

PROPOSAL TO INITIATE AN AMENDMENT TO A STATE PLANNING POLICY

By the State Planning Commission at the request of the
Minister for Planning

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(Signature)

CHAIR, STATE PLANNING COMMISSION

Date: 10/04/2024

This Proposal to Initiate document forms the basis for the preparation of a proposed amendment to a State Planning Policy for the purpose of section 73(2)(aa) of the *Planning, Development and Infrastructure Act 2016*.

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1. BACKGROUND

Section 73(2)(aa) of the *Planning, Development and Infrastructure Act 2016* (the Act) states that a proposal to amend a State Planning Policy (SPP) may be initiated by the Commission at the request of the Minister for Planning (the Minister).

On 12 January 2024 the Minister wrote to the State Planning Commission (the Commission) requesting that it initiate an amendment to one of the SPPs. A copy of the Minister's letter to the Commission is **Attachment 2**.

The Minister expressed concern regarding the national shortage of urban and regional planners, which hinders the state's ability to tackle critical challenges such as housing affordability, population growth, and the transition to a net-zero emissions future, whilst also placing the sustainability of our communities in jeopardy. On this basis he requested the Commission initiate an amendment to one of the existing SPPs to incorporate a principle regarding the long-term resourcing and provision of skills and expertise required to service the planning system in South Australia.

The Minister considered that this would provide appropriate recognition to the skills shortage, and to the importance and necessity of continuing to consider how the long-term vision for each region is to be delivered.

The Commission, acting on the request of the Minister, has agreed to initiate an amendment to the SPPs to address this matter.

2. PROPOSED AMENDMENT

The Minister advised he would take the Commission's advice as to which SPP the amendment would be most appropriately suited.

The Commission has determined *State Planning Policy 1: Integrated Planning* (SPP1) is the most appropriate SPP to incorporate a new policy regarding the long-term resourcing and provision of skills and expertise required to service the planning system in South Australia.

The Commission is proposing to insert a new policy into SPP1 (Policy 1.12) which states:

Provide an effective, efficient and enabling planning system that is well resourced with qualified professionals to support development, investment and good planning outcomes.

Other associated and complementary amendments are also proposed to be undertaken to the various parts of SPP1 to ensure the language and intent of the new policy is consistently applied throughout the SPP.

In identifying the appropriate wording to amend SPP1, guidance was taken from the Objects of the Act in section 12 and the Principles of Good Planning in section 14 of the Act, in particular those parts highlighted in bold as follows:

12—Objects of Act

- (1) *The primary object of this Act is to **support and enhance the State's liveability and prosperity** in ways that are ecologically sustainable and meet the **needs and expectations**, and reflect the diversity, of the State's communities by **creating an effective, efficient and enabling planning system**, linked with other laws, that—*
- (a) ***promotes and facilitates development**, and the integrated delivery and management of infrastructure and public spaces and facilities, consistent with planning principles and policies; and ...*
 - (b) *...*
- (2) *In association with the object referred to subsection (1), the scheme established by this Act is intended to—*
- (a) *...*
 - (b) *...*
 - (c) ***promote certainty for people and bodies proposing to undertake development** while at the same time providing scope for innovation; and*
 - (d) *...*
 - (e) *...*
 - (f) ***provide financial mechanisms, incentives and value-capture schemes that support development and that can be used to capitalise on investment opportunities**; and*
 - (g) *...*

14—Principles of good planning

In seeking to further the objects of this Act, regard should be given to the following principles that relate to the planning system established by this Act (insofar as may be reasonably practicable and relevant in the circumstances):

- (a) *long-term focus principles as follows:*
 - i. *...*
 - ii. ***policy frameworks should be able to respond to emerging challenges and cumulative impacts** identified by monitoring, benchmarking and evaluation programs;*
- (b) – (e)
- (c) *investment facilitation principles as follows:*
 - i. *planning and design should be undertaken with a view to **strengthening the economic prosperity of the State** and facilitating proposals that **foster employment growth**;*
 - ii. *the achievement of good planning outcomes should be facilitated by **coordinated approaches that promote public and private investment towards common goals**;*
- (d) *integrated delivery principles as follows:*
 - i. *policies, including those arising outside the planning system, should be coordinated to ensure the **efficient and effective achievement of planning outcomes***

The SPP1 Amendment is intended to be undertaken in line with the timeframe outlined **Attachment 1**.

3. ENGAGEMENT

Part 2 of [Practice Direction #2 – Preparation and Amendment of Designated Instruments](#) sets out the requirements to undertake engagement for a proposed amendment to a Designated Instrument (in this case the SPPs). This includes the preparation of an Engagement Plan and an Engagement Report pre and post the engagement process.

3.1. Engagement Plan

The Commission will prepare an Engagement Plan prior to the commencement of engagement on the proposed SPP1 Amendment that accords with the Community Engagement Charter (Charter).

In preparing the Engagement Plan, due consideration will be given to the recommended amendments to the Charter from the Commission's inaugural five yearly Review of the Charter which was completed in late 2023.

Given the proposal is generally relevant to councils, the Local Government Association will be notified in writing and consulted on the proposal.

A range of other stakeholders and the overall approach to the engagement process will be identified in the Engagement Plan. The Engagement Plan will be published on the PlanSA website when prepared.

3.2. Engagement Report and Decision

Once engagement on the proposed SPP1 Amendment is complete, the Commission will prepare an Engagement Report pursuant to section 73(7) of the Act.

The Commission must ensure that a copy of the Engagement Report is furnished to the Minister and also published on the SA Planning Portal. This will occur in accordance with Practice Direction 2.

The Minister will then determine whether to adopt, alter or refuse the amendment.

If adopted, the SPP1 Amendment will not have effect unless or until it has been approved by the Governor by notice published in the Gazette.

The Commission will also prepare a report for the Minister to provide to the Environment, Resources and Development Committee of Parliament under section 74(3) of the Act. The Commission's report will provide information about the reason for the SPP1 Amendment, the consultation undertaken on the SPP1 Amendment and any other information considered relevant by the Commission.

ATTACHMENT 1

Timetable for SPP1 Amendment by the State Planning Commission

Step	Responsibility	Timeframe
Preparation of the SPP1 Amendment		
<p>Engagement Plan prepared</p> <p>Investigations conducted and SPP1 Amendment prepared</p>	The Department on behalf of the Commission; to be endorsed by delegates of the Commission	6 weeks
Preparation of Materials for Engagement	The Department on behalf of the Commission	Informed by the Engagement Plan
Engagement on the SPP1 Amendment		
SPP1 Amendment released for engagement in accordance with the prepared Engagement Plan	The Department on behalf of the Commission	8 weeks
Consideration of Engagement and Finalisation of Amendment		
<p>Submissions summarised</p> <p>Updated drafting instructions to the SPP1 Amendment prepared</p> <p>Engagement Report prepared</p>	The Department on behalf of the Commission	8 weeks
Report to the Commission prepared	The Department	4 weeks
Commission considers final SPP1 Amendment and Engagement Report and provides to Minister	The Commission	2 weeks
Decision Process		
<p>Minister considers the SPP1 Amendment and the Engagement Report and makes decision</p> <p>If adopted, the SPP1 Amendment then forwarded to the Governor for approval and publishing of a notice in the Government Gazette</p> <p>Final Decision and new version of the SPPs published on the PlanSA Portal</p>	Minister	Unknown
Parliamentary Scrutiny		
Referral of adopted SPP1 Amendment to Environment, Resources and Development Committee of Parliament – referred by the Minister within 28 days of adoption.		

ATTACHMENT 2

Letter from the Minister to the State Planning Commission

Hon Nick Champion MP



Government
of South Australia

Minister for Trade and
Investment

Minister for Housing and
Urban Development

Minister for Planning

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23EXT0376

Mr Craig Holden
Chair
State Planning Commission

By email: saplanningcommission@sa.gov.au

Dear Mr Holden

Craig

As you are aware, State Planning Policies (SPPs) are the highest order policy document in our state's planning system and play a critical role in guiding planning and development in South Australia.

SPPs define the state's interests, provide the policy framework for other planning instruments (such as the Planning and Design Code, Regional Plans and Design Standards) and can respond to current and future challenges by including any matters that are relevant to planning or development.

One such challenge you will be aware of is the national shortage of urban and regional planners, as emphasised in both the Planning Institute of Australia's *Planners in Australia: State of the Profession Report* and in the Federal Government's *Skills Priority List*.

This scarcity not only hinders our state's ability to tackle critical challenges such as housing affordability, population growth, and the transition to a net-zero emissions future, but also jeopardises the sustainability of our communities.

Whilst I am taking proactive measures in response to this issue, including by establishing the Built Environment Education Liaison Group, I consider the skills shortage to be of a critical concern and one we need to better plan for as a state.

It is on this basis I am now writing to request that the State Planning Commission (the Commission) initiate an amendment to one of the existing SPPs to incorporate a principle regarding the long-term resourcing and provision of skills and expertise required to service the planning system in South Australia. I will take the Commission's advice as to which SPP this amendment is most appropriately suited.

This amendment is particularly imperative at a time where the Commission is undertaking the preparation of the Regional Plans and it is my view that the principle, once incorporated into the appropriate SPP, should be given effect through the Regional Plans.



OFFICIAL

This would provide appropriate recognition to the skills shortage, and to the importance and necessity of continuing to consider how the long-term vision for each region is to be delivered. Indeed, in the absence of qualified and skilled planning professionals, the effective implementation and delivery of the SPPs, Regional Plans and the planning system more broadly is at risk.

I would appreciate the Commission initiating the amendment to the SPPs as soon as reasonably practicable, noting any such amendment must be subject to community consultation in accordance with the Community Engagement Charter under section 73 of the *Planning, Development and Infrastructure Act 2016*.

I appreciate the Commission's commitment to ensuring the continued effectiveness of our planning system and look forward to continuing to work collaboratively to meet the current and future needs of South Australia.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Nick Champion', written over a vertical line.

Hon Nick Champion MP
Minister for Planning

12/1 / 2024