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WHO IS RUNNING THE NEW PLANNING, DEVELOPMENT AND INFRASTRUCTURE AGENDA IN SOUTH AUSTRALIA?

The draft Planning and Design Code was released in a parlous and incomplete state in October last year. Since then the public at large, along with community groups, has been offered a spurious Consultation process based on an illusory opportunity to comment on the Code and to receive feedback.

All evidence to date indicates that, contrary to the dictates of the statutory Community Engagement Charter, the public has been studiously ignored in the formulation of new planning policy for the State. Not so the favoured beneficiaries of the Code, the property, building, construction and development industries, which have been privy to, and deeply involved in the development, structure and content of the Code.

The stage was set for pivotal role of the industry lobby in the new planning system in a letter from the Urban Development Institute of Australia (UDIA), on 7 October 2016, to the then Planning Minister John Rau. The letter outlined some of the UDIA's requirements for a revised status of heritage items under the new system. These included the elimination of Contributory Items, restricted criteria for heritage listing, weakened demolition protections, neglect of character streetscapes and the elimination of accreditation requirements for property assessment 'experts'.

The role of industry has been orchestrated further through the Minister's Liaison Group, a peak body providing advice on the Code to Planning Minister Knoll. The membership comprises representatives of DPTI, the State Planning Commission (SPC) and the Local Government Association, along with the key industry beneficiaries of the planning reforms. They include: the UDIA, the Property Council, the Housing Institute of Australia and the Master Builders Association, along with developers Hot Property Group and Metricon and investment bankers Greenhill. No hint of involvement from heritage, environment or community groups.

The UDIA has been a key player in this process as indicated by this directive statement in its letter to the Minister on 18th December 2019:
'...ongoing dialogue between the SPC, DPTI, the Minister and the UDIA will provide the clearest and most direct pathway to addressing issues with the rollout of a new planning system...'

In addition the UDIA promoted, or was invited to contribute, the following input into the Code and its implementation:

- Assistance in the wording of provisions and their time frames, and with land division processes and the avoidance of 'onerous' documentation.
- The 'expeditious' processing of development.
- Advice on 'key areas of concern' relating to referrals for consideration by the SPC.
- The advanced availability of the e-planning system for testing by industry, to expedite the selection and assessment of potential development sites.

- Making sure that infill development 'is easier', by testing case studies.
- Provision of feedback by Government to industry bodies on private sector submissions in the formulation of the Code.
- The removal of Contributory Items from the Code.
- The revision of the 'open space' definition to include verandahs and alfresco areas.
- The reduction of 'soft landscaping' requirements.
- The restriction of public notification of development applications.
- A reduction in referral 'triggers' to Agencies such as the State Commission Assessment Panel (SCAP) and the Environment, Resources and Development Committee (ERDC).

Another notable example of the close relationship between industry and key Government planning authorities and the Minister was a Study Tour to London, Manchester and Glasgow brokered and organized by the UDIA. The Tour Group, who spent eight days travelling, meeting, dining and sightseeing together in April 2019, comprised the Planning Minister, the Chair of the SPC, senior DPTI officials and a cross section of industry representatives.

It is not hard to envisage the relationships forged and deals made during this little junket. Once again, there was a notable absence of advocates for the environment, heritage and the community.

Given the close relationship between the industry bodies and the Government and its planning agencies, it is easy to understand the bias in the Planning and Design Code towards the developers at the expense of community concerns about the future of our built and natural environment.

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