

## Agenda Report for Decision

**Meeting Date: 14 September 2021**

<b>Item Name</b>	SPC Annual Report 2020-21
<b>Presenters</b>	Chelsea Lucas
<b>Purpose of Report</b>	Decision
<b>Item Number</b>	4.3
<b>Confidential Item</b>	Not Confidential (Release Delayed)
<b>Related Decisions</b>	N/A

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### Recommendation

It is recommended that the Commission resolves to:

1. Approve the designation of this item as Not Confidential (Release Delayed), to be released following the tabling of the Annual Report in Parliament, and noting that final documents will be published as attachments to the Agenda Report.
2. Approve the State Planning Commission Annual Report 2020-21 as provided in **Attachment 1**;
3. Approve the Letter to the Minister for Planning and Local Government (the Minister) as provided in **Attachment 2**;
4. Note the draft Annual Report does not include a final Performance Indicators Scheme Report (Appendix A to the Annual Report) or audited financial statements (Appendix B to the Annual Report);
5. Authorise the Chair to:
  - a. Approve any minor amendments to the Annual Report at **Attachment 1** as required to finalise;
  - b. Include the final Performance Indicators Scheme Report as approved by the Commission as Appendix A to the Annual Report;
  - c. Certify the audited financial statements following receipt, and include as Appendix B to the Annual Report; and
  - d. Sign the letter to the Minister at **Attachment 2** (including after making any minor amendments as required) and provide a copy of the final 2020-21 Annual Report to the Minister on or before 30 September 2021.

## **Background**

Under section 32(1) of the *Planning, Development and Infrastructure Act 2016* (PDI Act), on or before 30 September each year, the State Planning Commission (the Commission) must forward a report (the Annual Report) to the Minister for Planning and Local Government (the Minister) on the Commission's operations for the preceding financial year. Under section 32(3) of the PDI Act, the Minister must table the Annual Report to Parliament within 6 sitting days of receipt.

The Annual Report must also contain information required by the *Planning, Development and Infrastructure (General) Regulations 2017*.

Section 12 of the *Public Sector Act 2009* (PS Act) also obliges public sector agencies to report annually on their operations and performance. The reporting requirements set out in section 12 of the PS Act apply despite any separate legislation stipulating annual report requirements (including section 32 of the PDI Act).

Premier and Cabinet Circular 013 – Annual Reporting Requirements outlines the policy direction for annual reporting, including a template document and principles for annual reporting. DPC Circular 013 applies to all government agencies, including entities broadly under Ministerial direction to use the template for their annual reports. The circular outlines the principles for annual reporting including that it must be accountable, factual and concise, with content limited to statutory annual reporting requirements.

On 2 September 2021, the Commission considered a draft Annual Report for 2020-21, and resolved for the draft Annual Report to be amended and provided to the Commission for approval at a future meeting. This report provides the further draft Annual Report for the Commission's approval.

## **Discussion**

The further draft SPC Annual Report 2020-21 (which has been prepared in accordance with the PDI Act, the PDI Regulations, the PS Act and DPC Circular 013 requirements) is included at **Attachment 1**.

### *Audited Financial Statements*

It should be noted that the draft Annual Report does not include audited financial statements. The PDI Act is silent on the annual accounts of the Commission and does not include provisions for the Commission to hold property or a common seal. However, the Commission is a Public Authority pursuant to the provisions of the *Public Finance & Audit Act 1987* (PF&A) as it is an instrumentality of the Crown.

The PF&A Act prevails over the PDI Act in regard to accounts, and requires that all Public Authorities comply with the DTF Accounting Policy Framework and be audited by the Auditor-General (unless there is establishing legislation to the contrary). As a result, the Chair is required to certify the final audited financial statements. The date for this will be advised by the Auditor-General's Department as the audit progresses. The accounts will be co-certified by the Executive Director, Planning and Land Use Services.

It is recommended the Commission authorise the Chair to certify the audited financial statements following receipt and then provide a copy of the final 2020-21 Annual Report to the Minister on or before 30 September 2021.

### *Performance Indicator's Scheme Report*

Under schedule 4 clause 2(4) of the PDI Act, the Commission must include in its annual report information about its assessment of the performance and trends under the Performance Indicators Scheme established under the PDI Act.

A further Performance Indicators Scheme Report will also be provided to the Commission for its approval via a separate agenda item (also anticipated mid September 2021). It is recommended

that the Commission authorise the Chair to attach the final approved Performance Indicators Scheme Report to the Commission's Annual Report (as Appendix A), in order to finalise.

It was considered preferable to prepare separate documentation for the Commission's Annual Report and the Performance Indicators Scheme Report, rather than consolidating this as one single document. This approach allows the documents to be distributed and published according to their different purposes and audiences under the PDI Act. For example, the Performance Indicators Scheme Report is intended to be published on the PlanSA website, for ease of access by users of the PlanSA Portal, while the Annual Report will be published on the Commission's website with the Commission's other corporate governance documents.

*Next Steps*

It is intended that the Commission's Annual Report will be furnished on the Minister (as required under the PDI Act) and (after tabling in Parliament) published on the Commission's website, together with the Commission's other corporate governance documents.

Attachment:

1. Draft SPC Annual Report 2020-21 - #17366272
2. Letter to the Minister - #17398294

Prepared by: Chelsea Lucas

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Endorsed by: Sally Smith

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Date: 8 September 2021

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#17398294



30 September 2021

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Hon Vickie Chapman MP  
Deputy Premier  
Minister for Planning and Local Government  
GPO Building  
10 Franklin Street  
ADELAIDE SA 5000

BY EMAIL: [AttorneyGeneral@sa.gov.au](mailto:AttorneyGeneral@sa.gov.au)

Dear Deputy Premier,

### **STATE PLANNING COMMISSION ANNUAL REPORT 2020-21**

Please find **enclosed** the State Planning Commission Annual Report 2020-21 provided under section 32(1) of the *Planning, Development and Infrastructure Act 2016* (PDI Act).

Please note that section 32(3) of the PDI Act requires that the Annual Report be tabled before both Houses of Parliament within six sitting days of receiving the Report.

Please contact Chelsea Lucas, Governance Manager, Planning and Land Use Services, Attorney General's Department on 7109 7821 should you have any questions.

Yours sincerely

A handwritten signature in black ink that reads "Helen R. Dyer".

**Helen Dyer**  
Chair

#### **Appendices**

1. State Planning Commission 2020-21 Annual Report

**OFFICIAL**



**Government  
of South Australia**

# STATE PLANNING COMMISSION

## **2020-21 Annual Report**

### STATE PLANNING COMMISSION

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Date presented to Minister: 30 September 2021

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2020-21 ANNUAL REPORT for the STATE PLANNING COMMISSION

To:

Hon Vickie Chapman MP

Deputy Premier

Attorney-General

Minister for Planning and Local Government

This annual report will be presented to Parliament to meet the statutory reporting requirements of the *Planning, Development and Infrastructure Act 2016*, the *Planning, Development and Infrastructure (General) Regulations 2017* and the requirements of Premier and Cabinet Circular *PC013 Annual Reporting*.

This report is verified to be accurate for the purposes of annual reporting to the Parliament of South Australia.

Submitted on behalf of the STATE PLANNING COMMISSION by:

Helen Dyer

Chair

Date: 30 September 2021

Signature:



## From the Commission Chair

The State Planning Commission is a non-partisan overarching body that provides advice and leadership on planning and development in South Australia.

In 2020-21, the Commission continued to meet the requirements of the *Planning, Development and Infrastructure Act 2016* to deliver on the implementation of the State's planning reform program, as well as a range of other planning initiatives to support South Australia's future development.

Specifically, the State Planning Commission has achieved the following important reform milestones during the reporting period:



- Finalised implementation of the Planning and Design Code (the Code) through the e-planning system with the whole of South Australia on-line from 19 March 2021. This included a number of significant policy reforms designed to raise the bar on residential infill development.
- Finalised the framework and procedures to support proponents undertaking Code Amendments, including the preparation and publication of a Code Amendment Toolkit.
- Provided advice to the Minister on a number of Development Plan Amendments and managed the transition of each amendment into the Code.

The 2020-21 financial year has also been extremely busy for the Commission and its Committees more broadly, with the following outputs:

- The Commission progressed key components of the Growth Management Program (formerly the Metropolitan Growth Management (MGM) Program) including:
  - endorsing the Land Supply Reports to provide the evidence base around current and projected growth for Greater Adelaide;
  - commencing the 5-yearly review of the Environment and Food Production Areas;
  - commencing a regional planning program and encouraging the establishment of Joint Planning Boards; and
  - initiating a number of Code Amendments with broad impacts across the State, including amendments to address bushfire policy and mapping, and implementation of the Local Design Review Scheme.

- The Commission initiated the Open Space and Trees Review Project which will consider continued improvements to the regulation of trees in the planning and development system.
- In March 2021 a new State Planning Commission Chair was appointed by the Minister following the resignation of Mr Michael Lennon, who was one of the inaugural Members of the Commission.
- The Commission finalised its new policy on transparency and confidentiality, to make the operations of the Commission more open and accessible to the public.
- The State Commission Assessment Panel (SCAP) assessed its first development applications under the Code, as well as assessing remaining applications under the *Development Act 1993*.
- A new Deputy Presiding Member, Ms Rebecca Rutschack, was appointed to the SCAP.
- The Building Technical Panel continued to hold the delegated building-related statutory functions of the Commission.

In 2020-21, the Commission delivered a new planning system for South Australia that will ultimately provide a simpler, faster and more transparent process for planning and development across the State. The Commission will continue to monitor and improve the system over time, to ensure it operates as efficiently and effectively as possible.

I would like to commend the efforts of outgoing Chair Mr Michael Lennon, and Commission Members Mr Allan Holmes, Mr Craig Holden and Ms Sally Smith for their stewardship of the new system. I would also like to thank the staff of Planning and Land Use Services in the Attorney General's Department as well as the Department for Transport and Infrastructure for their sustained effort to achieve a fully electronic planning system for South Australia.



Helen Dyer

**Chair**

State Planning Commission



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## Overview: about the Commission

### Our strategic focus

<p><b>Our Purpose</b></p>	<p>As the State’s principal planning advisory and development assessment body established under section 17 of the <i>Planning, Development and Infrastructure Act 2016</i> (the Act), the State Planning Commission is accountable to the Minister for Planning and Local Government for the administration of the Act.</p> <p>The Commission also has a role in furthering the objectives and principles of the Act (as provided in section 12 and 14 of the Act). This includes acting in the best interests of all South Australians, to encourage state-wide economic growth, to support liveability in ways that are ecologically sustainable, and to meet the needs and expectations, and reflect the diversity, of the State’s communities by creating an effective, efficient and enabling planning system.</p> <p>As a statutory authority, the Commission exists for a public purpose, and is required to take into account government policy and comply with existing legislation in the exercise of its powers and functions provided in sections 22 and 23 of the Act.</p>
<p><b>Our Vision</b></p>	<p>An outstanding planning system that:</p> <ul style="list-style-type: none"> <li>• Engages and serves the citizens of South Australia in building prosperous communities;</li> <li>• Is reasoned and rational, based on evidence and research;</li> <li>• Leads to effective stewardship of South Australia’s assets and resources; and</li> <li>• Is ambitious, enterprising and aspirational.</li> </ul>
<p><b>Our Values</b></p>	<p>The State Planning Commission will:</p> <ul style="list-style-type: none"> <li>• Act lawfully;</li> <li>• Act impartially;</li> <li>• Maintain the confidence of Government, the Parliament, industry and other stakeholders;</li> <li>• Work across government and with business and community; and</li> <li>• Deliver results.</li> </ul>

### Our organisational structure

The membership of the State Planning Commission during the 2021-22 financial year was as follows:

Michael Lennon, Chair – 1 November 2018 to 19 March 2021

Helen Dyer, Member – 1 Nov 21 to 22 Mar 21; Chair – 22 Mar 21 to 31 Oct 21

Craig Holden, Member – 1 November 2018 to 31 October 2021

Allan Holmes, Member – 30 May 2020 to 31 October 2021

Sally Smith, Ex-Officio – 29 May 2020 to 31 October 2021\*

\*Michael Burdett was Acting Executive Director, Planning and Land Use Services, from 28 June 2021 – 30 July 2021 and was also Ex-Officio Member of the Commission during this period.

Under section 29(1)(a) of the Act, the Commission has established the **State Commission Assessment Panel** (SCAP) to carry out the Commission's planning assessment powers and functions under the Act. A total of 28 SCAP meetings were held during the 2020-21 financial year, plus 3 site visits to various locations.

On 19 December 2019 the State Planning Commission approved a new terms of reference to reform the Building Committee to the **Building Technical Panel**. The Building Technical Panel undertakes delegated building-related statutory functions of the Commission. The Building Technical Panel did not meet during the 2020-21 financial year.

### Changes to the Commission

During 2020-21, there were the following changes to the Commission's structure and objectives as a result of internal reviews or machinery of government changes:

- From 29 July 2020, the *Planning, Development and Infrastructure Act 2016* was attributed to the Minister for Planning and Local Government (previously the Minister for Planning).
- This machinery of government change meant that the Commission was supported by the Attorney General's Department from 29 July 2020. Prior to 29 July 2020, the Commission was supported by the (former) Department of Planning, Transport and Infrastructure.

### Legislation administered by the Commission

*Planning, Development and Infrastructure Act 2016*

*Planning, Development and Infrastructure (General) Regulations 2017*

*Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017*

*Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019*

*Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019*

*Planning, Development and Infrastructure (Planning Agreements) Regulations 2020*

*Planning, Development and Infrastructure (Swimming Pool Safety) Regulations 2019*

*Development Act 1993 [ceased]*

*Development Regulations 2008 [ceased]*

## The Commission’s performance

### Performance at a glance

The Commission’s four objectives in its 2020-21 Strategic Plan were:

- Implementing the New Planning System
- Leading on Planning Policy
- Administering the Act
- Engaging South Australians

As of 19 March 2021, the new Planning and Design Code and e-planning system, which is the first of its kind in Australia, were implemented for the whole of South Australia. Further to this, throughout the reporting year, the Commission undertook and commenced a number of projects to advance planning policy in South Australia.

### Commission response to COVID-19

In response to the COVID-19 pandemic, the Commission and the SCAP both held meetings electronically via Microsoft Teams, and have continued to utilise this facility as necessary throughout the year. The SCAP in particular has seen the implementation of this function as beneficial when considering development applications in rural and remote areas, and as an additional mechanism to increase opportunities for members of the public to participate in SCAP proceedings.

### Commission specific objectives and performance

The Commission’s performance against the four priorities in the Commission’s 2020-21 Strategic Plan are listed below:

Commission objectives	Indicators	Performance
Implementing the New Planning System	a) Implementing the Planning and Design Code and e-planning System for Phase 3  b) Prioritising an orderly Code Amendment Process	<b>a) Implementing the Planning and Design Code and e-planning System for Phase 3</b> <ul style="list-style-type: none"> <li>• From 19 March 2021, the <i>Planning, Development and Infrastructure Act 2016 (Act)</i> replaced the <i>Development Act 1993</i>. This brought into effect a single source of State-wide planning rules for simpler, clearer and more consistent zoning policy via the Planning and Design Code (the Code) and e-planning system.</li> <li>• All South Australians can now lodge and track development applications online, search property zoning, find an accredited professional, review development rules, make payments, submit information, and track major projects and development activity across the State.</li> </ul>

		<ul style="list-style-type: none"> <li>• The first full iteration of the Code which came into effect on 19 March 2021, reflects and focusses on significant areas of reform including:             <ul style="list-style-type: none"> <li>○ lifting the bar on the quality of infill development;</li> <li>○ protecting our character and heritage;</li> <li>○ protecting native vegetation; and</li> <li>○ promoting ‘value adding’ in rural areas.</li> </ul> </li> </ul> <p><b>b) Prioritising an orderly Code Amendment Process</b></p> <ul style="list-style-type: none"> <li>• The Commission has developed supporting material to assist private proponents, Councils and other entities in undertaking Code Amendments. This included the preparation of a Code Amendment Toolkit which will guide parties seeking to undertake a Code Amendment through the statutory process.</li> <li>• The Commission established a call for issues process to seek feedback from a range of stakeholders on possible policy improvements to the Code which will form part of the Commission’s Miscellaneous and Technical Code Amendment in 2021.</li> <li>• The Commission has initiated two Code Amendments with State-wide strategic benefit, including Code Amendments to address bushfire policy and to implement the Local Design Review Scheme.</li> <li>• The Commission finalised advice to the Minister on a number of Development Plan Amendments (DPA) – including the Payneham and Stepney Strategic Sites DPA, the Oaklands Park Renewal DPA and the Aldinga Suburban Neighbourhood DPA. The Commission also managed the transition of each DPA into the Code.</li> <li>• A number of Local Heritage DPAs were lodged for approval including the Gawler, Mount Barker, Walkerville and Holdfast Bay Local Heritage in Transition DPAs. The Commission will consider these Local Heritage DPAs and provide advice to the Minister.</li> <li>• The Commission advised the Minister on the initiation of numerous Code Amendments proposed by Councils and private proponents.</li> </ul>
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		<ul style="list-style-type: none"> <li>• The Commission initiated the Open Space and Trees Review Project which will consider a range of policy and regulatory improvements for regulated and significant trees.</li> </ul>
<p>Leading on Planning Policy</p>	<ul style="list-style-type: none"> <li>a) Facilitate establishment of Joint Planning Boards</li> <li>b) Introduce the Metropolitan Growth Management Plan</li> <li>c) Review the Environment and Food Production Areas (EFPA)</li> <li>d) Commence Update to the 30-Year Plan for Greater Adelaide</li> <li>e) Develop a Regional Planning Program for 2021-23</li> <li>f) Formalise City Precinct Masterplans, including the Riverbank and further precincts, in partnership with the City Of Adelaide</li> <li>g) Review Open Space Provisions and Off-Set Schemes</li> <li>h) Initiate a National</li> </ul>	<ul style="list-style-type: none"> <li><b>a) Facilitate establishment of Joint Planning Boards</b> <ul style="list-style-type: none"> <li>• The Commission has received regular updates regarding Joint Planning Boards, and noted that several groups of Councils have progressed joint planning arrangements to various degrees.</li> <li>• The Commission has also noted that the key focus for Councils in 2020-21 has been on transition to the Planning and Design Code and the establishment of Regional Assessment Panels. The Commission anticipates there will be a greater level of progress towards the establishment of Joint Planning Boards during the remainder of 2021.</li> </ul> </li> <li><b>b) Introduce the Metropolitan Growth Management Plan</b> <ul style="list-style-type: none"> <li>• The Metropolitan Growth Management Program was renamed as the Growth Management Program (the GMP) to better reflect its broader role in managing growth and development across the State.</li> <li>• The GMP now includes the following components: <ul style="list-style-type: none"> <li>○ Land Supply Report</li> <li>○ Regional Plans</li> <li>○ Projected Population Growth</li> <li>○ Code Amendments</li> <li>○ EFPA and CPD and other policy reviews</li> <li>○ On-line mapping and reporting</li> </ul> </li> <li>• In 2020-21, the Commission progressed or supported a number of components of the GMP, including: <ul style="list-style-type: none"> <li>○ endorsed the Land Supply Report for Greater Adelaide;</li> <li>○ commenced the review of the Environment and Food Production Areas;</li> </ul> </li> </ul> </li> </ul>

	<p>Planning Forum with a focus on planning in a post COVID-19 world</p>	<ul style="list-style-type: none"> <li>○ commenced the regional planning program; and</li> <li>○ progressed or provided advice to the Minister on a range of Development Plan Amendments and Code Amendments which proposed areas of growth within Greater Adelaide.</li> </ul> <ul style="list-style-type: none"> <li>● The Department manages other components of the GMP, including the Land Supply Report, Projected Population Growth and on-line mapping and reporting tools.</li> </ul> <p><b>c) Review the Environment and Food Production Areas</b></p> <ul style="list-style-type: none"> <li>● The Commission’s 5-yearly review of the Environment and Food Production Areas (EFPA) commenced in early 2021.</li> <li>● The review has been and will continue to be delivered via a staged program as follows:             <ul style="list-style-type: none"> <li>○ Stage 1 involved an investigation into Greater Adelaide’s land supply for residential and employment land over the next 15 years (completed); and</li> <li>○ Stage 2 will involve community engagement and inviting submissions on anomalies which are trivial in nature in the EFPA boundaries (in progress).</li> </ul> </li> </ul> <p><b>d) Commence Update to the 30-Year Plan for Greater Adelaide</b></p> <ul style="list-style-type: none"> <li>● The Commission has received updates on the Regional Planning Program including the 30-Year Plan for Greater Adelaide. It is anticipated that the update to the 30-Year Plan for Greater Adelaide will be finalised by early-mid 2023, as required under the Act.</li> </ul> <p><b>e) Develop a Regional Planning Program for 2021-23</b></p> <ul style="list-style-type: none"> <li>● The Commission is responsible for preparation of Regional Plans in areas where no Joint Planning Board (JPB) is formed. Where a JPB has been formed, the JPB will instead prepare the Regional Plan for the relevant area.</li> <li>● The Commission has received updates on the Regional Planning Program including the</li> </ul>
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		<p>Regional Plans for Greater Adelaide and non-metropolitan South Australia.</p> <ul style="list-style-type: none"> <li>• The Commission has noted that stage one of the Regional Planning Program is focusing on Research, Preparation and Governance, which is expected to be completed by late 2021.</li> <li>• Individual programs for each of the Regional Plans will be developed following confirmation of the establishment of Joint Planning Boards by regional councils.</li> </ul> <p><b>f) Advise on City Precinct Masterplans, including the Riverbank and further precincts, in conjunction with the City Of Adelaide</b></p> <ul style="list-style-type: none"> <li>• In June 2021, the Commission provided advice to the Minister on initiation of the Riverbank Precinct Code Amendment which will seek to enable opportunities to further enhance the Riverbank as one of the State's premier entertainment and health precincts.</li> </ul> <p><b>g) Review Open Space Provisions and Off-Set Schemes</b></p> <ul style="list-style-type: none"> <li>• In progressing this body of work, the Commission was conscious that the establishment and management of open space provisions and off-set schemes is largely a regulatory function of the Minister under the Act.</li> <li>• In 2020-21, the Commission initiated the Open Space and Trees Project which will seek to achieve the following objectives: <ul style="list-style-type: none"> <li>○ Quantify an appropriate fee for removal of regulated and significant trees.</li> <li>○ Identify an appropriate list of species to be included as regulated and significant trees, drawing on a range of data held by the Department and councils.</li> </ul> </li> <li>• The Commission also provided advice to the Minister prior to the approval and implementation of the new Urban Trees Off-Set Scheme, which supports the operation of the Urban Trees Overlay in the Code.</li> </ul> <p><b>h) Initiate a National Planning Forum with a focus on planning in a post COVID-19 world</b></p>
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		<ul style="list-style-type: none"> <li>• In 2020-21, the Chair of the Commission attended the Inter-Jurisdictional Forum of Independent Planning Bodies led by the New South Wales Independent Planning Commission. The Forum was held in June 2021, with various Australian State and Territory representatives in attendance, as well as representatives from the United Kingdom and Ireland.</li> <li>• The Forum provided an opportunity for jurisdictions to share experiences and lessons around the operations of independent consent authorities.</li> </ul>
<p>Administering the Act</p>	<p>a) Fulfil obligations under the act, including monitoring and reporting on the implementation and performance of the new planning system</p> <p>b) Ensure sound governance of the Commission</p> <p>c) Continually improve the operation of the Commission, the SCAP and the Building Technical Panel in line with Ministerial and community standards</p>	<p><b>a) Fulfil obligations under the Act, including monitoring and reporting on the implementation and performance of the new planning system</b></p> <ul style="list-style-type: none"> <li>• The Commission's charter is to act in the best interests of all South Australians in promoting the objectives and principles outlined in the Act.</li> <li>• This includes encouraging and facilitating State-wide economic growth and investment as well as supporting urban renewal, high-quality design, activation, liveability, and sustainability.</li> <li>• In fulfilling its obligations under the Act, the Commission has complied with its Annual Reporting requirements, including the development of performance measures, by finalising the Performance Indicators Scheme. This Scheme first became operational on 1 July 2020, however since the full implementation of the Code on 19 March 2021 this Scheme was subject of a review and consequently revised to better reflect the final version and timing of implementation of the Code. This revised version was adopted by the Commission on 10 June 2021 and approved by the Minister on 28 June 2021.</li> <li>• In addition, in accordance with its obligations under the Act, in 2020-21 the Commission has:             <ul style="list-style-type: none"> <li>○ finalised the Phase Three (Urban Areas) Planning and Design Code, including undertaking engagement as required under the Community Engagement Charter;</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ provided advice to the Minister on a number of proposals to initiate Code Amendments;</li> <li>○ through delegation to the State Commission Assessment Panel, carried out development assessment functions where the Commission is the relevant authority under the Act;</li> <li>○ commenced its 5-yearly review of the Environment and Food Production Areas; and</li> <li>○ commenced its Regional Planning Program.</li> </ul> <p><b>b) Ensure sound governance of the Commission</b></p> <ul style="list-style-type: none"> <li>● In early 2021, the Commission undertook a thorough review of its delegations, including those to the State Commission Assessment Panel, the Building Technical Panel and the Department. This review was aimed at ensuring the Commission’s delegations were fit for purpose and appropriate prior to the implementation of the new planning system under the Act. New instruments of delegation were approved by the Commission in March 2021, and will be reviewed on a 6-monthly basis.</li> <li>● The Commission finalised its annual Governance Audit in May 2021, which included review and update to the Commission’s policies and procedures as required, including updates to the Commission’s Governance Manual which provides a governance framework for the Commission’s operations.</li> <li>● The Commission also undertakes a 6-monthly review and annual update of its Risk Register. The last review and update of the Risk Register was undertaken in May 2021.</li> </ul> <p><b>c) Continually improve the operation of the Commission, the SCAP and the Building Technical Panel in line with Ministerial and community standards</b></p> <ul style="list-style-type: none"> <li>● The Chair held one on one performance review meetings with each Member and the Ex-Officio member during 2020-21, as well as with the Presiding Member of the SCAP.</li> </ul>
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		<ul style="list-style-type: none"> <li>• The Chair also meets regularly with the Presiding Member of the SCAP, where the performance of the SCAP and its members is discussed as necessary.</li> <li>• The Commission also appointed a new Deputy Presiding Member to the SCAP in June 2021.</li> <li>• To assist with the management of absences and conflicts of interest, SCAP Occasional Members have also been appointed by the Commission and were utilised in the last half of 2020-21.</li> </ul>
<p>Engaging South Australians</p>	<ul style="list-style-type: none"> <li>a) Engage the South Australian community</li> <li>b) Build on relationships and partnerships with Local Government</li> <li>c) Improve the transparency of the Commission</li> </ul>	<p><b>a) Engage the South Australian community</b></p> <ul style="list-style-type: none"> <li>• In November 2020, an additional six-week period of public consultation was held on the draft Phase Three (Urban Areas) Planning and Design Code to provide South Australians a further opportunity to comment on the Code. This resulted in significant improvements with the addition of several new overlays and zones to better reflect local conditions and address topics raised during the initial five-month period of public consultation held from October 2019 to February 2020 (during which over 2,000 written submissions were received).</li> <li>• Consultation was delivered via a comprehensive Community Engagement Plan which considered and complied with the requirements of the Community Engagement Charter under the Act, and built on the experience from previous consultations on Phase One and Phase Two of the Code. In response to COVID-19, all engagement events and resources were conducted adhering to strict protocols with digital / virtual alternatives included to ensure everyone had the opportunity to be heard as well provide feedback.</li> <li>• In preparation for the new planning system's launch in March 2020, a comprehensive package of Business Readiness resources and Training Programs were made available to stakeholders (councils, industry and community) to ensure they were able to navigate and work within the new planning system.</li> </ul>

		<ul style="list-style-type: none"> <li>• The Commission has also held or initiated consultation and engagement activities on other important projects throughout the reporting period, such as the updated heritage guidelines for Colonel Light Gardens (in partnership with Heritage SA), the Urban Tree Canopy Off-set Scheme, and the inaugural five-yearly review of the Environment and Food Production Areas.</li> </ul> <p><b>b) Build on relationships and partnerships with local government</b></p> <ul style="list-style-type: none"> <li>• The Community Engagement Charter requires the Commission to notify and consult the Local Government Association with respect to any proposals that will affect councils generally.</li> <li>• Throughout 2020-21, the Commission has engaged or consulted local government on a range of matters, including on the following:             <ul style="list-style-type: none"> <li>○ the Phase Three (Urban Areas) Planning and Design Code Amendment;</li> <li>○ the rollout of training on the new planning system in the latter half of 2020 for Phase Three Councils and their planning staff;</li> <li>○ the Open Space and Trees Project;</li> <li>○ the State-wide Bushfire Hazards Overlay Code Amendment; and</li> <li>○ the statutory review of South Australia's Environment and Food Production Areas (EFPAs).</li> </ul> </li> <li>• The Commission also partnered with local councils, the University of South Australia and the Office of Aging on the Co-Housing of Aging Well Initiative that focuses on applying innovative, flexible and smart design to older houses to suit co-housing arrangements for older residents wishing to age in place. In May 2021, this program received a South Australian Local Government Award for Excellence in Leadership in the Community partnership category.</li> </ul> <p><b>a) Improve the transparency of the Commission</b></p> <ul style="list-style-type: none"> <li>• In late 2020 and early 2021, the Commission undertook a detailed review of its meeting procedures with a view to increasing the</li> </ul>
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		<p>transparency of the Commission through both its advisory and decision making functions.</p> <ul style="list-style-type: none"> <li>• In June 2021, the Commission formally adopted its new policy on transparency and confidentiality. This policy provides for all Agendas, Minutes, Decisions and Agenda Reports (including attachments) to be made available to the public, except where there are sound reasons for not releasing or for delaying release of those items. The policy requires confidentiality to be established through a set of clear criteria, for each item considered by the Commission.</li> <li>• Changes to the Commission’s website were undertaken in June 2021 to implement the policy and the new measures commenced from 1 July 2021. These measures will see all Agenda Reports considered by the Commission designated as:             <ul style="list-style-type: none"> <li>○ <i>Not Confidential (Release Immediately)</i> – report and attachments will be published in full with the Minutes of the meeting;</li> <li>○ <i>Not Confidential (Release Delayed)</i> – release of report and attachments will be delayed for a specified period to allow for advice to be considered and a decision to be made; or</li> <li>○ <i>Confidential</i> – report and attachments will not be published.</li> </ul> </li> <li>• Details of the new transparency measures are available in the Commission’s Governance Manual on the Commission’s website.</li> </ul>
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**Employment opportunity programs**

The Commission does not employ staff. During 2020-21 those staff who undertook the work of the Commission were employed through the Department of Planning, Transport and Infrastructure and (after 29 July 2020) the Attorney-General’s Department following machinery of government changes.

**Commission performance management and development systems**

<b>Performance management and development system</b>	<b>Performance</b>
State Planning Commission Review	Since the <i>Planning, Development and Infrastructure Act 2016</i> was introduced, elements of the new system have been delivered in a coordinated way and are now fully operational.
Commission Chair performance review meetings with Commission Members	The Chair held one on one performance review meetings with each Member and the Ex-Officio member during this reporting period.
The State Commission Assessment Panel (SCAP)	The Chair of the Commission regularly meets with the Presiding Member of the SCAP, which provides an opportunity to discuss the performance of the SCAP and its members.
The Building Technical Panel	The Building Technical Panel did not receive any applications throughout the 2020-21 period and as such, did not meet.
Employees of the Attorney General's Department (AGD) supporting the Commission	Performance management and development of all AGD employees is undertaken through the AGD process.

**Work health, safety and return to work programs**

<b>Program name</b>	<b>Performance</b>
During 2020-21, the State Planning Commission came under the work health, safety and rehabilitation programs of Attorney-General's Department (AGD).	AGD reports on these programs in its annual report, which can be found at: <a href="http://www.agd.sa.gov.au/resources/reporting-and-disclosures/annual-reports">www.agd.sa.gov.au/resources/reporting-and-disclosures/annual-reports</a>

<b>Workplace injury claims</b>	2020-21	2019-20	% Change (+ / -)
Total new workplace injury claims	N/A	N/A	N/A
Fatalities	N/A	N/A	N/A
Seriously injured workers*	N/A	N/A	N/A
Significant injuries (where lost time exceeds a working week, expressed as frequency rate per 1000 FTE)	N/A	N/A	N/A

*\*number of claimants assessed during the reporting period as having a whole person impairment of 30% or more under the Return to Work Act 2014 (Part 2 Division 5)*

<b>Work health and safety regulations</b>	2020-21	2019-20	% Change (+ / -)
Number of notifiable incidents ( <i>Work Health and Safety Act 2012, Part 3</i> )	N/A	N/A	N/A
Number of provisional improvement, improvement and prohibition notices ( <i>Work Health and Safety Act 2012 Sections 90, 191 and 195</i> )	N/A	N/A	N/A

<b>Return to work costs**</b>	2020-21	2019-20	% Change (+ / -)
Total gross workers compensation expenditure (\$)	N/A	N/A	N/A
Income support payments – gross (\$)	N/A	N/A	N/A

*\*\*before third party recovery*

Data for previous years is available at:

[www.saplanningcommission.sa.gov.au/about\\_the\\_commission](http://www.saplanningcommission.sa.gov.au/about_the_commission)

### **Executive employment in the Commission**

The Commission does not employ staff. During 2020-21 those staff who undertook the work of the Commission were employed through the Department of Planning, Transport and Infrastructure and (after 29 July 2021) the Attorney-General's Department following machinery of government changes.

## Financial performance

### Financial performance at a glance

The following is a brief summary of the overall financial position of the Commission. The information is unaudited. Full audited financial statements for 2020-2021 are attached to this report.

<b>Statement of Comprehensive Income</b>	<b>2020-21 Budget \$000s</b>	<b>2020-21 Actual \$000s</b>	<b>Variation \$000s</b>	<b>Past year 2019-20 Actual \$000s</b>
Total Income	0	1333	0	1347
Total Expenses	0	1333	0	1347
<b>Net Result</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Total Comprehensive Result</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>Statement of Financial Position</b>	<b>2020-21 Budget \$000s</b>	<b>2020-21 Actual \$000s</b>	<b>Variation \$000s</b>	<b>Past year 2019-20 Actual \$000s</b>
Current assets	0	26	0	35
Non-current assets	0	0	0	0
<b>Total assets</b>	<b>0</b>	<b>26</b>	<b>0</b>	<b>35</b>
Current liabilities	0	26	0	35
Non-current liabilities	0	0	0	0
<b>Total liabilities</b>	<b>0</b>	<b>26</b>	<b>0</b>	<b>35</b>
<b>Net assets</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Equity</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### Consultants disclosure

The State Planning Commission did not engage any consultants during 2020-21.

#### Consultancies with a contract value below \$10,000 each

<b>Consultancies</b>	<b>Purpose</b>	<b>\$ Actual payment</b>
All consultancies below \$10,000 each - combined	Various	Nil

#### Consultancies with a contract value above \$10,000 each

<b>Consultancies</b>	<b>Purpose</b>	<b>\$ Actual payment</b>
Business name	Purpose	Nil



Consultancies	Purpose	\$ Actual payment
	Total	Nil

See also the [Consolidated Financial Report of the Department of Treasury and Finance](#) for total value of consultancy contracts across the South Australian Public Sector.

**Contractors disclosure**

The following is a summary of external contractors that have been engaged by the State Planning Commission, the nature of work undertaken, and the actual payments made for work undertaken during the financial year.

**Contractors with a contract value below \$10,000**

Contractors	Purpose	\$ Actual payment
All contractors below \$10,000 each - combined	Various	Nil

**Contractors with a contract value above \$10,000 each**

Contractors	Purpose	\$ Actual payment
Business name	Purpose	Nil
	Total	Nil

The details of South Australian Government-awarded contracts for goods, services, and works are displayed on the SA Tenders and Contracts website. [View the agency list of contracts.](#)

The website also provides details of [across government contracts.](#)

**Other financial information**

Nil to report.

## Risk management

### Fraud detected in the agency

Category/nature of fraud	Number of instances
There were no instances of fraud detected in the activities undertaken by the State Planning Commission in this reporting period.	0

NB: Fraud reported includes actual and reasonably suspected incidents of fraud.

### Strategies implemented to control and prevent fraud

The Commission operates under the State Planning Commission Members - Code of Conduct (the Code) adopted by the Minister under Schedule 3 of the *Planning, Development and Infrastructure Act 2016*. The Code requires Commission members to act in accordance with the Public Sector Code of Ethics and articulates the way in which each Commission member must carry out their functions with the highest ethical standards so as to maintain public confidence in the integrity of the Act.

Commission members are also bound by duties set out in the *Public Sector (Honesty & Accountability) Act 1991*, including duties to act honestly and duties with respect to conflicts of interest. Policies and registers have been developed and implemented for the declaration, recording and management of gifts and benefits and conflicts of interest by Commission members. Procedures have also been established to ensure that the Commission's policies, procedures and registers are audited or reviewed on at least an annual basis.

Officers of the Attorney-General's Department providing support to the Commission are required to be familiar, and must comply with, the Code of Conduct for the South Australian Public Sector and obligations arising from the *Public Sector Act 2009* and the *Public Sector (Honesty & Accountability) Act 1991*, as well as other obligations including under the *Independent Commissioner Against Corruption Act 2012*.

Data for previous years is available at: [www.dpti.sa.gov.au/annual\\_report](http://www.dpti.sa.gov.au/annual_report)

### Public interest disclosure

Number of occasions on which public interest information has been disclosed to a responsible officer of the agency under the *Public Interest Disclosure Act 2018*:

0

Data for previous years is available at: [www.dpti.sa.gov.au/annual\\_report](http://www.dpti.sa.gov.au/annual_report)

Note: Disclosure of public interest information was previously reported under the *Whistleblowers Protection Act 1993* and repealed by the *Public Interest Disclosure Act 2018* on 1/7/2019.

## Reporting required under any other act or regulation

Act or Regulation	Requirement
<p><i>Planning, Development and Infrastructure Act 2016 (Act)</i></p>	<p><b>32—Annual report</b></p> <p>(1) The Commission must, on or before 30 September in every year, forward to the Minister a report on the Commission's operations for the preceding financial year.</p> <p>(2) The report must contain any information required by the regulations.</p> <p>(3) The Minister must, within 6 sitting days after receiving a report under this section, cause copies of the report to be laid before both Houses of Parliament.</p> <p><b>Schedule 4 – Performance Targets and Monitoring</b></p> <p><b>2—Monitoring and evaluation of performance and trends</b></p> <p>(1) The Commission may, with the approval of the Minister, establish a scheme for the monitoring and evaluation of performance in the exercise of statutory functions under this Act.</p> <p>(2) A scheme under subclause (1) may include—</p> <p>(a) the collection, retention, analysis and provision of information; and</p> <p>(b) the provision of returns, reports and information to the Commission; and</p> <p>(c) requirements as to the undertaking of audits and self-assessments, or requirements to arrange, or submit to, audits by persons who hold specified qualifications; and</p> <p>(d) the evaluation of performance and the preparation of reports by the Commission; and</p> <p>(e) other matters as the Commission thinks appropriate.</p> <p>(3) The Commission may, from time to time, with the approval of the Minister, vary or substitute a scheme under subclause (1).</p> <p>(4) The Commission must include in its annual report information about its assessment of performance and trends under the scheme established under this clause.</p>

<b>Act or Regulation</b>	<b>Requirement</b>
<p><i>Planning, Development and Infrastructure (General) Regulations 2017 (PDI Regulations)</i></p>	<p><b>5—Annual report—Commission</b></p> <p>For the purposes of section 32(2) of the Act, an annual report of the Commission must also contain the following information:</p> <ul style="list-style-type: none"> <li>(a) information about any strategic or other similar objective adopted by the Commission for the coming year or years;</li> <li>(b) information about the extent to which the principles referred to in section 14 of the Act are being reflected in the planning system established under the Act;</li> <li>(c) information about— <ul style="list-style-type: none"> <li>(i) any performance targets set under Schedule 4 of the Act during the relevant financial year; and</li> <li>(ii) the work of the Commission under clause 1 of Schedule 4 of the Act during the relevant financial year;</li> </ul> </li> <li>(d) information about any review under clause 3 of Schedule 4 of the Act concluded during the relevant financial year</li> </ul>

**Schedule 4 section 2(1) of the PDI Act**

A Performance Indicators Scheme was prepared by the Commission and approved by the Minister in July 2019 under Schedule 4 section 2(1) of the Act. The intent of the Scheme is to effectively monitor, evaluate and report on the performance, efficiency and various quantitative aspects of the development assessment scheme (under Part 7 of the Act).

This Scheme first became operational on 1 July 2020, however since the full implementation of the Planning and Design Code on 19 March 2021 this Scheme was subject of a review and consequently revised to better reflect the final version and timing of implementation of the Code. This revised version was adopted by the Commission on 10 June 2021 and the Minister approved substitution of the updated Scheme on 28 June 2021. The substituted Scheme will apply for the purpose of reporting for the 2020-21 financial year.

**Schedule 4 section 2(4) of the PDI Act**

The Performance Indicators Scheme Report for 2020-21 is included at **Appendix A**.

While the original Scheme commenced on 1 July 2020, the revised version was approved by the Minister in June 2021. Noting this, the first annual report under the Scheme has been provided for the 2020-21 financial year, and will apply the performance indicators in the revised Scheme as approved by the Minister in June 2021.

Given the staggered implementation of the new planning system, the Performance Indicators Scheme Report does not capture a full financial years' worth of data and should be read in this context. In particular the data in the Performance Indicators Scheme Report includes the following:

- Phase One Area – includes data for the whole reporting period 1 July 2020 to 30 June 2021;
- Phase Two Areas – includes data for a portion of the reporting period from 31 July 2020 to 30 June 2021; and
- Phase Three Areas – includes data for a portion of the reporting period from 19 March 2021 to 30 June 2021.

**Regulation 5(a) of the PDI Regulations:**

During the 2020-21 financial year, the Commission conducted a number of strategic planning workshops to inform development of its Strategic Plan for 2021-22. The Strategic Plan 2021-22 was approved in August 2021 and published on the [Commission's website](#). The Strategic Plan outlines the priorities for the next phase of the Commission's operations.

**Regulation 5(b) of the PDI Regulations:***Long-term focus principles*

The 'Principles of Good Planning' set out in section 14 of the Act are referenced in the State Planning Policies which are available on the PlanSA Portal. These State Planning Policies are the highest order policy document in South Australia's planning system. They outline matters of importance to the state in land use planning and development and provide a policy environment aimed at enhancing our liveability, sustainability and prosperity.

Special Legislative Schemes for the State Planning Policies also became operational on 27 May 2019. These Schemes address laws that have a direct link to the planning system and are of significant importance to the state. The Schemes will operate in addition to the suite of 16 State Planning Policies which came into operation 27 May 2019 to collectively set out a state-wide vision for South Australia's planning and development system.

In addition to this, the Regional Plans will provide an extra level of detail on the long-term (15-30 year) vision for a specific region within South Australia, and must be consistent with the State Planning Policies outlined above. These Regional Plans will

include provisions about the integration of land use, transport infrastructure and the public realm. The Commission has commenced its Regional Planning Program, and either the Commission, or Joint Planning Boards (as relevant) are required to deliver Regional Plans across the State by early 2023.

*Urban renewal principles*

During 2020-21, the Commission finalised advice to the Minister on a number of Development Plan Amendments, which provide strong examples of urban consolidation through logical consolidation and redevelopment of existing urban areas. This included Aldinga Suburban Neighbourhood Development Plan Amendment and Oaklands Park Renewal Development Plan Amendment.

In addition to this, the Commission also finalised advice to the Minister recommending the initiation of the following amendments to the Planning and Design Code:

- 1 Walkerville Terrace, Gilberton
- Thaxted Park Golf Club Code Amendment
- Riverbank Precinct Code Amendment
- 197 Randell Road, Hindmarsh Island Code Amendment
- Flemington Street, Glenside Code Amendment
- Port Bonython Code Amendment
- Buckland Park Suburban Activity Centre Zone Code Amendment
- Lockleys Code Amendment
- 15-17 and 19-29 Glynburn Rd, Glynde Code Amendment
- Loveshack Route Code Amendment
- 65-73 Mooringe Avenue, Plympton Code Amendment
- Scotty's Corner Code Amendment
- Albert Park Mixed Use Code Amendment

The Environment and Food Production Area (EFPA) continues to operate as a statutory mechanism for avoiding encroachment of urban areas on areas of rural, landscape or environmental significance, as contemplated in section 14(b) of the Act. The Commission has commenced its review of the EFPA, which is expected to be completed in November 2021 with any subsequent variations to the EFPA boundaries implemented in early 2022.

*High-quality design principles*

Design quality of the built environment not only relates to the 'look and feel' of buildings and places, but how successfully they meet the needs of the people who use and experience them. High-quality design helps to make buildings and places better for people, our environment and economy.

The Act enables South Australia's new planning system to place greater emphasis on high-quality design. One of the ways it will do this is by creating more opportunities to participate in Design Review under a new Local Design Review Scheme (the Scheme). The Scheme was approved by the Minister for Planning and Local Government in March 2021, following consultation with the Commission, local councils, peak industry bodies and the community.

To facilitate the Scheme becoming operational, in May 2021 the Commission initiated an amendment to the Planning and Design Code which proposes to specify which development types will be eligible for Local Design Review.

*Activation and liveability principles*

The Planning and Design Code (the Code) sets out to elevate the quality of development across the State. The Code also facilitates infill development to support community demand and to create more walkable neighbourhoods with better access to public transport and other community facilities.

As part of the Commission's implementation of the Phase Three (Urban Areas) Code, the Commission implemented policy changes which seek to raise the bar on the quality of residential infill developments and provide a consistent approach across all council areas over a range of development requirements.

The policy intends to deliver multiple benefits for activation and liveability, including:

- increasing tree planting, urban green cover and space for gardens;
- ensuring adequate on-site parking and reducing the loss of on-street parking;
- increasing street amenity by incorporating design features to enhance building façades; and
- more effective management of stormwater associated with residential infill developments.

The Code has delivered a range of policy improvements to enhance the street appeal of residential infill. These policy changes seek to achieve enhanced street appeal for new dwellings through greater use of design elements and materials as well as improvements to dwelling front windows, entry doors and provision for bin storage areas.

*Sustainability principles*

The Commission recognises the value of Water Sensitive Urban Design and Green Infrastructure in creating cooler, more liveable and economically viable neighbourhoods and has reviewed current policies and identified opportunities for improvement in tree canopy and green cover; site permeability; deep soil zones; green roofs and walls, and rain water tanks.

In particular, in formulating the policy improvements in the Phase Three Code, feedback from the community and industry highlighted tree canopy, stormwater management and rainwater tanks as areas of particular concern.

In response, the Commission contracted BDO EconSearch and Tonkin Engineering to produce two Options Analysis reports, addressing the costs and benefits of Stormwater Management and Tree Canopy Cover. This evidence-based research addressed and informed the key decisions made in the Code policy, including changes to the Code which provides minimum tree planting and soft landscaping requirements as well as requirements for rain water tanks for new dwellings.

*Investment facilitation principles*

From March 2021, all development applications in South Australia have been lodged on-line through the PlanSA Portal instead of being submitted to individual councils. The roll-out of the Planning and Design Code and the e-planning System has revolutionised the way that planning is undertaken in South Australia by:

- replacing the 72 development plans with one universal document;
- ensuring that the development application process is faster, simpler, fairer and more transparent; and
- standardising planning frameworks across the state, improving objectivity and reducing subjectivity while retaining flexibility to accommodate local circumstances.

The Commission will continue to monitor and report on the performance and efficiency of the planning system as required under the Act, and through the Performance Indicators Scheme. Reporting in future years will allow the Commission to track the ongoing efficiency of the system over a number of years, and between various assessing bodies operating within the planning system.

#### *Integrated delivery principles*

The Metropolitan Growth Management (MGM) program has been renamed as the Growth Management Program (the GMP) to better reflect its broader role in managing growth and development across the State. As part of the GMP, the Commission has endorsed Land Supply Reports for Greater Adelaide which utilise population projections, land consumption trends and infrastructure capacity to identify:

- projected development demand;
- the development supply options;
- the infrastructure capacity of regions; and
- the need for new growth precincts.

The Land Supply Reports for Greater Adelaide will provide an evidence and data-driven foundation for the Commission's regional and strategic planning work, including the review and update of the 30-Year-Plan for Greater Adelaide.

#### **Regulation 5(c) of the PDI Regulations:**

The Performance Indicators Scheme will provide information about the overall health of the planning system. The Scheme was operational from 1 July 2020, but was subsequently revised by the Commission and approved by the Minister in June 2021, to address the staged implementation of the Planning and Design Code.

The first reporting under the Scheme will occur for the 2020-21 financial year, and is included in **Appendix A**. As noted above, this Performance Indicators Scheme Report includes data from portions of the reporting period, as the Code and the e-planning system was implemented across the State. This Report also adopts and measures against the updated Scheme approved by the Minister in June 2021.



**Regulation 5(d) of the PDI Regulations:**

The Minister did not exercise a power of review in 2020-21.

## Public complaints

### Number of public complaints reported

Complaints against Commission Members are received by the Minister for Planning and Local Government under Regulation 9 of the *Planning, Development and Infrastructure (General) Regulations 2017* (PDI Regulations). The Commission received no notice from the Minister of any complaints against the Commission in 2020-21.

Under Regulation 11 of the PDI Regulations, the Commission may receive complaints from persons who believe that a member of an assessment panel had acted in contravention of the Minister’s Code of Conduct. This may include the SCAP (established by the Commission), as well as Assessment Panels constituted by the Minister, Councils, or Joint Planning Boards under the *Planning, Development and Infrastructure Act 2016*. The Commission did not receive any complaints against members of the SCAP, but it did receive 3 complaints under Regulation 11 against members of council assessment panels. As these complaints are not considered complaints against staff of the Commission or the Department, they have not been included in the table below.

The Commission was also referred an additional 2 complaints by the Independent Commissioner Against Corruption during the reporting period. However, as these complaints were not received in the form required under Regulation 11, these were managed outside of the Commission’s formal complaints handling procedures and have not been included in the table below.

To provide guidance to the public and to support clear and consistent management of complaints received by the Commission, the Commission has endorsed a Complaints Handling Procedure for Assessment Panels which is available at:

[www.saplanningcommission.sa.gov.au/about\\_the\\_commission](http://www.saplanningcommission.sa.gov.au/about_the_commission).

Complaint categories	Sub-categories	Example	Number of Complaints 2020-21
Professional behaviour	Staff attitude	Failure to demonstrate values such as empathy, respect, fairness, courtesy, extra mile; cultural competency	0
Professional behaviour	Staff competency	Failure to action service request; poorly informed decisions; incorrect or incomplete service provided	0
Professional behaviour	Staff knowledge	Lack of service specific knowledge; incomplete or out-of-date knowledge	0

<b>Complaint categories</b>	<b>Sub-categories</b>	<b>Example</b>	<b>Number of Complaints 2020-21</b>
Communication	Communication quality	Inadequate, delayed or absent communication with customer	0
Communication	Confidentiality	Customer's confidentiality or privacy not respected; information shared incorrectly	0
Service delivery	Systems/technology	System offline; inaccessible to customer; incorrect result/information provided; poor system design	0
Service delivery	Access to services	Service difficult to find; location poor; facilities/ environment poor standard; not accessible to customers with disabilities	0
Service delivery	Process	Processing error; incorrect process used; delay in processing application; process not customer responsive	0
Policy	Policy application	Incorrect policy interpretation; incorrect policy applied; conflicting policy advice given	0
Policy	Policy content	Policy content difficult to understand; policy unreasonable or disadvantages customer	0
Service quality	Information	Incorrect, incomplete, out dated or inadequate information; not fit for purpose	0
Service quality	Access to information	Information difficult to understand, hard to find or difficult to use; not plain English	0
Service quality	Timeliness	Lack of staff punctuality; excessive waiting times (outside of service standard); timelines not met	0
Service quality	Safety	Maintenance; personal or family safety; duty of care not shown; poor security	0

<b>Complaint categories</b>	<b>Sub-categories</b>	<b>Example</b>	<b>Number of Complaints 2020-21</b>
		service/ premises; poor cleanliness	
Service quality	Service responsiveness	Service design doesn't meet customer needs; poor service fit with customer expectations	0
No case to answer	No case to answer	Third party; customer misunderstanding; redirected to another agency; insufficient information to investigate	0
		<b>Total</b>	<b>0</b>

<b>Additional Metrics</b>	<b>Total</b>
Number of positive feedback comments	0
Number of negative feedback comments	0
Total number of feedback comments	0
% complaints resolved within policy timeframes	Not Applicable

Data for previous years is available at:

[https://www.saplanningcommission.sa.gov.au/about\\_the\\_commission](https://www.saplanningcommission.sa.gov.au/about_the_commission)

**Service Improvements resulting from complaints or consumer suggestions over 2020-21**

The Commission received three complaints against council assessment panel members in 2020-21. The Commission investigated all of these complaints and found breaches of the Minister's Code of Conduct for Assessment Panel Members in two cases. As a result, the Commission recommended that relevant councils undertake further training with the relevant council assessment panel member, and other panel members as appropriate.

The Commission did not proceed to investigation of two complaints referred by the Independent Commissioner Against Corruption as they were not received in the prescribed form under Regulation 11(3) of the PDI Regulations. In both situations, the subsequent steps taken by the Commission to receive the complaint in the prescribed form were unsuccessful.

**Performance Review Measures**

The Commission did not receive any complaints against members of the SCAP in 2020-21. However, it has nonetheless prioritised to continually review and improve the operations of the Commission and the SCAP through the following mechanisms:

- The Chair of the Commission regularly meets with the Presiding Member of the SCAP, which provides an opportunity to discuss the performance of the SCAP and its members.
- The Chair held one on one performance review meetings with each Member and the Ex-Officio member during this reporting period.

Where a breach of the Code of Conduct by a member of an assessment panel has been substantiated following an investigation by the Commission, the Commission has recommended appropriate remedies to the respondent and the relevant Council. In each case where this occurred during 2020-21, the Commission has received subsequent correspondence from the relevant Council advising that the Commission's recommendations had been implemented, or other appropriate course of action taken by the Council in response.

## **Appendix A: Performance Indicators Scheme Report 2020-21**

## **Appendix B: Audited financial statements 2020-21**