

South Australian Government Response to Planning Reform

March 2015

On the 25th of March 2015 the South Australian Government released its report: 'Transforming our Planning System: Response of the South Australian Government to the final report and recommendations of the Expert Panel on Planning Reform'. In February 2013 the South Australian government appointed an Expert Panel on Planning Reform to undertake a review of the State's planning legislation and system. The final report of the Expert Panel on Planning Reform was delivered to the government on 12 December 2014. The Panel's report contained 22 recommendations. On the 25th of March, Deputy Premier and Minister for Planning, Mr John Rau, released the government's response to the expert panels recommendations. It includes a summary of the government's response to each of the recommendations and outlines a framework for either implementing them, in whole or in part, or identifies where further investigation is required. This report is summarised below.

Contents

South Australian Government's Approach	1
Delivery Framework.....	2
Targeted Timeline	2
Supported Reforms.....	2
Further Information	4

South Australian Government's Approach

The majority of the reforms in the report will be delivered through the enactment of new planning legislation. The new legislation will replace both the Development Act 1993 and the Urban Renewal Act 1995. The Government will also seek to integrate transport and infrastructure laws as part of this new Act. Further legislation on discrete topics, including consequential amendments to and repeal of other laws, will follow once passage of the new legislation has been secured.

Many of the reforms will require legislative change in the first instance, but will then require further implementation steps before legislation can commence. The legislation will be drafted with in-built transitional arrangements that enable progressive delivery of reform elements over a 3–5 year period.



The reform legislation will be drafted to be budget neutral or positive when implemented. Allocation of resources to support implementation of the reforms over a 3–5 year period will emerge through the normal budget process.

The Government will not suspend short term initiatives that may have significant economic, social or environmental benefits pending implementation of the legislation.

Delivery Framework

Prior to the establishment of the inaugural planning commission, the Department of Planning, Transport and Infrastructure (the Department) will coordinate other relevant agencies to commence delivery of the reforms.

The Government will provide avenues for consultation and engagement as it develops the new planning legislation, during parliamentary debate and to inform implementation. A reference group will be convened on a similar basis to that managed by the Expert Panel for this and other planning initiatives. The Department will also meet regularly with the Local Government Association throughout the reform process.

Targeted Timeline

Stage	Month	Action	Key dates
1	Jan-Feb	Members of the public had opportunity to provide comment on the report.	12 Dec 2014: release of report 13 Feb 2015: deadline for public comments
2	Mar-Jun	Following Cabinet approval, legislation will be drafted. Consultation will continue during drafting.	March 2015: release of Government response March June 2015: drafting of legislation
3	July	Bill targeted for introduction to Parliament in July 2015. Debate on the legislation will commence in September.	July 2015: bill introduced to Parliament— September 2015: parliamentary debate proceeds on bill
4	2016-2018	Legislation will likely be commenced in stages, over the course of 2016–2017. A detailed transition plan will be included in the legislation to phase in elements over a 3 year period following commencement.	

Supported Reforms

The government responded to all twenty two recommended reforms. Six of the recommendations were supported in full, six recommendations were supported in principal, four recommendations were supported in part and five were recommended in part but required further investigation. One recommendation was noted and further investigation was required before the government could confirm its position.

The full governmental response to all the recommendations is available in the full report available [here](#).



Below is the summary of the recommendations supported by the government in full.

Establish a State planning commission

The government agreed in principal on the panel's recommendation to establish a planning commission which will be the government's principal advisory body and remain accountable to the Minister which will act transparently and on evidence based policy principles.

Engage Parliament in the Development of Planning Policies

This reform seeks to use parliament in shaping long term planning directions by having earlier parliamentary engagement on planning policies and strategies. The reform may result in amendments to the Parliamentary Committees Act which will dissolve the current parliamentary committee which was found to be ineffective.

Create in Legislation a new framework for State Directions

The government seeks to reform directions so that they are short, succinct and provide certainty. In addition to this the government wants to reform directions so they include measurable targets. The reform will result in new legislation being introduced in July 2015.

Establish a single state-wide menu of planning rules

The government commits to make a state wide planning code that provides a 'menu' of zoning rules for application, includes design standards and guidelines and integrates standards such as landscaping, vegetation and tree plantings.

Reinforce and expand precinct planning

The Government will take steps to ensure; precinct development opportunities are opened to private sector parties on an application basis, more scalable precinct development processes to suit small scale redevelopment opportunities are created and aspects of the of the legislated process is simplified.

Settle and deliver an infrastructure funding framework

The Government agreed with the Expert Panel that a single statutory framework that brings together planning, prioritisation, coordination, funding and delivery of infrastructure under one umbrella that is integrated with zoning and assessment decisions is needed. A bill is targeted for introduction in July 2015. Furthermore the Government will look at improvement levies and infrastructure bonds as part of its taxation review.

Establish an online planning system

Establishment of a single planning portal, with links to council and agency websites, will represent a major investment drawcard for the State. In time, the Government foresees such a portal could include land-related data and transaction capability for related issues, such as e-conveyancing or environmental permits.



Further Information

The Experts Panel on Planning Reform's paper, 'The Planning System We Want', is available [here](#).

The Government's response, 'Transforming our Planning System: Response of the South Australian Government to the final report and recommendations of the Expert Panel on Planning Reform' is available [here](#).