

16/12/2022

Planning Implementation System Review

Attention: Presiding Member John Stimson

Dear Mr Stimson

### **Response to Planning Implementation System Review**

Thank you for the opportunity to provide a response to the review of reforms to the planning system implementation.

As an active participant, over many decades, in the South Australian planning system as it relates to land development and land division, we welcome the continuing opportunity to shape the future of one of the State's fundamental systems.

Alexander Symonds through its engagement with Surveying and Spatial Science Institute and Urban Development Institute of SA has been involved with the current planning system since its genesis in the 2014 South Australia's Expert Panel on Planning Reform *Our Ideas for Reform*.

Alexander Symonds experience throughout this and previous planning reform processes has provided an insight to some of the challenges that this type of reform needs to overcome.

A key success of the current planning system has been the digitisation of the Planning and Design Code available through the PlanSA website and the spatial interface via the SAPPA portal. This has been an outstanding achievement for the State and by all of those involved in this transformation.

During the *development* phase of the new planning system, we advocated for the *implementation* phase to be allocated the same focus and resources however, sadly we believe that the implementation relating to the land division processes has been rushed and continues to be under resourced resulting in a number of fundamental challenges that will be difficult to address.

The following examples provide an insight into some of these challenges.



## **Verification**

In the previous planning system, a land division application was lodged through the EDALA system, and a small group of trained Department staff would verify that the application met the requirements of the Act before distributing it to the various authorities to start the assessment process. In other words, a centralised system much like what has been achieved by the digitisation of the Planning and Design Code.

Unfortunately, the centralised approach has been abandoned for the verification process and we now have each Council responsible for the verification of applications lodged in their Council area which results in 68 interpretations of the requirements of the Act.

The other challenge is that some Councils are mistakenly using the verification process as the start of the assessment process and requesting supporting information and reports before they will verify an application thus extending the time it takes an application to progress through the verification process.

Our suggestion would be to return the verification process to a centralised function undertaken by the Department.

## **Consistency and Certainty**

The attached examples of Fee Advice for Planning and Land Division Consent from 2 different Councils for large residential subdivisions highlight the lack of consistency and understanding of the application of the Act and Regulations by Councils. Such inconsistency in this process creates significant uncertainty in the development industry and is counter to many of the recommendations of 2014 South Australia's Expert Panel on Planning Reform *Our Ideas for Reform* which spoke at great length around consistency and certainty.

Our suggestion would be to return the process of fee determination to a centralised function undertaken by the Department.



Government of South Australia  
Department for Infrastructure  
and Transport  
ABN 92 366 288 135

Invoice to:

**Alexander Symonds**  
PO Box 1000  
Kent Town SA 5071

For enquiries, please contact:

**Mount Barker District Council**  
PO Box 54  
Mount Barker SA 5251  
Ph: (08) 8391 7220

Application number: 22025687  
Fee Advice No: 148388  
Date: 7 Nov 2022

Nature of development:

Land Division - (1 into 309 residential allotments) and associated reserves and infrastructure

## Fee Advice

Description of Supply	Amount	GST	Total
<b>Lodgement</b>			
Electronic Lodgement Fee	\$184.00	\$0.00	\$184.00
<b>Planning Consent</b>			
Performance Assessed	\$26,875.00	\$0.00	\$26,875.00
<b>Land Division Consent</b>			
Land Division - 5+ and/or public road	\$5,112.80	\$0.00	\$5,112.80
Regulation 76 Advice from Commission	\$208.00	\$0.00	\$208.00
<b>Referral Body</b>			
WMA - Landscape Boards - Permit for water affecting activities	\$414.00	\$0.00	\$414.00
EPA - Site Contamination	\$1,426.00	\$0.00	\$1,426.00
River Murray - Standard	\$414.00	\$0.00	\$414.00
<b>Totals</b>	<b>\$34,633.80</b>	<b>\$0.00</b>	<b>\$34,633.80</b>

## Payment options

### Pay online without logon

[plan.sa.gov.au/development\\_applications/track\\_an\\_application/online\\_payments](http://plan.sa.gov.au/development_applications/track_an_application/online_payments)

- Enter the Application ID 22025687
- Enter the Invoice number 148388
- Proceed to the payment screen and provide your credit card details

### Pay online

- Log in to [app.plan.sa.gov.au](http://app.plan.sa.gov.au)
- On the 'My applications' dashboard, highlight application 22025687
- Scroll down and click 'Make Payment'
- Select the fee payable and click 'Pay Invoice'
- Complete the payment by credit card using BPoint

### Pay in person

At the office of Mount Barker District Council



Government of South Australia  
Department for Infrastructure  
and Transport  
ABN 92 366 288 135

Invoice to:

For enquiries, please contact:

**Adelaide Plains Council**

PO Box 18

Mallala SA 5502

Ph: (08) 8527 0200

Application number: 22032723

Tax Invoice No: 144621

Date: 24 Oct 2022

Nature of development:

Land Division to create 510 Allotments. Applying for Operative Period of Consent from 3 years to 10 years.

## Tax Invoice (Receipt)

Description of Supply	Amount	GST	Total
<b>Lodgement</b>			
Electronic Lodgement Fee	\$184.00	\$0.00	\$184.00
<b>Planning Consent</b>			
Performance Assessed	\$260.00	\$0.00	\$260.00
<b>Land Division Consent</b>			
Land Division - 5+ and/or public road	\$182.00	\$0.00	\$182.00
Regulation 76 Advice from Commission	\$208.00	\$0.00	\$208.00
<b>Referral Body</b>			
Commissioner of Highways - Standard	\$414.00	\$0.00	\$414.00
<b>Totals</b>	<b>\$1,248.00</b>	<b>\$0.00</b>	<b>\$1,248.00</b>

## Reporting

Whilst the PlanSA online system is considered state of the art we do not have access to meaningful information and reports that would enable us to manage our applications within this system. The reporting provided is basic and focused on individual applications however when you are managing hundreds of applications the lack of reporting functionality requires time consuming work arounds.

Council Users currently have access to a PowerBI Dashboard and reporting functions, if this functionality was made available to Relevant Authorities and applicants, it would be incredibly useful.

Three examples of where we believe changes to the system would benefit the users (as agents for the applicants) are:-

### 1. "For your Action" tab

We believe splitting the information into two tabs would be of significant benefit to manage the large number of applications many of the agents have in their system.

"For your Action – pre planning decision" – to include RFIs, post verification fee payments etc


"For your Action – post planning decision" – to include Development approval granted – contains Land division

### 2. Currently, as an agent for the applicant, there isn't access to the required response date of a referral which is regularly reviewed.

This lack of reporting functionality requires a time-consuming work around as this information is available from the public register as shown below.

Plan SA Agent Login – this screen does not show the referral due date

There is currently no action required from you.

Status detail	
<b>Planning and Land Division consent</b>	Assessment in progress 
Verification	✓ Completed 26 Sep 2022
Fee Payable	✓ Payment received 11 Nov 2022
Referrals	
Referral - SPC Planning Services	Requested 11 Nov 2022
Referral - SA Water	✓ Responded 21 Nov 2022
<b>Development approval</b>	Pending approval of all consents

Public Register – this screen shows the referral is due on the 9<sup>th</sup> of December

Planning and Land Division Consent		
Under assessment 		
<b>Date lodged</b> 11 November 2022	<b>Date verified</b> 26 September 2022	<b>Date submitted</b> 09 September 2022
<b>Decision authority</b> Council – Copper Coast Council	<b>Contact</b> 08 8828 1200	
<b>Decision</b> Under assessment	<b>Date</b> TBA	
Referrals		
Referred to	Status	Response
South Australian Water Corporation	Returned	No objection, with comments
SPC Planning Services	Due – 09 Dec 2022	TBA

3. The ability to review outstanding conditions preventing the issue of the Land Division Certificate.

Whilst this information is available as per the snapshot below, it is embeded 3 screens into the application.

Land Division Certificate: 2335 - Stage Number 001 RESPOND CLEARANCE REQ'S

Summary **Clearance Requirements** Open Space Fee Advices Related Actions

Help for this section

**Conditions - Land division (3) Consent Assessed by Copper Coast Council**

**Clearance requirement** (not met)  
The applicant/developer shall provide sewerage augmentation contributions in accordance with Council's Community Wastewater Management System (CWMS) Policy. Payment of such contribution shall be made prior to clearance of the survey plan in accordance with Section 138 of the Planning, Development and Infrastructure Act 2016 and shall be made in accordance with Council's policy in place at the time of payment. ✓ included in DNF

**Clearance requirement** (not met)  
The applicant/developer shall provide all internal infrastructure associated with the development to connect the new allotments to the CWMS scheme prior to clearance of the survey plan in accordance with Section 138 of the Planning, Development and Infrastructure Act 2016. ✓ included in DNF

**Clearance requirement** (not met)  
Each allotment is to be provided with an approved sewer connection to the CWMS scheme prior to clearance of the survey plan in accordance with Section 138 of the Planning, Development and Infrastructure Act 2016 for that particular stage. ✓ included in DNF

**Conditions - Land division (2) - Referral Advice from South Australian Water Corporation**

**Clearance requirement** (Met - 28 Oct 2022)  
SA Water's water network is available for connection in this area. An investigation will need to be undertaken to determine infrastructure needs, appropriate fees and charges. ✓ included in DNF  
The financial requirements of SA Water shall be met for the provision of water supply services.

## Trees

When preparing a land division application, it is a requirement to show significant or regulated trees that are within 20m of the subject property. Hence this requirement can include trees that are on footpaths and in the front yards of properties on the other side of streets / roads. Do significant trees in these locations need to be considered as part of a land division development application?

## Licensed Surveyor

The regulations require that “a plan which provides for the division of land into more than 5 allotments, or for a new road **must** be vouched for by a licensed surveyor as to its reasonable accuracy”.

In the previous system most land divisions applications we lodged by licensed surveyors and hence this requirement was taking care of itself. However, in the Plan SA portal anyone can lodge an application and we are aware of numerous applications where this requirement is not being considered.

Although the accuracy of the State's Cadastre is continuously improved licensed surveyors regularly uncover and resolve significant boundary misclosures / discrepancies. Hence we believe if the requirement for land division applications being vouched for by a licensed surveyor continues to be ignored then it will create numerous unintended consequences in a land division process.

Thank you once again for this opportunity and we look forward to your consideration of our comments. We also look forward our continuing relationship with the Department and further opportunities to provide feedback and guidance on the Planning System.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'G. Hordacre', is centered within a light gray rectangular box.

Glenn Hordacre

Managing Director

Alexander Symonds