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Engaging for Reform



Community Alliance
South Australia

Response to Hon David Ridgway MLC Discussion Paper “**Developing a better South Australia.**”

“The build environment creates the places for people to live, work, play and travel”

Hon David Ridgway” Introduction to the Discussion Paper.

CONFIDENCE

The Alliance agrees with the above assertion and contends that at present the existing planning legislation and government planning decisions favour developers. Given the importance of the above statement the Alliance argues that at present the people of SA have no confidence in the present planning system.

At present the traditional approach is used by the SA Government to develop policy based on the perspective of the political and administrative systems of government, with limited public participation. The public is usually asked for opinions on issues and approaches but rarely has a chance to comment on policy proposals until the process is virtually complete. These processes often have open-ended time frames, with little public understanding of how or when decisions will be made. The people of South Australia do not want this approach to planning. It is not acceptable to any of our Member Groups.

We argue that Ministerial DPA’s reflect what the Government wants despite citizens making submissions to the DPAC which merely rubber stamps the Ministerial DPA and even if a submission is made to the Parliamentary ERD Committee the Committee members vote on Party lines endorsing the DPA. Yes, the people have been consulted but not listened to. The present system is seriously flawed because the members of Government committees are not independent.

One key area for reform in the local Council Development Application Process is to ensure that where a development has an impact on the amenity of an existing residential development all parties concerned have an equal say. It is inefficient and unfair to have a system where expensive court action is the only way to resolve issues such as overshadowing and other impacts arising from development. These should be determined, discussed and resolved before applications are considered for approval.

"Many Development applications are now considered by councils as category one. This means there is no notification to occupiers of nearby properties, no effective right to comment (if you do find out and send in a comment it is ignored) so there is no right of representation and as we understand it no ready encouragement to legal appeal, if you do appeal there is a limited time frame and the grounds for and scope of the appeal may be limiting and technical.

A NEW PLANNING SYSTEM IS URGENTLY NEEDED

The Alliance supports the proposition that the West Australian Independent Planning Commission might be the model to be adopted in South Australia. The Alliance would like to see this carefully researched along with other models. Integration and co-ordination of all planning elements including transport, the environment and infra-structure along with built form and design are required. Urban planning, zoning and land release should cover both current and long-term plans. There should be a broad mandate with very careful selection of staff and authority members to ensure a good balance and composition to achieve ongoing confidence in decisions.

We suggest that a **'whole of government'** approach to planning is needed – planning either good or bad affects peoples lives enabling advantage or disadvantage to the people and voters of South Australia. We want good planning made by people who know what they are doing and not so called planning done behind closed doors.

The Alliance recommends that a new Planning Authority for South Australian should incorporate the following:

Natural-heritage, environmental-protection, and environmental-hazard policies

Economic, community-development, and infrastructure policies

Housing policies

Agricultural-land policies

Conservation policies; and

Mineral-aggregate, mineral-resource policies

RESOURCES AND INDEPENDENCE

Adequate resources must be determined and all aspects of planning including on-going monitoring, auditing of performance, consultation, reporting and research. Proper building and associated standards and required outcomes (e.g. employment, environmental, social, infrastructure) must form part of any contractual agreement before any project commences. Lack of resources and a poor process will see the public quickly losing confidence. Efficiency is important but it does not necessarily guarantee a "fair go" for all.

Any new Planning Authority must be independent of Government with no provision for being over ridden but adequate checks and balances will need to be implemented when a new planning body is established.

REVIEW.

The Alliance suggests system should be reviewed every 5 years and the projections and requirements updated. If elements within the legislative process especially the regulations are not working they should be able to be changed quickly in line with the intention to achieve “a fair system for all”.

CONCLUSION

We need to put the people back into planning.

It is vital to build communities and not just build development. If the Liberal party decide to create a new planning system and establish a new Planning Authority the Alliance insists that genuine public consultation is provided. The challenge is to strike a balance between the interests of developers, the building industry and the people as ‘the build environment creates the places for people to live, work, play and travel’. Genuine consultation is smart policy and will win the confidence of the voting public of South Australia.

The Alliance is willing to participate in further discussions on planning reform.

We thank you for the opportunity to discuss planning reform with you and look forward to working with you in the future.

Dianne van Eck
President