our new system

revolutionising planning in South Australia

Department of Planning, Transport and Infrastructure
8 June 2017
Introduction & Overview

Anita Allen
our journey towards the new system
our new system

- A better framework for long-term planning
- Better ways to engage South Australians
- Professional decision making
- A performance based planning and design code
- Better assessment processes leading to quicker decisions
- Better coordination and delivery of infrastructure
The Current and the New Planning System

Development Act 1993 and Development Regulations 2008 replaced with Planning, Development and Infrastructure Act 2016 and Regulations

Planning Strategy replaced with State Planning Policy

Development Plan replaced with Regional Plans

replaced with Planning and Design Code

Community Engagement Charter

Practice Directions

Practice Guidelines

Design Standards

Infrastructure Schemes
Delivers technical on-line solutions to support our new system

SA Planning Portal as the single space to access all planning information and tools

Replaces paper based processes with on-line services

Allows for better sharing of information

Enables us to monitor the performance of the system
With the introduction of the Planning, Development and Infrastructure Act, the **role of the planner in the South Australian system** will undergo a cultural shift towards collaboration and facilitation.

The **next 18 months will be crucial for laying the foundations** for how the new system will be implemented and, ultimately, how it will function going into the future.

This is not just the Department’s system – **it belongs to all of us**.
good planning takes time

- **Collaborative** approach
- **Orderly and logical** sequence of delivery
- Important not to just launch in – need consistent delivery principles, frameworks, behaviours
- **Change Management** supported by training and development
our commitment to you

- Consistent project management – *Think, Learn, Plan, Do*
- Facilitating outcomes – harnessing collective knowledge
- Collaboration and partnerships – key to success
- Regular communication – keeping you informed
- Testing our ideas – peer reviews and pilot schemes

SA Planning Portal; Project Dashboards; Think Tanks; Secondments; Advisory Groups; Planning Ahead Newsletter
## Current system vs The new system

<table>
<thead>
<tr>
<th>Current system</th>
<th>The new system</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Assessment</td>
<td>New Assessment Pathways and Relevant Authorities</td>
</tr>
<tr>
<td>Development Plan Amendments</td>
<td>Contemporary Code – focus on spatial application and local content</td>
</tr>
<tr>
<td>Prescribed Community Engagement</td>
<td>Comprehensive engagement on strategic direction and policy setting</td>
</tr>
<tr>
<td>Strong reliance on prescriptive standards</td>
<td>Performance standards with an emphasis on design quality</td>
</tr>
<tr>
<td>Strategic Planning (Section 30 reviews)</td>
<td>Regular strategic planning reviews</td>
</tr>
</tbody>
</table>

**What does this mean for the profession?**
Better and earlier discussions with communities

More flexible approaches to engaging with communities

Innovative and interactive engagement techniques

Changing the conversation – up skilling communities to get involved

Community Engagement Charter; Development Assessment Rules, Engagement Toolkit
role of the planner - design

- Regulate only what’s needed
- Shifting focus to performance outcomes – high quality design
- Supporting innovative approaches to development – flexible spaces and places
- Creating Places for People – improving public realm
role of the planner – strategic planning

■ Stronger focus on local strategic planning
■ Opportunities for regional approaches – Joint Planning Boards and Regional Plans
■ Understanding growth and change – monitoring performance
■ Putting local communities at the heart of strategic planning
■ Creating great places, healthy neighbourhoods and supporting innovation / diversity

Joint Planning Boards; Collaborative Work Program; Transition Plan; Snapshot SA
what we have delivered

SA Planning Portal
- Phase 1 (Dec 2016)
- Phase 2 (July 2018)
- Program updates
- More interactive platform
- Plain English format

Governance
- State Planning Commission now appointed
- 3 Statutory Advisory Committees
- Governance Unit, positioning, work program

Engagement Charter
- Community Panel
- Practitioner Panel
- Your Say – general community input
what we have delivered

State Planning Policies
- Agency secondments
- Framework prepared
- Initiated state mapping layers and policies

Infrastructure Schemes
- Pilot program EOI
- Appointed Scheme Coordinator
- Design Standards Framework commenced

Regional Planning
- Joint Planning Board initiative
- Existing Regional Plans are transitioned
- 30 Year Plan Update
our 2017 program

By Mid Year
- Deliver P&D Code framework
- Initiate conversations (road shows, videos, fact sheets, etc.)
- DPTI transition manager for each Council

By September
- Engage with each Council on a Collaborative Work Program
- Code discussion papers
- Elected Member training pack with LGA

October – onwards
- Strategic planning (down to local area planning where areas are unique)
- 1st generation Community Engagement Charter
- Council and regional assessment panels
- State Planning Policies released
Table Discussion (10 min)

Knowledge of the New System

- What do you need more information about?
- Do you use the SA Planning Portal for updates?
The 30-Year Plan for Greater Adelaide
2017 Update
First released in 2010
Provides high level land-use vision
Introduced the concept of a new walkable urban form
6 high level targets – new urban form
Will transition to being a Regional Plan
Local area planning will be a key action
2017 Update now approved by Cabinet
what people said

- Support for being **more accessible** and **simpler-to-read**
- Strong support for **policies** and **actions**
- Support for **targets** with some refinement
- Would like clarity around **implementation, governance** and monitoring
- Role in the **new planning system** needed more clarity

82 submissions – open house events, discussion forums, community brochure
1. Containing our urban footprint and protecting our resources
   
   1.1 85% of all new housing built in established urban areas by 2045
   
   1.2 90% of all new housing built in established townships + designated urban areas by 2045

2. More ways to get around
   
   60% of all new housing built in close proximity to quality public transport by 2045

3. Getting Active
   
   30% increase in share of work trips made by active transport modes by 2045

Strengthening and refinement of targets
our targets

4. Walkable Neighbourhoods
   - 25% increase in residents living in walkable neighbourhoods by 2045

5. A Green Liveable City
   - 20% increase in urban green cover in metropolitan Adelaide by 2045

6. Greater Housing Choice
   - 25% increase in housing choice to meet changing household needs by 2045

Strengthening and Refinement of Targets
- **annual implementation plan** – to work with the planning reform program
- **annual report card** – reporting on agreed actions and targets

livingadelaide.sa.gov.au
30-Year Plan 2017 Update
Design Guidelines
Suite of design-led policy changes (DPAs)

saplanningportal.sa.gov.au

Inner Metropolitan Design, City Design, Onkaparinga, Prospect
state planning policy

- Designated Instrument (s70)
- Succinctly outline state government policies and priorities that affect planning
- High level policy statement
- Respond to current and future challenges
- Provide a policy framework for the other designated instruments
- Taken into account when preparing other designated instruments
state planning policy

Designing Liveable Neighbourhoods
- Design Quality*
- Integrated Planning*
- Affordable Living

Facilitating Economic Growth
- Adaptive Re-Use*
- Character Preservation Areas
- Primary Production/GQAL
- Key Resources
- Employment Lands

Creating a Sustainable Environment
- Climate Change*
- Special Legislative Schemes*
- Coastal Environment
- Culture and Heritage
- Water Security
- Water Quality
state planning policy

Developing Resilience to Hazards and Disasters
- Natural Hazards
  - Flooding
  - Coastal
  - Bushfire Protection
- Emissions and Hazardous Activities

Maximising the Efficient Use and Integration of Infrastructure
- Energy
- Strategic Transport Corridors
- Strategic Intermodel Facilities
- Strategic Ports
- Strategic Airports
Referrals for Direction – linked to state interests

Outlines states interest in the planning system

Spatial representation of state interests and impact on regions

Performance outcomes linked to SPP – Referrals and Overlays
Statutory Policies
Legislated in the PDI Act 2016

• Integrated Planning
  • Adaptive Re-use
  • Climate Change
  • Special Legislative Schemes
  • Design Quality

Informs Regional Planning

Strategic Policies
Set policy direction at a local level

• Natural Hazards
  • Coastal
  • Bushfire Protection
  • Affordable Living

Planning and Design Code
• Overlays
• Zones
• Sub-Zones

Development Assessment - Referrals
Community Engagement Charter
The Expert Panel heard that communities want to be genuinely involved in the planning system.

Community Engagement charter will underpin the planning system.

Responsibility of the Commission.

Performance based approach to engagement.

Fit for purpose and flexible engagement approaches.

Expert Panel - The community want to be engaged differently.
Develop guiding principles with input from:
- Planning Together Panel
- Online Deliberation
- yourSAy Conversation

Practitioner panel input to decision-making and evaluation framework

Tool-kit and training/capacity building to follow

A new approach - South Australians designing the Community Engagement Charter
Community Engagement Charter

- Practitioner input: June 2017
- Panel sessions: July 2017
- Draft delivered: August 2017
- Charter adopted: October 2017
Table Discussion (10 min)

Effect of the Community Engagement Charter on your council

- How can we put people and communities at the centre of major planning decisions?
- What support should DPTI provide to councils?
- What engagement processes/practices do you already use?
Governance and Assessment
the current and the new planning system

DPAC, LHAC, BAC replaced with State Planning Commission + committees

DAC, BRAC replaced with State Planning Commission + Assessment Panel(s)

Minister for Planning replaced with State Planning Commission

Minister for Planning
The current and the new planning system

Development Assessment Panel

replaced with

Regional Development Assessment Panel

Council Assessment Panel

replaced with

Local Assessment Panel

Regional Development Assessment Panel

replaced with

Joint Planning Board Assessment Panel

Council appoints

Minister appoints

Minister appoints
assessment panels

the old and

7-9 Total Members
Up to 3 Elected Members

replaced with

5 Members
Up to 1 Elected Member
what's new
Accredited Professionals
Assessment Managers

the new planning system
Councillors Advised

Proclamation

Panels Established

Panels Accredited

May /June 2017

August 2017

October 2017

Mid 2018
Currently private certifiers can act as a relevant authority for certain types of development.

- Enables establishment of an accreditation scheme.

- Accredited professionals will play a key role in the new planning system.

Accreditation is not required until mid 2018.
accredited professionals

- Sept 2017: Consultation on scheme
- End 2017: Scheme established
- July 2018: Accreditation
A new mechanism for regional collaboration and partnerships.

A Joint Planning Agreement is the mechanism to establish a Joint Planning Board.

Agreement is between the Planning Minister, Council and/or another Minister or other entity.

Planning functions can be delegated to the board.
Pilot program to:

- improve collective understanding of advantages and disadvantages of planning agreements
- identify key tasks, processes and potential options involved in negotiating and establishing planning arrangements
- develop a tool kit to share learnings as well as guide councils in the establishment of regional planning agreements.
Infrastructure Delivery Schemes
Planning and provision of infrastructure as areas grow

Infrastructure to be identified, costed and locked-in prior to development

Costs are equitably distributed

Up front known payment or multiple payments spread over a period of time

Can reduce regulatory burden on complex projects
**Basic Infrastructure Scheme**

- Infrastructure delivered in sequence with development outcomes
- Clear funding arrangements - negates need for multiple infrastructure agreements

**General Infrastructure Scheme**

- Facilitates development through supporting infrastructure provision
- A equitable distribution and apportionment of the costs
- A flexible and innovative mechanism for delivery
- Opportunities for partnerships between government and private sector
Basic Infrastructure Scheme

- Not a replacement for existing systems and processes
- Additional tool to use for the delivery and funding of infrastructure
- Benefit projects with multiple land owners
- Applied where broader development outcomes are desired
- Can be applied across multiple boundaries
- Coordinated by a Scheme Coordinator rather than multiple land owners
opportunities for a basic scheme

• The traditional approach resulted in:
  – 205 deeds
  – 4 years for rezoning
  – zoning anomalies ('swiss cheese' effect)
  – managed by owners at significant cost
  – information not publicly available

* Note – pink is where no deed negotiated and salmon was rezoned area
**Existing Deeds System**
- 4 DPA’s
- Over 200 Deeds
- 3-4 year process
- 'Swiss Cheese’ Zoning

**Basic Infrastructure Scheme**
- 1 rezoning
- No deeds – 1 agreement
- 1-2 year process
- All zoned
General Infrastructure Scheme

- Infrastructure associated with:
  - energy
  - telecommunications
  - water and sewerage
  - transport networks or facilities
  - causeways
  - bridges
  - embankments

- Coast protection works or facilities

<table>
<thead>
<tr>
<th>Prescribed infrastructure requires</th>
</tr>
</thead>
<tbody>
<tr>
<td>100% &quot;opt in&quot; from all contributors</td>
</tr>
</tbody>
</table>

- Health, education or community facilities
- Police, justice, or emergency services facilities
- Other infrastructure as defined by regulations (yet to be drafted)
The traditional approach resulted in:

- Development is built to boundary
- No integration with public realm
- Multiple agreements (deeds, LMA’s) between various stakeholders
- Most often nothing happens.

opportunities for a general scheme
General Infrastructure Scheme

- General infrastructure scheme
- Primary contributors
- Secondary contributors
- Contribution area

Mainstreet Improvement
A greater range of tools

Small Land Division
Code Assessed - DTS
Planning Conditions

Larger Land Division
Code Assessed – DTS or performance based
Planning Conditions/Deed/Bonding agreement

Complex Land Division
Basic Scheme

Public realm & infrastructure enhancement
General Scheme
## Infrastructure Schemes

<table>
<thead>
<tr>
<th></th>
<th>Development Act 1993</th>
<th>Basic Scheme</th>
<th>General Scheme</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>How it operates</strong></td>
<td>Non statutory</td>
<td>Statutory framework</td>
<td>Statutory framework</td>
</tr>
<tr>
<td>100% Agreement</td>
<td>Only pay when benefit realised within gazetted ‘contribution area’</td>
<td>100% agreement (prescribed infrastructure)</td>
<td></td>
</tr>
<tr>
<td><strong>Infrastructure included</strong></td>
<td>Anything by negotiation</td>
<td>Basic Infrastructure only</td>
<td>Essential Infrastructure (broader than the basic scheme)</td>
</tr>
<tr>
<td><strong>Collection mechanism</strong></td>
<td>Payment established in Deeds</td>
<td>Single charge</td>
<td>Payment apportioned based on benefit</td>
</tr>
<tr>
<td><strong>Time of payment</strong></td>
<td>Depends on deed</td>
<td>Payment on benefit – deposited plan or acting on DA</td>
<td>Payment over time</td>
</tr>
<tr>
<td><strong>How managed</strong></td>
<td>Managed by owners</td>
<td>Managed by Scheme Coordinator</td>
<td>Managed by Scheme Coordinator</td>
</tr>
<tr>
<td><strong>Public availability</strong></td>
<td>Not publicly available</td>
<td>Published on planning portal, and gazette</td>
<td>Transparent process, requires engagement and Parliamentary scrutiny</td>
</tr>
</tbody>
</table>
Test the new legislation with real projects

Evaluate resource implications – costs and benefits

Develop templates and processes to streamline the process

Work through financing models and contributions frameworks
Relate to the public realm and infrastructure

Find the balance between ‘gold plating’ and ‘undercooking’ infrastructure

Can be called up through the Code

They can be different for different areas (eg country areas compared to city areas)

Soon will commence work on the framework
Planning and Design Code
The Expert Panel on Planning reform said ‘It is clear that the planning system is straining under the burden of voluminous, complex and highly variable planning rules across the State.

The Minister for Planning wanted a more performance based approach to planning with an emphasis on design.

Proponents wanted certainty with flexibility.

Communities want planning rules that they can understand.
Aims and principles

72 Development Plans

1500 Zones

Paper Based

1 Code

< 50 Zones

Electronic
The Code will have two main parts:

- **Part A** - short, high level introductory section:
  - overview the SA assessment system
  - purpose of the Code
  - how to use it
  - rules for development assessment or interpretation of the Code

- **Part B** – policy content
  - database of all of the Zones, Subzones, Overlays, General Modules, Maps
Code structure

Zones
• Principal organising layer
• Apply consistently across the state
• Policy will relate to spatial attributes

Sub-Zones
• Capacity to vary policy in part of a Zone to reflect a local characteristic
• Prevailing purpose of the zone must still be achieved

Overlays
• Principal mechanisms for state interests, e.g. bushfire, flooding, affordable housing etc
• Are preeminent, fixed
• Will be prescribed where they apply

General Modules
• Address functional requirements of particular development types
More flexible assessment

PREScriptive
Deemed-to-satisfy

PERFORMANCE
Outcome-based
More flexible assessment

House in a Residential Zone

PRESCRIPTIVE
Deemed-to-satisfy

PERFORMANCE
Outcome-based
More flexible assessment

Mid-rise housing in an Urban Corridor Zone

PREScriptive
Deemed-to-satisfy

PERFORMANCE
Outcome-based
More flexible assessment

PRESCRIPTIVE
Deemed-to-satisfy

PERFORMANCE
Outcome-based

Mixed-use tower in the CBD
Assessment pathways

**Shed**
- Exempt Development
  - Planning consent not required
  - Building consent not required
  - No notification required

**Shop fit-out**
- Accepted Development
  - Planning consent not required
  - Building consent required
  - No notification required
Assessment pathways

Single storey house

- Code Assessed Development
- Deemed to satisfy
- • Planning consent must be granted
  • No notification required

Mixed-use apartment building

- Code Assessed Development
- Performance assessed
- • Performance assessed – on merits
  • Planning consent may be refused
  • Notification likely
Assessment pathways

- Foundry
  - Impact Assessed Development
  - Impact assessed (by code)
    - Early no available
    - Performance assessed
    - Planning consent may be refused
    - Notification required
    - 3rd Party rights of appeal

- Port
  - Impact Assessed Development
  - Impact assessed (by Regs)
  - Impact assessed (by Minister)
    - Early no available
    - Performance assessed
    - EIS required
    - Planning consent may be refused
    - Notification required
Assessment authorities

- **Exempt**
- **Accepted**

**Accredited Professionals**
- Different levels of accreditations

**Assessment Managers**
- May delegate to council staff

**Assessment Panels**
- Must be accredited

**Commission Sub-committee**
- 6 members

- **Code-Assessed deemed to satisfy**
- **Code-Assessed performance**

- **Impact Assessed by Code**

- **Impact Assessed by Regs**

- **Impact Assessed by Minister**

**No planning assessment**
## Draft Zone structure

<table>
<thead>
<tr>
<th>Zone</th>
<th>Desired outcome</th>
<th>Performance outcomes</th>
<th>Deemed-to-satisfy (DTS) solutions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><em>(strategic intent of the zone)</em></td>
<td><em>(to be used for Performance Assessed development)</em></td>
<td><em>(notably one way of achieving outcomes)</em></td>
</tr>
</tbody>
</table>
### Draft Zone structure

<table>
<thead>
<tr>
<th>Zone</th>
<th>Low Density Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Desired outcome</td>
<td>• accommodates low density residential development</td>
</tr>
<tr>
<td>(<em>strategic intent of the zone</em>)</td>
<td>• maintains a high level of residential amenity</td>
</tr>
<tr>
<td></td>
<td>• well serviced and protected local character</td>
</tr>
<tr>
<td>Performance outcomes</td>
<td>• is in keeping with the amenity of the surrounding land uses</td>
</tr>
<tr>
<td>(to be used for Performance</td>
<td>and local character</td>
</tr>
<tr>
<td>Assessed development)</td>
<td></td>
</tr>
<tr>
<td>Deemed-to-satisfy</td>
<td>1.1) Buildings are low rise where building design achieves:</td>
</tr>
<tr>
<td>(DTS) solutions</td>
<td>a) a site cover that does not exceed 75% of site area;</td>
</tr>
<tr>
<td>(*notably one way of</td>
<td>b) the maximum length of any wall is 12m</td>
</tr>
<tr>
<td>achieving outcomes*)</td>
<td></td>
</tr>
</tbody>
</table>
## Draft assessment table

### Low Density Residential Zone

<table>
<thead>
<tr>
<th>Use or Use Class</th>
<th>Accepted</th>
<th>Code assessed (DTS)</th>
<th>Code assessed (performance)</th>
<th>Impact assessed (restricted)</th>
<th>Relevant Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>![House Icon]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>![Florist Icon]</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>![Shed Icon]</td>
<td></td>
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</tr>
</thead>
<tbody>
<tr>
<td>Low density res. zone code</td>
<td>Low density res. zone DTS criteria 1.1 – 2.3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Low Density Residential Zone</strong></td>
<td></td>
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<td>Impact assessed (restricted)</td>
<td>Relevant Code</td>
</tr>
<tr>
<td>Low density res. zone code</td>
<td>Low density res. zone DTS criteria 1.1 – 2.3</td>
<td>Low density res. zone 3.1 Car parking code</td>
<td>Low density res. zone code (outbuilding provisions)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Code preparation stages

1. PREPARATION
   - Theme papers
   - Research papers

2. DRAFTING
   - Draft Code library
   - Consultation – talking to community

3. BUILDING
   - ePlanning solution to allow for spatial application of Code library

4. SPATIAL APPLICATION
   - 3 stages – early/middle/end
PANEL DISCUSSION
(45 min)

Your turn to ask questions
Table Discussion (30 min)

Working Together

- What are the biggest challenges or risks for Council to implement/transition to the new system?
- What support could DPTI provide to assist you in managing implementation in your area?
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