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Engaging for Reform



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Submission on the Expert Panel on Planning Reform's "Our Ideas for Reform"

Dear Members of the Expert Panel,

The Community Alliance SA is an umbrella organisation for resident and community groups from Adelaide and other areas of South Australia, whose aim is:

'To put the people back into planning and development'

We thank you for this opportunity to give input into the planning review process.

Current State Government directions

Firstly, it is extremely disturbing and disappointing to observe the actions of the State Government during this process to review and improve our planning system. In our submission to you in October last year, we discussed the need for the State Government to put a moratorium on all major planning decisions, including significant changes to the planning system and laws.

However, the Government brought in the Urban Renewal legislation despite considerable community opposition. It has since continued to make substantial changes to the planning system in introducing regulations which removed the ability of local council DAPs to make development assessments for buildings over 4 storeys in height in certain zones, and in recently bringing in further regulations that include measures to allow the assessment of developments worth more than \$3m to be taken from local council DAPs and to instead go to the DAC. There is also serious concern that this new process could be used for the assessment of major projects, which could greatly lessen the assessment of potential environmental and social impacts thereof.

The Government's actions continue to diminish the role of local government in planning decisions, and the ability of local communities to have meaningful input through their local councils and elected members is being progressively undermined.

Although the Expert Panel's planning reform process is separate and independent, we believe that the Government's actions greatly diminish any faith that the review and community views given as part of it will be taken seriously or that recommendations will be implemented fairly. There is little faith among our membership that the Government wants genuine planning reform that adequately addresses community concerns and social and environmental impacts. Its actions lead us to believe that its primary objective is to facilitate rapid development with little regard to social and environmental impacts and sustainable development.

The planning reform process from this point

While the “Our Ideas for Reform” report proposes ideas for a technical framework with general directions, the lack of detail makes it impossible for the Community Alliance SA to support or oppose a proposed reform outright, particularly for the key reforms relating to system architecture.

Furthermore, resourcing and costings for a new planning system and the implementation of planning reforms are not addressed in the report. Unfortunately, due to limited resources we are unable to address these aspects within the consultation timeframe.

We appreciate that leaving the detail out at this point allows the public and others to inform the process. However, it appears that the extensive consultation process to date will be let down by the lack of opportunity for further consultation on proposals to go in the final report to the government. Furthermore, we understand that the final report is not even intended to be released to the public. We urge you to recommend to the Minister for Planning that the report be made public when it is presented, and also that the government publishes a detailed ‘whole-of-government’ (cabinet-endorsed) response to the final report and each of its recommendations.

Goals and principles of the proposed planning system

The “Our Ideas for Reform” report lacks adequate goals and core objectives for the new planning system in relation to social and environmental considerations and its goals are biased towards continued growth.

In Part 2 ‘Shaping the planning system’, figure 3 ‘outlines goals for the planning system that could help inform the development of statutory objectives’. The stated goals fail to address social needs and objectives and do not give adequate attention to sustainability and protecting the environment. In Part 3 ‘The panel’s guiding principles’, the focus is on creating a technical system and placing decision-making almost entirely in the hands of professionals. This vastly understates the fundamental importance of social considerations and the need to take account of community views and wishes.

Our members have commented that the reforms don’t describe a better system than the current one and indeed that the implementation of a technical framework as described could produce a far worse system from the community’s point of view. Goals and principles are needed to give direction and must be based on achieving sustainability with respect to social, environmental and economic considerations. The goals need to be set out upfront in new planning legislation in order to be effective.

Community participation in development assessments

We appreciate that the panel envisages community participation occurring at the strategy and policy level and we agree that it is essential to have meaningful engagement upfront in the planning process. However, the Community Alliance SA and its members are greatly concerned at the ideas in the report, which would remove or significantly lessen council and community participation at the level of development assessments.

Indeed, if engagement in strategy and policy making is effective and genuine, then the community would naturally require less input into development assessments, without the need for a system designed to exclude community input. Furthermore, development applications have a level of detail not present in the strategies and policies that guide them. In many instances, local council and community input would result in a better outcome, rather than simply allowing any development that is seen to conform to a policy.

It is therefore essential the community is given an appropriate opportunity for engagement in the development assessment process, particularly for large or substantial development proposals or ‘merit’ proposals.

The 27 reform ideas

As stated earlier, it is not possible to say outright whether the Community Alliance SA supports each reform idea or not. Any support stated here is for the overall concept and is highly conditional on suitable measures and detail being put in place.

REFORM 1 ESTABLISH A STATE PLANNING COMMISSION

This reform idea is generally supported.

- The composition of and mechanism of appointment for the proposed planning commission is critical. Appointments being made for political reasons must be avoided.
- There needs to be adequate representation for planning, infrastructure, urban design, environmental, social, health and heritage aspects for example.
- There needs to be more clarity and defined criteria for which development applications would go to the planning commission for assessment and which would go to regional DAPs (if regional DAPs are established), particularly with respect to major projects.
- We support the panel's recommendation that the commission should make its advice publicly available wherever possible.

REFORM 2 CREATE A NETWORK OF REGIONAL PLANNING BOARDS (linked to reform idea 15)

This reform idea is not supported

The Community Alliance SA supports some regionalisation of planning and policy making, but not in the form proposed.

- The boards would be mostly comprised of professionals with some elected members, but councils as a whole would not be involved in decision making. This would further erode local representation in the decision making process and places community members further away from the body making decisions about their local area and region. Further consideration is needed on the composition and appointment of members to ensure that each council within a region is involved in the decision making.
- Without the details, it is not clear what roles councils would play in planning and the reforms as proposed would enable planning decisions to be taken away from them.
- The Community Alliance SA and its members are greatly concerned at the removal of development assessments from local council DAPs to regional DAPs and see this as removing the assessment further away from the needs and knowledge of local communities.
- The task of assigning regional boards based on commonalities, if adopted, would be very complex.

The Community Alliance SA would give more support to a model as proposed by the LGA (SA) [draft submission – not yet adopted], whereby councils adjust to a new working relationship with the State Government through the proposed planning commission, allowing further consideration in the future of the need for and role of regional boards. This model would allow committees or working groups to be established as needed and as appropriate for regional planning issues, rather than having a set rigid structure.

REFORM 3 ENACT A CHARTER OF CITIZEN PARTICIPATION

This reform idea is generally supported.

These reform ideas are conceptual and lack detail, making it difficult for us at this stage to give them full support.

- The Community Alliance SA agrees with the panel's recommendation that a charter of citizen participation should be statutory.
- The Community Alliance SA agrees with the recommendation that the IAP2 guidelines would be adopted.
- The reform ideas propose that agencies and councils will be required to develop engagement plans consistent with the charter. For the charter to be effective, it must be enforceable.
- Appropriate community engagement must be ensured in the development assessment process as well as to the development of strategies and policies. This will continue to be required particularly as the reform ideas do not propose that all developments will have to conform to development plans.

- We agree with the principle of emphasising early engagement. However, the challenges of motivating people and ensuring that early engagement is genuine and correctly targeted must be addressed.
- The charter must be geared towards the provision of alternative scenarios in the early stages of engagement. As well as relating to the setting of strategy and policy, this should also apply to the process for large or complex developments proposals (eg shopping centres) where early community engagement, allowing the discussion of different options, would in most cases result in a better outcome and save time and money.
- As strategies are translated into policies and then into plans for actual development, more and more detail is put in place. It is essential the public is given the appropriate opportunity for engagement at all the stages, including for assessment of development applications.
- Effective community engagement for complex matters should include the use of independent professionals or professional bodies whose role is to assist community members and to 'translate' their needs or issues into suitable outcomes. This should replace the current practice of government and council departments, and also development proponents, summarising and diluting community concerns in their documents.
- Measures are needed to ensure transparency and accountability. We refer to the statement in our submission to you in October 2013 – "We would like a planning system where all decision-making is transparent and accountable, and the decision-making process is genuinely independent, independently reviewed and subject to public and parliamentary scrutiny. We believe that the appointed bodies responsible for decision-making should be independent of ministerial or industry control, follow a widely understood set of guidelines supported by the law, and provide access to both the details of the proposal and their reasons for approving or rejecting it. Genuine and extensive expert and community consultation should play a central role in this formal decision-making process".
- As presented, the reform ideas have no guiding principles. We would like to see the final recommendations for a charter of citizen participation to be based on the following seven principles (from the NSW White Paper*):

Partnership - the community is to be provided with opportunities to participate in planning

Accessibility - the community is to have access to information that is easy to read and understand

Early Involvement - the community is to be provided with opportunities to participate in strategic planning at an early stage before decisions are made

Right to be Informed - the community has a right to be informed about planning decisions that affect them

Proportionate - community participation in development decisions is to be proportionate to the significance of the proposed development

Inclusiveness - planning authorities are to seek the views of the community through participation methods that are inclusive and appropriate to the needs of the community

Transparency - planning authorities are to make decisions in an open and transparent way and provide the community with reasons for their decisions, including how community views have been taken into account

* NSW Government White Paper "A new planning system for NSW: Community Participation - A FRESH APPROACH"

REFORM 4 ALLOW FOR INDEPENDENT PLANNING INQUIRIES

This reform idea is generally supported.

- This reform must also apply to the major projects process.
- Consideration should be given to allowing parliament to initiate a planning enquiry.

REFORM 5 MAKE THE ROLE OF PARLIAMENT MORE MEANINGFUL AND EFFECTIVE

This reform idea is generally supported.

- Parliamentary scrutiny should not be restricted to strategic plans and state-wide planning policy and must extend to the rezoning process. The State has seen highly controversial rezonings in the Mt Barker, Gawler East and Capital City DPAs, to name just three of the major rezonings of recent years.
- Measures need to be robust to ensure that parliamentary scrutiny is meaningful and effective, and not just a rubber stamp for decisions already made. This will depend primarily on the composition and appointment of any committee involved in the scrutiny process.

REFORM 6 ESTABLISH A SINGLE FRAMEWORK FOR STATE DIRECTIONS

This reform idea is generally supported.

- It is unclear from the “Our Ideas for Reform Report” what level of detail is intended to be in the ‘directions’.
- The directions must be approved by parliament before coming into force
- The directions must conform to goals and principles set out for the planning system by legislation that addresses social and environmental considerations.

REFORM 7 RESHAPE PLANNING DOCUMENTS ON A REGIONAL BASIS

This reform idea requires far more detail.

The reform idea has some merit, but it needs shaping in regard to the whole system.

REFORM 8 ENACT A CONSISTENT STATE-WIDE MENU OF PLANNING RULES

This reform idea is generally supported

Although the Community Alliance SA generally supports this reform idea as a concept, there needs to be a much higher degree of certainty that local variations, with respect to character and heritage in particular, will be afforded protection and that local communities and councils will be central to any changes proposed to these. There is particular concern that frequent updates will be made ‘centrally’ by the planning commission and that these will make sweeping changes across the board.

REFORM 9 BUILD DESIGN INTO THE WAY WE PLAN

This reform idea requires far more detail.

Far more detail is required, particularly around what is envisaged for “form-based” planning and how it would work in the planning system. The designation of ‘land use’ should not be entirely replaced as it describes far more than just the shape and form of development.

REFORM 10 PLACE HERITAGE ON RENEWED FOUNDATIONS

This reform idea is generally supported.

- We agree that the current cumbersome and time-consuming DPA process is not appropriate for reviewing heritage listings.
- We have concerns around the proposed use of accredited heritage professionals performing functions for private property owners and there are doubts that this would give an unbiased approach aimed at the best heritage outcome. There could be a role for them giving advice rather than making certification.
- Although we support a system that gives more clarity, the items currently listed as “contributory items” should not lose any of their protection.
- Any individual or organisation should be able to nominate an item for local heritage and contributory status as well as state heritage listing (or whatever categories are proposed in the future).
- A robust system is needed to ensure that heritage status is not removed inappropriately and that a rigorous, transparent and accountable process is followed.
- Other measures, in addition to the financial subsidies proposed for private owners of listed properties, need to be considered to ensure that listed properties are properly maintained and not allowed to fall into disrepair whereby demolition is likely to be given approval.

- Local residents and community groups need to be involved in the consultation process for development assessments in heritage and character areas as they often have a better knowledge of the area than council staff or other appointed professionals. We are concerned that the regionalisation of development assessments as proposed in reform idea 2 would further remove local knowledge and input from the process.

REFORM 11 MAKE CHANGING PLANS EASY, QUICK AND TRANSPARENT

This reform idea requires far more detail.

- It is not clear how allowing ‘approval of a rezoning program rather than individual rezoning approvals’ would be consistent with having genuine and community engagement upfront in the process. Rather it would seem to exclude any level of detailed consultation.
- Allowing a wider range of parties to undertake rezoning should take a back seat to the need to achieve the best planning outcome and for communities to be engaged about how an area should be rezoned (in line with the planning directions and strategies).
- Parliamentary oversight should be retained and strengthened for significant rezoning proposals.
- Idea 11.6 should state that interim operation criteria should be tightened to focus on preventing adverse outcomes, *precluding rather than enabling development* (include the wording from the text on page 72, shown here in italics).

REFORM 12 ADOPT CLEARER DEVELOPMENT PATHWAYS

This reform idea requires far more detail.

REFORM 13 PROVIDE FOR STAGED AND NEGOTIATED ASSESSMENT PROCESSES

This reform idea requires far more detail.

- It is not clear what level of community engagement would occur at each assessment stage.

REFORM 14 IMPROVE CONSULTATION ON ASSESSMENT MATTERS

This reform idea has some specific recommendations, which should be developed further along with the reforms as a whole.

REFORM 15 TAKE THE NEXT STEPS TOWARDS INDEPENDENT PROFESSIONAL ASSESSMENT (linked to reform idea 2)

This reform idea is not supported

- The Community Alliance SA and its members are greatly concerned at the removal of development assessments from local council DAPs to regional DAPs and see this as removing the assessment further away from the desires, preferences and knowledge of local communities.
- The proposed regional DAPs would have accredited professionals as members, with the ability to co-opt specialist professional members. This is heavily stacked towards achieving a highly technical assessment of development applications, and lacks a focus on council and community desires and preferences particularly in relation to ‘character’ and ‘amenity’.
- The Community Alliance SA already has concerns about the recent extension of private certification for some development plan consents, in particular around the decision being made by an individual who is not acting independently (a private certifier would be employed by a client – the proponent of the development). There are also concerns with accountability, responsibility, enforcement and auditing.

REFORM 16 ENHANCE THE TRANSPARENCY OF MAJOR PROJECT ASSESSMENT

This reform idea requires far more detail.

The process around major projects requires substantial reform and has not been adequately addressed by the reform ideas.

REFORM 17 STREAMLINE ASSESSMENT FOR ESSENTIAL INFRASTRUCTURE

This reform idea is not supported

Major projects and 'essential infrastructure', and the requirement for environmental impact assessments, need to be specifically dealt with in the panel's final recommendations. They should not be subject to 'fast-tracking'.

REFORM 18 MAKE THE APPEALS PROCESS MORE ACCESSIBLE

This reform idea is not supported

The reform ideas actually reduce appeal rights.

REFORM 19 PROVIDE MORE EFFECTIVE ENFORCEMENT OPTIONS

This reform idea is generally supported.

REFORM 20 REINFORCE PRECINCT-BASED URBAN RENEWAL

This reform idea is not supported

- The urban renewal legislation of 2013 was widely condemned by community groups, particularly as it can be used to remove community input further from the normal process.
- The need for precinct-based urban renewal is unclear and is not described in the "Our Ideas for Reform" report. If the aim of the planning review is to improve other aspects of the planning system, for instance to make processes more streamlined, then there should be no place or need for specific urban renewal legislation.
- The legislation that already exists could potentially be used for all manner of developments (including greenfields developments) that would be more appropriate to go through the normal rezoning and development assessment processes. Any new legislation would need to have specific and appropriate criteria regarding its use.

REFORM 21 ALLOW FOR MORE EFFECTIVE PROVISION OF OPEN SPACE, PARKS AND URBAN GREENERY

This reform idea is generally supported......However, there are no principles for what this reform idea is to achieve. The reform ideas might lead to a simpler system that is easier to navigate, but it is not clear that they would actually lead to the 'more effective provision of open space, parks and urban greenery'.

- The removal of open spaces and their replacement with second-rate alternatives such as 'roof gardens' is not supported.
- There is a danger that a regional focus on open space and parks would lead to blanket provisions over a wide area and could mean that some local communities miss out.

REFORM 22 PROVIDE INCENTIVES FOR URBAN RENEWAL

This reform idea is generally supported.

REFORM 23 CREATE NEW TOOLS FOR INFRASTRUCTURE FUNDING AND DELIVERY

This reform idea requires far more detail.

REFORM 24 AIM FOR SEAMLESS LEGISLATIVE INTERFACES

This reform idea requires far more detail.

REFORM 25 ADOPT AN ONLINE APPROACH TO PLANNING

This reform idea is generally supported.

REFORM 26 ADOPT A RIGOROUS PERFORMANCE MONITORING APPROACH

This reform idea is generally supported.

REFORM 27 PURSUE CULTURE CHANGE AND IMPROVED PRACTICE ACROSS THE SYSTEM

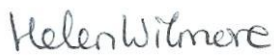
This reform idea is generally supported.

The attachment at the end of this submission

The attachment contains some of the comments and questions raised by community members at briefings organised by the Community Alliance SA on the "Our Ideas for Reform" report, and we thought it would be informative for these to be included as part of this submission.

Lastly, we would like to thank you for the opportunity for the Community Alliance SA to engage in the planning review process as part of the Planning Reform Reference Group. It has been particularly beneficial and enjoyable to have had discussions and a sharing of ideas with the other members of the Community and Interest Groups Working Party, and also to have learnt from and recognised commonalities with other groups, including members of the planning profession, development industry and local government.

Yours sincerely,



Dr Helen Wilmore

Secretary

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Tom Matthews

President

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Community Alliance SA Inc.

We are an umbrella organisation representing resident and community groups

Dedicated to 'Putting the People back into Planning and Development'

Our goal is a planning and development process that is accountable, transparent and sustainable, and that guarantees genuine community consultation

ATTACHMENT

Community Alliance SA Inc
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Engaging for Reform



Comments and questions raised by community members at briefings organised by the Community Alliance SA

These are some of the comments and questions raised by community members at briefings organised by the Community Alliance SA and given by Andrew Gear of DPTI and by Brian Hayes QC, Chair of the Expert Panel on Planning Reform, in August and September 2014. They do not necessarily reflect the views of the Community Alliance SA, but have been used to inform its views and this submission. The Community Alliance SA has taken all reasonable care to ensure the accuracy of this information, but cannot guarantee that there are no errors.

OVERALL PICTURE

- Will there be fundamental reform that will address our concerns and produce a better outcome? It's not clear what the real difference will be with these proposed reforms.
- Checks and balances are needed, for example in Reform 1 (establishing a Planning Commission), to avoid the problems we currently have.
- It's not clear how the proposed reforms will ensure effective and suitable engagement.
- Is the Expert Panel considering addressing issues such as those related to climate change (eg housing conditions and air conditioning)?
- Policy is critical and needs to be addressed.
- Is there enough intellectual rigour in the Government to implement the changes? Is there enough people power in administration to enact it?
- The Government already has the opportunity in the current system to bring in the principles here, but hasn't done so. Combining State Government departments could give a better outcome.
- The report has broad statements rather than detail. What level of detail does the Government expect in the December report?
- The Community and Interest Groups Working Party in the Reference Group has had a conversation and is suggesting a period for consultation after the December report and is also suggesting that the Government consults on its response to the Expert Panel's final report.
- Brian was asked if he would consider recommending to the Minister that there be further consultation.
- This is a wonderfully big document that is pushing in the same direction that the system has already gone in.
- Environmental Impact Statements should be under the EPBC Act or some other conservation act and not under the Development Act.
- We need special planning for environmental matters eg a river area.
- There has been news on the ICAC in NSW and that the Labor Government there has put a prohibition on developers giving money to politicians. Has the panel considered those lengths?

REFORM 1 ESTABLISH A STATE PLANNING COMMISSION

- How would the proposed planning commission report upwards to the Government?
- Doubts were expressed that the planning commission would be independent
- How will the planning commission be appointed? – that's not clear in the document.
- For the planning commission the Minister could choose certain groups eg councils or community groups, or could draw on people with different expertise.
- The charter of citizen participation could legislate that for example the community or social and environmental sectors could have a representative on the planning commission.

REFORM 2 CREATE A NETWORK OF REGIONAL PLANNING BOARDS & REFORM 3 ENACT A CHARTER OF CITIZEN PARTICIPATION

- The report seems to recommend a radical change towards powers being taken away from councils and therefore the community.
- What need has been identified for Reform 2 – it is difficult to see the need for this.
- It is difficult to see how you will get local input.
- It is difficult to see how regional decisions would flow down to a rezoning ie how delivery on the ground would be aligned with strategy.
- Accountability – no-one seems answerable to the people or community. Removing elected council members further from the process worsens this.
- The costs of setting up and maintaining regional planning boards and regional DAPs – who will pay for this? It doesn't seem right that the costs of development/growth will fall on local councils/ratepayers.
- Is it envisaged that rezoning documents will mostly be prepared by local councils or that the boards will do most of these (note the increasing number undertaken in recent years by the Minister)? How will the process be 'cooperative'? Will there be criteria for when a board can undertake a rezoning?
- Will the regional DAPs be able to overrule a council decision about a development assessment?
- There is a problem with the extra layer of bureaucracy. This would make it harder for residents to access than their local councils.
- There are some concerns around the urban renewal legislation and the regional board process. As an example, we are sitting in the Manitoba complex. Councils are aware of the history and value of the area. Adding another layer with a regional board would further remove that knowledge and input and away from the everyday issues of people. The protections for people don't seem to be there and local input will be diminished.
- Precinct planning has some benefits and there are some concerns. Regarding the residential DPA, individual houses may get some protection whereas others won't, but we see the value as being in the area as a whole aesthetically as well as historically. Ideally, councils should be looking at historical issues in their own area but with some overlap with other areas. The councils should work together.
- The DAP works well at a council level because it has the local content. It has a fairer balance of elected and independent members. Something at least as good as that has to go in.
- The idea that a board can set the rules for a local area is a worry.
- The problem with filling regional DAPs with planners is that a generation of planners has been trained to support developers and development. We need to get back to the situation where planners are there for the common good.
- How will you be able to come up with a regional board to cover eg 10 council areas?
- Transport and gas, for example, would not be handled on a regional basis. It's difficult to see how people will work together in the metropolitan area – it would work OK in the country.
- Everyone is trying to get their heads around what a regional board would look like. It could be a grouping based on commonalities of planning principles rather than a geographic grouping.
- Involving the community at a regional level is difficult if there is no particular affinity between areas. The board or DAP members may not have enough knowledge of the whole region. You could have individual members favouring their own local areas.

- The Hills Face network made a recommendation that it should have a separate say – perhaps we should think of this kind of grouping depending on the circumstances.
- Maybe you shouldn't stick with strict or fixed boundaries.
- Is regionalism a good idea? Working as a councillor on a joint matter with another council didn't work – it's not simple and it is very expensive.
- How many areas actually have difficulties with councils sitting next to each other? There may be some in the city area, but are there others? You just need two councils to work together.
- Consulting on an 'airy fairy' strategic plan ignores human nature. People will only be interested when they see something that clearly impacts them (like at the development assessment stage).
- We tend not to talk about the people with expertise eg transport experts. These are the people the public could talk to to get the expertise.
- When writing to the DAC on a particular matter, for example, you may not get a reply back. It would be good if people had feedback.
- We should have feedback on regional matters and precinct planning.

REFORM 5 MAKE THE ROLE OF PARLIAMENT MORE MEANINGFUL AND EFFECTIVE

- If the ERD Committee remains 'stacked' and not truly independent, then what use is it?
- A question was asked about accountability and the reforms supposedly moderating the powers of the Minister. Accountability at the serious level comes down to the courts and the Parliament. At the moment the courts can only address whether the process wasn't followed correctly. Should the Parliament or judiciary be able to knock off an unpopular rezoning decision? For example, should a community group be able to challenge the decision to build over a bushland area?

REFORM 8 ENACT A CONSISTENT STATE-WIDE MENU OF PLANNING RULES

- There is a problem with the top down approach of having eg governments imposing templates because of the risk of making everything the same.

REFORM 9 BUILD DESIGN INTO THE WAY WE PLAN

- Developers are not actually that interested in 'mixed use' eg they don't want to build residences above businesses.
- How would 'design' link into the urban renewal process?

REFORM 10 PLACE HERITAGE ON RENEWED FOUNDATIONS

- There is concern about heritage matters and that contributory items will disappear with these proposals. It is very hard to distinguish between local heritage listed and contributory items. There is an advantage in the ability to nominate non-heritage items outside of the DPA process as the DPA process takes many years and there is no way that individuals or groups can nominate local heritage items (anyone can nominate an item for State Heritage listing). The value in Kensington for example has been created by the heritage character. The concern about the costs of maintaining heritage items doesn't take this into account.
- This paragraph on p69 is absolutely disgusting – "As a panel, we have been concerned that heritage listing imposes costs on property owners. This has been exacerbated by the use of heritage-like terms in development plans in ways that were not envisaged by legislation. We are aware that it can be difficult to source information about what can and cannot be done to a heritage-listed place." This is because the other protections have been taken away. Who are you listening to to come to this view?
Several others pointed out that the information is in the development plans anyway.
- Councils try to look after pockets of cottages for example, but the Minister can take this away with the stroke of a pen. Whether we would have more confidence in a planning commission depends on who is on the planning commission.
- Local government has the say in nominating areas for heritage protection. So if it's wrong it means it's the community's problem.
Others pointed out that it is the government that approves the changes.

**REFORM 13 PROVIDE FOR STAGED AND NEGOTIATED ASSESSMENT PROCESSES
& REFORM 27 PURSUE CULTURE CHANGE AND IMPROVED PRACTICE ACROSS THE SYSTEM**

- It's disappointing to hear planners in our council say that the developers push so hard that they are intimidated.

REFORM 14 IMPROVE CONSULTATION ON ASSESSMENT MATTERS

- Why don't we just have development assessments where everything must fit the development plan?
- How are individuals' rights to protection of the character and heritage of their suburbs addressed?
- Will there still be room for public notification for eg category 3 assessments.
- There needs to be better engagement and support for community members in understanding and addressing the development assessment process.

REFORM 21 ALLOW FOR MORE EFFECTIVE PROVISION OF OPEN SPACE, PARKS AND URBAN GREENERY

- With a regional focus, local communities could miss out on 'open spaces'.

REFORM 27 PURSUE CULTURE CHANGE AND IMPROVED PRACTICE ACROSS THE SYSTEM

- Thinking of the micro-level of planning – eg young council planners nervous about talking to an applicant – how can there be proper education to prepare them for the change from a university education to a real life job situation?