

DIT:Planning Reform Submissions

From: Sozo Nikias [REDACTED] >
Sent: Thursday, 17 December 2020 10:11 PM
To: DIT:Planning Reform Submissions
Cc: AGD:Attorney-General
Subject: Feedback On SA PlanSA PDI legislation and e-Planning system

Categories: John

The introduction of the new PDI legislation has been lauded for many years as the panacea to required Planning Reform born from frustration of a Planning System where applications are dealt with vast inconsistencies and drawn out timelines that have seen developers frustrated and discouraged from pursuing investment in development in this state.

Bluntly this can be put down to the Anti -Development sentiment that is endemic in most inner city local government council electees that have unfortunately dominated Development Assessment Panels and development policy has become intentionally restrictive and petty in the majority of DAP dealings.

The State Government's frustration has led to the drafting and implementation of a re-worked Planning Strategy that was hoped to provide greater uniformity throughout Council Development Policy and streamline the development process.

Was there any wide consultation sought from the practicing Accredited Planning and Building Professionals that will engage and use the system and legislation as part of their business?

As far as I am aware from discussions with many colleagues there has been very little consultation with the industry. Could this be the reason that it is now necessary after all these years of gloating by the hierarchy of Plan SA about the wonderful Planning Reforms that we are in another period of "consultation" that would not have been necessary if legislation and reforms were formulated by a more effective consultation process from the start.

This is where the great dream of Planning Reform is again to become a "fairy tale" as Councils call for the usual exemptions, Variations and grasp for self-determination that will take us backwards and not forward with even greater complexity in a Planning document that already exceeds 7000 pages in its unfinished form. If the State Government is determined to roll out an ill conceived and complex scheme as has been drafted and yet to be finalized and resolved then politically it will be an embarrassment of gigantic proportions.

At the practical end of the development process come Building Rules assessment and issue of Development approvals that is to be delivered through the much heralded e-Planning system. When Private Certification was introduced some 25- 30 years ago it was done so to induce efficiencies and to remove much of the responsibility and liability from Local government. The advances in productivity in assessment and processing of building approvals has been totally successful and together with simple electronic lodgement systems that many council development Units adopted productivity in this area is at its peak.

With the onset of the unforeseen Covid 19 effect on the States economy and the desire for the Government of the day to make great advances in the Post Covid stage is paramount but it is now threatened by an ill-conceived system (e-Planning) to be introduced with another poorly cobbled piece of legislation, the PDI Act and regulations in tandem.

The worst part of this debacle is that there is a lack of general knowledge about both in the industry and wider community and in the post covid recovery stage it is paramount to avoid any stalling influences that will come from the introduction of the e-Planning and PDI legislation in tandem.

At present Accredited professionals are processing Planning Consents and Building Consents within a 3-4 day period with some down to 2 days.

E- Planning is time consuming in its operational function and inherent delays due to notices and response times that are exhibited characteristically within the system. (this has been experienced with Phase 2 already).

A driving factor is not that the system can process the entry of the data component of applications efficiently but how the response times from Council officers and other authorities is subject to work load and priorities that are presumed by authorities or private practitioners.

At a time when stimulus packages are being extended and promoted as well as ramping up the release of infrastructure projects in SA, the introduction of an unfamiliar and time wasting system will sabotage the intent of any stimulus packages related to development that are being planned in the near future by the Marshall government .

Already rushed and frantic training programs on the e-Planning system and PDI legislation are planned for January and February 2021 with the intent of drumming competence on the new systems into industry groups with intent to make Phase 3 Live within the first quarter of the year. It appears that either the Minister for Planning or the hierarchy of Plan SA have unreasonable expectations or are grossly misinformed on an industry that have to run businesses and at the same time stop to absorb the complexities being forced on them.

The failure of intended efficiencies will bear heavily on the image of any incumbent government and provide the opposition ammunition to highlight any “incompetence” of poorly contrived policy. As the Marshall government does not enjoy an overwhelming majority in the parliament I would suggest that caution is required to mitigate any area that can be seen as a “failure” being highlighted.

The e-Planning system will be handling thousands of applications a month and at it’s present performance rate it will collapse merely by amount of work that will overwhelm Plan SA support teams. (unless a support call centre with 100’s of staff can be deployed when Phase 3 is rolled out)

It is imperative that the Phase 3 rollout of e-Planning and PDI legislation is put on hold until the following is achieved ;

1. The successful processing of all stimulus packages and development projects in the first 3-6 months of Post Covid recovery.
2. Greater consideration be given to allow more time to allow greater consultation with all stakeholders at a time when there are no pressures inherent or being experienced by the construction Industry as are being experienced at present thereby allowing the industry to be better trained and served by a new e-Planning system. Delay of at least 6 months will not only allow Plan SA to streamline the system and make it “user Friendly” but also allow practitioners some breathing space that is not available to them at present for adequate time to achieve required competencies in engaging the system and familiarizing themselves with PDI legislation.
3. A proper appraisal and comparison of the effectiveness of the e-Planning system to productivity utilizing members of the industry that engage with the system and the actual cost benefits to government and industry of continuing what is at present a productivity nightmare to industry.

It is sincerely hoped that serious consideration be given to the above submission.

Thank you and Regards

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