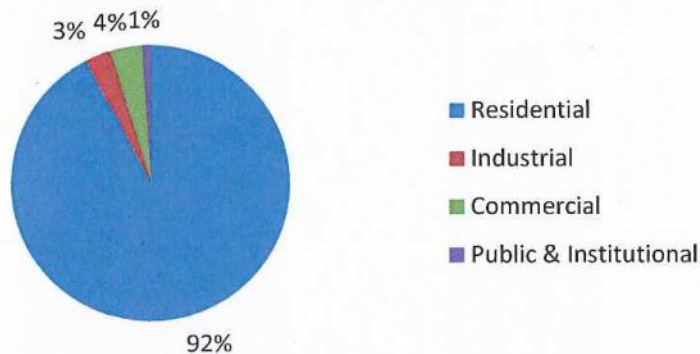
Source: ABS, Australian National Accounts: National Income, Expenditure and Product, Catalogue No. S206.0 and the National Institute of Economic and Industry Research, 2013

Table 2: Number of Applications by Sector and % of total, South Australia and City of Adelaide, 2013-2014

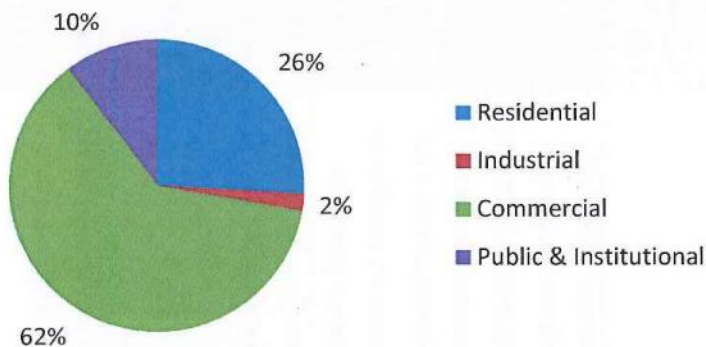
Application Type	South Australia		Adelaide	
	No. Applications	% Total Applications	No. Applications	% Total Applications
Residential	28,648	92.3%	243	26%
Industrial	885	2.9%	18	2%
Commercial	1,170	3.8%	582	62%
Public & Institutional	333	1.1%	96	10%

Source: DPTI Planning System Indicator Database, Adelaide City Council

South Australia



Adelaide



APPENDIX B – CITY OF ADELAIDE DATA

Table 3: Value of Approved Development in City of Adelaide 2006 - 2014

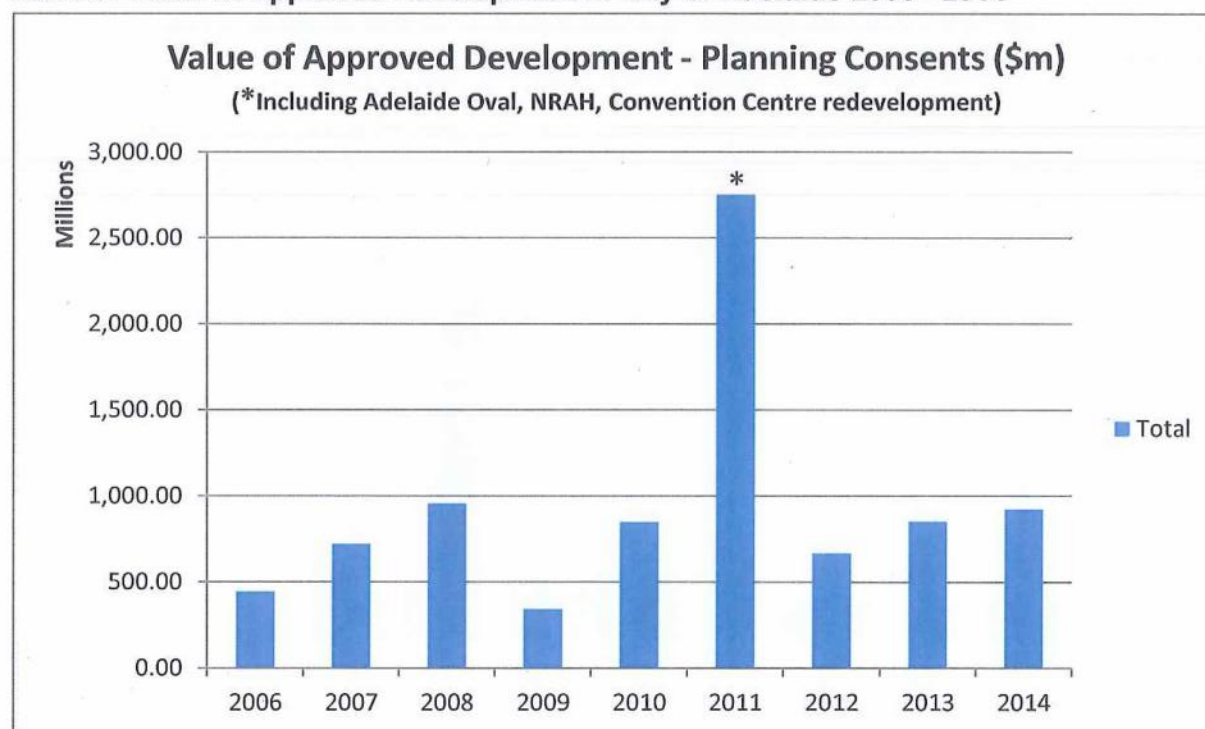


Table 4: Value of Total Building Approvals 2001/2002 – 2013/2014

Financial year	City of Adelaide			South Australia			City of Adelaide (as a % of SA)
	Residential \$('000)	Non-residential \$('000)	Total \$('000)	Residential \$('000)	Non-residential \$('000)	Total \$('000)	
FYTD (2 mth)	32,146	39,365	71,510				
2013-14	114,436	492,901	607,337	2,681,258	1,497,152	4,178,410	14.5
2012-13	79,235	284,396	363,631	2,260,800	1,824,180	4,084,980	8.9
2011-12*	14,619	2,805,933	2,820,552	2,107,394	4,051,905	6,159,299	45.8
2010-11	137,845	329,298	467,143	2,691,695	1,785,165	4,476,859	10.4
2009-10	21,290	496,283	517,573	2,685,676	2,765,620	5,451,297	9.5
2008-09	75,286	450,705	525,991	2,528,950	1,831,264	4,360,214	12.1
2007-08	209,823	441,565	651,388	2,707,313	2,176,504	4,883,817	13.3
2006-07	34,854	233,099	267,952	2,065,386	1,197,076	3,262,462	8.2
2005-06	126,269	207,446	333,715	2,121,251	1,273,918	3,395,169	9.8
2004-05	76,027	169,066	245,093	1,934,558	1,151,365	3,085,923	7.9
2003-04	75,326	220,311	295,636	1,842,035	1,179,203	3,021,238	9.8
2002-03	84,162	213,057	297,219	1,664,502	1,020,372	2,684,875	11.1
2001-02	36,185	207,968	244,153	1,398,118	806,938	2,205,056	11.1

Source: Australian Bureau of Statistics, Building Approvals, Australia, catalogue number 8731.0.
Compiled and presented in economy.id by .id the population experts.

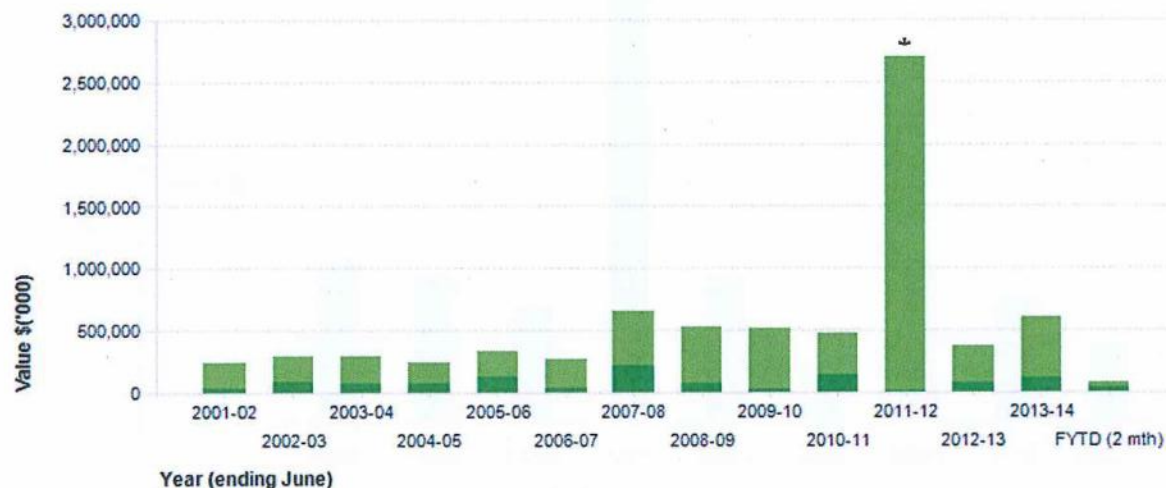
APPENDIX B – CITY OF ADELAIDE DATA

Table 4A: Value of Total Building Approvals 2001/2002 – 2013/2014 – Graphic

Value of total building approvals

City of Adelaide

Residential Non-residential



Source: National Institute of Economic and Industry Research (NIEIR) ©2014
Compiled and presented in economy.id by .id the population experts

.id the population experts

(*Including Adelaide Oval, NRAH, Convention Centre redevelopment)