Planning for a Sunburnt Country
Interview with Maggie Beer: Food Security

2011 Planning Excellence Awards
Interview with Maggie Beer
Women with a Plan - Wendy Bell
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'Planning for a Sunburnt Country – what an appropriate theme for the upcoming 2012 PIA National Congress'

Planning for climatic conditions, climate change, natural disasters and events – planners are involved at all levels...

Firstly, planners have an important role in strategic planning in terms of tailoring good design responses for living in SA’s dry climatic conditions. Planners also play a role in helping to mitigate against the impacts of climatic events and natural disasters.

Secondly, planners are involved on a daily basis in their statutory role in assessing Development Applications and taking account of hazards, geographic/site factors, infrastructure and climatic conditions.

Thirdly, as community people we respond and help our local communities in times of need – although I have not personally been involved in a major natural disaster response, I have been involved at a regional level and exposed to various challenges (as a community person, local government planner and CEO) with significant flooding events, river bank slumping (in times of drought), bushfires and even a major land-fill fire. Involvement with these events varied from activation of a town disaster plan, sand bagging homes, and assisting with recovery and infrastructure strategies.

Undoubtedly the most significant issue of all has been the harsh impact of drought on our farmers (and their families), their communities and the very real social, economic and environmental impacts on regions.

The array of speakers for the Congress is outstanding – well done to PIA and I wish the Congress every success.

*David Altmann, MPIA, MLGMA, CPP*  
Managing Director  
*Development Answers Pty Ltd*
Dear Members and Subscribers,

This edition marks the upcoming 2012 PIA National Congress in Adelaide, Planning for a Sunburnt Country, April 29 – May 2. Our country, as seen in recent times, experiences some of the most diverse climates and natural disasters, from droughts to torrential rain and flooding. These occurrences are becoming more regular and are a constant reminder to those in the planning profession must be mindful of this when planning for our future.

Maggie Beer is a keynote speaker at the upcoming Congress on the topic of food security. In this edition you will find a short interview with Maggie on her thoughts on the topic and taste of what her presentation will focus on.

On another note, this is my last edition of SA Planner. I have recently completed my studies in urban and regional planning and wish to pursue a more planning involved role. I wish to thank the Planning Institute and all members for being so welcoming over the past few years. This has been a great place to work part time whilst studying and provided me with the opportunity to network with some of the most successful and experienced planners Adelaide has to offer. My position will be filled by Jodie Hausler, not to be confused with Jodi Mavrinac who already is in the PIA Team here! Jodie will be taking over as Events and Communications Officer and can be contacted by the email below.

Thank you again to all members and I hope you enjoy this edition of SA Planner.

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Thank you again to all members and I hope you enjoy this edition of SA Planner.

Tessa Reynolds (MPIA Grad) Communications and Administration Officer

Editorial and advertising enquiries or contributions to: admin.sa@planning.org.au

Guest Editor
Jodie Hausler
was on the brink of collapse due to stock, the river environment that to support food crops and to water upstream. They tell me about the lack of water upstream. was made worse by over-allocation of the ‘millennium drought’, which recall vividly the devastating effects take in 1969 is needed. use of the river since we capped our system will not be enough and that the plan proposes to return to the plan means for the health of the Basin Plan last November we have been working to analyse what the Darling Basin Authority’s draft Plan that will secure the future of the river for all of us who rely on it.

Jay Weatherill PREMIER
As South Australia’s major river system, the future use and management of the River Murray is of crucial importance to the long term sustainability of our state’s economy and present and future communities that depend upon the River for their livelihood and social structures.

The Premier looks to South Australians individually as well to contribute to the State’s submission. A Community Meeting is scheduled for Tuesday 10 April at the Adelaide Town Hall (5.30 pm for a 6 pm start) “No Future on a Dead River”. With the public comment period for the draft plan scheduled to end on April 16, this meeting will debate the pros and cons of the draft Plan and is recommended for planners who feel it is important to be fully informed. If you’d like to contribute your story as asked by the Premier, you need to register on the website, http://saplan.org.au/yoursay/our-river-our-future

As submissions close on the 17th April, 2012 on the draft Plan, which in the view of many, is deficient in terms of delivering a sustainable outcome for the river in South Australia.

Iris Iwanicki FPPIA PIA SA President

Alistair Tutte

We often speak of celebrating the life and qualities as part of the sadness when farewelling a much loved and respected friend and colleague passes from this life. It is a privilege to do so on this sad occasion. Alistair was very special. Those of us here who knew Alistair not only as a colleague but also as a friend will miss him greatly.

As a Fellow of the Planning Institute, Alistair’s professional career from his early qualification as a chartered surveyor and associateship of the then Royal Institution of Chartered Surveyors in the early 1970s morphed into planning in a serious manner. After working as a chartered surveyor in London between 1964 and 1971, Alistair moved to the Australia. His first job was for the NSW Public Transport Commission, responsible for urban and regional planning matters including economic land use studies, cost benefit and discounted cash flow analyses. After moving to Adelaide, Alistair gained his Master’s in Urban and Regional Planning from the University of Adelaide and immediately joined the Royal Australian Planning Institute shortly thereafter. Alistair proceeded to became a partner in the Environmental Research and Planning Group from 1978 until 1981, when he was appointed City Planner in the seaside western suburb of Henley and Grange of metropolitan Adelaide. As city planner he was responsible for strategic, policy and corporate planning, research, information systems, statutory planning development control and appeals.

The office is busy with a year of some exiting events, especially with the National Congress being held in Adelaide. I am pleased to announce that Premier Weatherill will be our guest for our annual On the Couch interview with Brian Hayes QC on the 12 July 2012 and we are also working towards our second Regional Conference being held in the Barossa Valley during October. President Iris is hosting a dinner with our Fellows on the 12 April 2012 and this will be a great opportunity to network with our leading planners and the guest speaker will be Tim Jarvis, our local explorer. More events to be announced during the year and sponsorship prospectus is now available for 2012/13 for our members who want to take the opportunity to not only support the Institute but have further exposure of their business.

We are sad to lose Tessa Reynolds to the big wide world of planning. She graduated this year in Bachelor of Urban & Regional Planning (Honours) major in Environmental Planning. Tessa has been with the PIA Office as Administration and Communication Officer for three and a half years. We wish her well and thank her for her valued contribution to the Institute.

We are pleased to welcome our second Jodie to the office in the form of Jodie Hausler, she will work closely with Jodi Mavrinac and supporting members in assisting with events and communications.

If you have not already booked for our Congress it is a great priviledge to have this major event for planners in our city and we need your support to ensure a repeat of the Congress in Adelaide.

www.piacongress.com

Thanks to our volunteers who have worked with the Congress convenor, Roger Freeman, and I look forward to as many of our SA Members being at the Adelaide Convention Centre to hear a great line up of speakers and also to have some fun.

Des Commerforf LFPIA CPP
Executive Officer
2011 Planning Excellence Awards Snapshots
At the 2011 Planning Institute of Australia, South Australian Division Planning Excellence Awards the project, Imagine Your Rural City 2020 - Murray Bridge was honoured with receiving the first Minister’s Commendation for PIA Awards.

The nominees of the entry were the Rural City of Murray Bridge, Burke Urban, Village Well and Regional Development Australia Murraylands and Riverland.

From the Minister:

The project Imagine Your Rural City 2020 - Murray Bridge is also impressive work and as such I wish to give it a commendation.

Again, it has met the three elements that I think are central to good planning.

Importantly, this kind of work and design thinking does not happen enough in our regional and rural centres. Strategic planning and preparation for growth is work that must be done in our rural cities and towns as well as metropolitan Adelaide. Furthermore, users of cities and towns outside the metropolitan area should enjoy the benefit of well designed public spaces and thoughtful planning and infrastructure integration.

I commend the Rural City of Murray Bridge and their partners on this visionary work.

Update on Imagine Your Rural City 2020 - Murray Bridge

Building on the successful 2011 Imagine consultation series, The Rural City of Murray Bridge Council has incorporated the communities’ ideas into a number of Strategic Documents (Big Wins) to help guide the managed growth of the Rural City and Rural Communities into the future.

Council will be undertaking a formal 8 week consultation period on the Structure Plan, Rural Communities Study, Town Center Master Plan and Urban Design Framework and the Integrated Traffic and Transport Management Plan between Monday the 12th of March 2012 to Sunday 13th May 2012 which give the community an opportunity to have their say and take part in making the Rural City of Murray Bridge the community that they are proud to be part of.

Mark Kwiatkowski
Acting General Manager
Sustainable Development
Rural City of Murray Bridge
WOODVILLE VILLAGE MASTERPLAN

At the 2011 Planning Institute of Australia, South Australian Division Planning Excellence Awards the Woodville Village Masterplan was honoured with receiving the Minister’s Award on the night.

The nominees of the winning entry were City of Charles Sturt, Land Management Corporation, Jensen Planning + Design, Hames Sharley, Aurecon, SKM, Grieve Gillett, Realty Solutions, Monom Design & Construction, Alexander Symonds, Natalie Fuller & Associates, Village Well and Ian Robertson Design.

From the Minister:

‘In determining the winner, I considered three elements that I think are central to delivering good planning outcomes: thoughtful and quality design; community and user engagement; and partnership. I also looked for a project presentation that reflected that State’s Planning Strategy that is an example for other planners and project teams of how we do things in South Australia.

‘To my mind, the Woodville Village Masterplan showed it had thoroughly met the three elements and was a clear example of a new approach to urban design and form, and an example of how we can meet some of the objectives of the 30 Year Plan for Greater Adelaide. The detail and work that has gone into this project as presented, demonstrates to developers, councils and locals that we can grow Adelaide up through dynamic, interesting and user-focused residential developments.

‘Notably, the design outcomes are clearly explained and it is apparent that the team have worked through key features of the development, and details of how the project fits within its surrounds. The team document the extensive community and user engagement and the work shows a strong relationship between private enterprise, Local and State Government.

‘I commend the parties for their committed work and detailed outcomes.’
The Goolwa Open Space and Recreation Strategy provided the District Council of Alexandrina with a broad framework for future scoping and staging of open space and recreation activities. It established broad principles, goals and a series of staged actions that address open space opportunities, linkages to new and existing residential areas, safety, character, water, and making it easy for people to be active on a daily basis and get out and about. Jensen Planning + Design are pleased to report that several of the strategy’s recommendations are now being implemented:

### A New Recreation Precinct for Existing and Future Goolwa Residents is in the Planning

The Plan recommended a new regional recreation precinct (including potential new ovals and sports facilities) located behind Endeavour College and linked to future residential growth opportunities (this residential growth will substantially increase the number of people living in Goolwa). For anyone who has worked in regional areas, you would understand the emotion and interest in anything to do with the footy, netball or cricket grounds....and in this regard Goolwa is no different! We are pleased to report that council has had more conversations with representatives from sporting and recreation groups in Goolwa to discuss their needs for the future. Council reported that “this went really well and the mind set has shifted dramatically about moving to a new facility compared to a few years ago when it was first raised”. Consultants will soon be engaged to prepare the Precinct Masterplan.

### Bristown Reserve - A New Open Space for Visitors and Local Residents

This reserve is a large grassed foreshore park between the river front and Barrage Road - a very popular area where people visit, stop, rest and enjoy the beautiful Goolwa environs. Whilst “functional” (it has a large carpark, toilets, a civic guide signboard, playground and shelters), the solid brick shelters are cold and uninviting, and they prevent views to the river from two sides. A small sandy beach is an asset when water levels are sufficiently high but is underutilised. A stone cairn celebrates the arrival of Captain Sturt in 1830 - but could tell the story of Sturt more effectively. Lack of shade is a problem - but it is a challenge for trees to grow - when planted, they are perceived as blocking views and miraculously die!

A concept plan is currently being developed that involves community input in order to facilitate community ownership and improve chances of successful tree planting in the area.

### The Importance of Keeping Active - New Research Promoting Incidental Daily Activity

The plan was very much linked to facilitating incidental daily exercise - as well as more formalised recreational pursuits. This is a really important issue for towns like Goolwa which has one of the oldest populations in Australia and sedentary patterns become commonplace. Council is delighted that a university research student has chosen Goolwa to undertaken research into these issues, and has incorporated the findings and recommendations of the Open Space and Recreation Strategy into her research.
The Woodville Masterplan, recognised by the PIA Awards for its commitment to thorough stakeholder and community engagement through a long 5 day and night charrette process, provided City of Charles Sturt and the LMC with a series of recommendations regarding character, land use, traffic management, built form and open space. And true to its guiding principles, engagement on the plan’s recommendations continues! With an ongoing highly complex and political context which has surrounded the plan’s implementation and decision making, Jensen Planning + Design can report the following about the implementation process:

City of Charles Sturt Continues to Consider the Masterplan
• A recent report has been prepared for City of Charles Sturt’s consideration which recommends that Council note the importance of continuing to seek the revitalisation of Woodville Road. The report is publicly available on http://www.charlessturt.sa.gov.au/site/page.cfm?u=84#2012

A New Fresh Food Approach in the Western Suburbs?
• An ongoing commitment to community gardening through the expansion of the Woodville High School community garden (for further information see http://www.lmc.sa.gov.au/home/news.asp?nid=147). “The upgrade to the community garden will give future residents of the proposed development adjacent to the railway station on Woodville Road the opportunity to garden and to grow fresh food as well as enabling the school to continue to provide both a practical curriculum and a therapeutic opportunity for students,” Minister Conlon has said.

DPA to commence in 2012
• Given the breadth of the recommendations, a DPA was required. A Ministerial DPA has been authorised by the Minister for Planning and is expected to commence mid 2012

Further Conversations about Road Realignments
• Further community and stakeholder discussions are underway regarding the alignment of St Clair Avenue (for further information see http://www.charlessturt.sa.gov.au/site/page.cfm?u=777)

Upgrading of Community Facilities
• The new reserve and clubrooms on the former Sheridan site have been completed
• Council are considering supporting the installation of audio/visual equipment in the Woodville Town Hall
• Council are considering the upgrade of St Clair Recreation Centre

The planning profession has enormously important and positive contributions to make to the future. Participating in the Awards for Planning Excellence is a small but important way to demonstrate your commitment to advancing the profession. Promoting planning success stories is a great way to show how planners really make a difference.

The National Awards for Planning Excellence will be presented on Tuesday 1 May 2012.

www.piacongress.com
Phil Smith LFPIA
Elevation to Life Fellow

Phil Smith has been an active and highly respected member of the planning profession in South Australia for more than three decades. In this time, he has been one of the great mainstays of South Australia’s central planning agency – now the Department of Planning, Transport and Infrastructure – where he has filled a variety of positions and mentored countless numbers of young planners in a highly distinguished career.

In his various roles in the Department, Phil has undertaken the following:

- Between 1977-1988 worked as a Planning Officer and Senior Planning Officer in development assessment and planning policy formulation, including a 6-year stint managing the Legislation Unit
- Between 1988 – 1989 worked in the Development Program Unit providing advice to the Minister on long-term growth options for metropolitan Adelaide
- Managed the Development Policy Branch between 1994-1995 where Phil managed Development Plan Amendments and acted as Executive Officer to Development Policy Advisory Committee (DPAC)
- Between 1989-1996 he managed the Development Assessment Branch acting as Principal Adviser, Principal Delegate and Executive Officer for the Development Assessment Commission (DAC). During this time Phil was also seconded to the Premier’s Department to work on the Planning Review when he effectively drafted the Development Act and Regulations, which we all continue to work with today
- From 1996 to his ‘semi-retirement’ earlier this year, Phil was the Director of the Assessment Branch of DPLG where he was responsible for the assessment functions of the Department providing advice to the Minister, to DAC and to other sections of the agency in relation to all assessment matters.
- He also worked for short stints as Director of Planning Policy, Director of Strategic Planning and Executive Director of Planning SA.

Phil has also undertaken important roles for the Planning Institute during his career. He has been a member of PIA (formerly RAPI) since 1987, was Vice President of the SA Division of PIA between 1990-91, and was a member of PIA’s National Council in 1997 and 1998.

Phil’s approach to these many key roles in the SA planning system and within the profession has always been highly professional and has been characterised by an incredible generosity of spirit in his sharing of advice, and more latterly, wisdom.

Phil has been a wonderful supporter of planning education – he has regularly contributed to the teaching program at the University of South Australia and has been the principal promoter of the work experience program for third-year students since its inception with students under his tutelage gaining an invaluable insight into the planning system during their time with the Department.

Phil’s made an enormous contribution to the planning profession in South Australia and no doubt he will continue to have some influence in coming years as he seeks to become a ‘serial’ Development Assessment Panel member for a number of SA councils, who will be lucky to have him.

It is with great pleasure that PIA elevates Phil to Life Fellow.

Kylie Fergusen FPIA
Elevation to Fellow

Kylie is an experienced planner with over twenty years of experience in strategic and social planning, academia, community engagement, and training. Her focus has been on social justice – encouraging collaborative approaches between the melting pot of allied built and social environment professions, and pushing for policy decisions that improve not just our lives, but those of our kids and the generations to come.
She has worked in rural and regional areas as well as cities, across federal, state and local government, in local villages in Indonesia and the Philippines, in academia in the UK and Australia, and has project managed major strategic planning and consultation projects for government, mining industry and road, gas and telecommunications infrastructure projects.

Kylie has made an exceptional contribution to the planning profession in a diversity of roles and through her commitment to PIA:

- As a planning educator through her roles at the University of SA over many years
- Initial Convenor of the SA Social Planning Chapter and her ongoing contribution to that Chapter since
- Her long involvement on behalf of PIA with the National Heart Foundation with the Healthy Spaces and Places initiative
- Her recent completion of the National Training Manual for the Healthy Spaces and Places Program
- Her contribution to the social planning sector at a national level, particularly during her role as Planning Manager (SA) for SKM and since for Jensen Planning + Design
- Her valuable work in Sumatra in the Tsunami reconstruction as well as other international aid projects
- Her volunteer work for PIA(SA), including her role for many years as a judge in the annual PIA Awards for Excellence program
- Her work as a trainer for planning and environmental planning practice, particularly for local government

It is with great pleasure that PIA elevates Kylie to Fellow.

Marcus Rolfe was raised in regional NSW. In 1987 Marcus spent 12 months in Michigan USA on a Rotary School Exchange Program. On his return, he enrolled in the Town Planning course at the University of New South Wales, graduating in 1993. Marcus later proceeded to obtain a Graduate Diploma in Management from the University of South Australia in 2004.

Marcus’s career commenced in NSW with the North Sydney Council; before spending three years with the NSW Department of Urban Affairs and Planning. He then joined Hassell initially in Sydney before moving to Adelaide. He spent two years with the City of Burnside before joining Jensen Planning and Design. Marcus has spent the last seven years with URPS where he is now URPS’s Managing Director.

Marcus Rolfe FPIA
Elevation to Fellow

Marcus has played a pivotal role in the development of young planners in his role in Local Government and in private practice.

He shares his knowledge and his desire of a well debated planning solution with great enthusiasm.

Marcus is a passionate proponent of thoughtful and pragmatic application of planning policy and development outcomes.

Marcus has significant experience in the provision of strategic, policy and development assessment advice, including providing expert evidence in the Environment Resources and Development Court, for a range of public and private clients.

Marcus’s contribution to support the Planning Institute of Australia (SA Division) is well regarded and has included:

- A 2 year term as Vice President;
- Chair of the Education and CPD Education Committee between 2004 and 2006;
- Previous mentor in the PIA Mentoring Program;
- Conference Convener of the 2005 PIA State Conference;
- Regular presenter at State PIA conferences, seminars and PIA events.

Marcus has played a pivotal role in the development of young planners in his role in Local Government and in private practice.

He shares his knowledge and his desire of a well debated planning solution with great enthusiasm.

Marcus is a passionate proponent of thoughtful and pragmatic application of planning policy and development outcomes.

It is with great pleasure that PIA elevates Marcus to Fellow.

Congratulations to Phil, Kylie and Marcus on your PIA elevations at the 2011 Awards for Planning Excellence.
Our Sovereign Parliament passed the Carbon Tax bill at the tail end of the year 2011, and that’s that. No longer anyone is talking about the emission control. A topic, very hot not long ago, now seems to have disappeared from our mindset as well as the media.

Last November/December I was in India where I met some publishers for my next novel. I also met a few Scientists to talk about Climate Change movement in that part of the world, and how India is coping with this phenomenon.

India, I was convinced, had been making great strides in this regard, and continue to do so at full speed, both at local, state and national level. For India, however, it is a matter of great concern that the Kyoto Protocol and the Durban Climate Talks boil down to ensuring that the global community does not impose an unjust tax on its energy and growth, and India’s citizens may not end up paying an unfairly higher price for energy: oil, gas and renewables in the near future. For instance, India imports coal and other minerals from our country in very large quantities. Come July, when our Carbon Tax is in operation, price of all commodities is likely to shoot upward.

Such factors would also decide how much longer it might take for 4 millions Indians living without power to light up bulbs in their homes and villages.

If the developed world has its way, India and other emerging economies will have to undertake binding and disproportionate greenhouse gas emission reduction targets by 2015. And as any economist will tell, beyond a certain level, emission reduction level targets lead to the energy costs going up in the country. For a country with one of the highest level of taxes on energy, and around 4 million people still without power, it could mean a globally imposed tax on development and growth.

This would be a fair tax if India and its people were as much responsible as the developed countries for causing the emission problem in the first place. The proof is that it is not. It has one of the lowest per capita emissions for emerging economies.

Despite this, it has already undertaken economy-wide actions to improve efficiency of its industries and other sectors. Its solar policy alone - among the most ambitious in the world – will cost billions in the next decade. It already spends 2.6% of its GDP (almost US$2 trillion) in programs that help poor develop and adapt. But if the developed countries get their way, the burden could increase disproportionately and become an international obligation for India.

The Indians feel that the developed world wants to forget that of the existing stocks of GHGs in the atmosphere, the developed world alone is responsible for 70%.

The Kyoto Protocol, which the most polluting country in the world, the US, refused to sign, is the only tool within the UN Convention that ensures the burden between countries is shared based on this historical fact. The Indians also feel that the developed countries prefer to forget the history and science and instead tax the emerging economies for the crimes it may commit in the future – the emissions they will spew in the coming years.

Once the principle of equity, that all citizens of the world have equal rights to global resources on the planet or in the atmosphere, is approved alongside with the Kyoto Protocol, there would be a fair formula to decide who bears the cost, and what share, of fixing the planet and the atmosphere. A global treaty would be agreed to, or, one could say, fought over, afresh with new rules and chances of an even deal, to enable the emerging economies like India to enable its economy to prosper and empower her sufficiently to keep importing our minerals to exercise its sovereign right to a reasonable growth.

**Dr Satish Gupta  DSc  FRTPi  MPIA**
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Rotarians: Use your networks to urge employers to tell potential candidates of these generous opportunities for career development: such as non government humanitarian organisations, government departments, religious and service institutions, local universities, police and armed services. Those employers will know how to contact people working both for them and with them.

Further details, eligibility and application information are available at www.rotary.org.au/rotarycenters

Enquiries may be made to any Rotary Club nearest to you.

For further information, please contact Dr Satish Gupta

Chair District 9520 TRF Scholarships Committee at satish.g@three.com.au

Phone: 0415 817 226 OR 08 8381 4782

Applicants should lodge their applications electronically through a Rotary Club by early May to allow time for interviews and reports to reach Rotary Head Office by 30 June 2012.
Regulated Trees Update
Gavin Leydon, Partner
Norman Waterhouse

On 17 November 2011 the Development (Regulated Trees) Amendment Act 2009 and Development (Regulated Trees) Variation Regulations 2011 came into operation. An associated Ministerial Regulated Trees Development Plan Amendment also came into operation on an interim basis that day.

There has been much debate since this time as to the effectiveness and consequences of the introduction of this two tier system for the control of regulated trees and, in particular, the extent of exemptions introduced by the new Regulations.

On 23 November 2011, the Honourable Michelle Lensink MLC gave notice in the Legislative Council of a motion to disallow the Regulations. Ms Lensink’s speech in support of the motion was critical of various aspects of the Regulations.

While that motion subsequently lapsed, it was recently placed back on the notice paper for the Legislative Council. We understand that there has been no decision yet as to when the motion will be debated, if at all.

It would appear that the notice of motion is a strategic move to encourage the Government to enter into further negotiations with the Opposition. We understand that the Opposition is satisfied with the progress of such negotiations and that future changes and refinements to the Regulations may be around the corner.

We understand that the Opposition is likely to have the support of the Legislative Council should it wish to press the motion to disallow the Regulations, however there is no immediate suggestion that this will occur in the near future.

If the motion were passed, the Regulations would be disallowed and cease to have effect, in which case the Development Regulations will revert back to how they were immediately before the new Regulations came into effect. This would obviously create uncertainty because the amendments to the Act would remain in force, but without Regulations to give effect to some of the key changes.

We will continue to keep you informed as matters progress.

Case note: Pejafs Pty Ltd v Bitmead [2012] SAERDC 13
Peter Psaltis, Partner
Norman Waterhouse

The owner of a shopping centre brought civil enforcement proceedings under section 85 of the Development Act 1993 against the owner and operator of a nearby shop.

It was alleged that the shop was approved as a fruit and vegetable shop only, but that it was selling a range of non-fruit and vegetable products which meant it was operating outside the scope of the relevant approvals.

Background

The shop was approved in 1986. The development application described the proposed development as “Fruit and Veg Shop”. Details submitted with the application suggested that the shop would sell fresh produce grown in an adjoining market garden.

Despite that description, the Council’s decision to approve the application described the use as “shop and associated car-parking and landscaping”. The approval did not contain any conditions limiting the type of goods that could be sold.

For reasons which were not clear a second application was made for a fruit and veg shop in 1987. The approval granted in respect of that application described the proposed development as “fruit and vegetable shop” but did not impose any conditions restricting the types of goods which could be sold from the shop.

Construction of the approvals

The first issue for the ERD Court was to construe the 1986 and 1987 approvals, to determine whether they approved a “fruit and vegetable shop”, or simply a shop.

In approaching that task, the Court looked to the planning regime in force at the time the approvals were granted. At the time, the relevant provisions of the Development Plan did not seek to differentiate between “a shop simpliciter and a fruit and vegetable shop”,...
presumably because there was no obvious town planning purpose for such a differentiation. By comparison, the Court noted that other forms of retail development such as supermarkets and bulky goods outlets are often treated differently in development plans because they have materially different planning impacts.

On this basis, and because of the absence of any conditions limiting the type of goods that could be sold, the Court concluded that the approvals were for a shop generally, rather than a specific fruit and vegetable shop despite the description of the 1987 approval.

**Change of land use**

The Court then considered, if the 1986 and 1987 approvals were limited to a fruit and vegetable shop, whether there had in fact been a change of land use.

In approaching this question, the Court noted that retailing is a “dynamic process”, and that the nature of shop uses is that they “tend to evolve over a period of time”, for example, by introducing “non-core items” as in the case of a pharmacy that sells giftware or a newsagency that sells lottery and bus tickets. Despite this, it is necessary to consider whether introduction of other items changes the “essential nature of the use”. This involves matters of impression.

On the facts of this case, the Court was not persuaded that the sale of non-fruit and vegetable items such as packaged drinks, small goods, dairy products, bread, confectionary, biscuits and so forth in conjunction with fruit and vegetables was such as to change the overall use of the land from a fruit and vegetable shop to a general store or supermarket. The Court also decided that the sale of such items was not a distinct and independent use Rather, it was a subordinate and ancillary activity. Obviously, each case will turn on its own facts.

**Summary**

Town planners and compliance officers are routinely required to determine whether a proposed (or existing) land use represents a change of use from a lawful existing (or approved) use. Usually, this will involve determining the scope of the lawful existing (or approved) use, and then determining whether the proposed (or actual) use involves a change of use.

This case is a useful reminder of the relevant principles that should be applied in approaching that task. In particular:

1. Characterisation of an existing use should not involve confining the user to a precise activity. What is required is the determination of the appropriate genus which best describes the activities in question overall.

2. To determine whether there is (or may be) a change of use requires a detailed examination of the facts, both before and after the relevant (or proposed) change.

3. A change of use involves a change in the essential nature of the use, or the addition of a distinct and independent use that is not subordinate or ancillary.

**Facts**

1. In January 2004 development plan consent was granted for development involving the construction of a number of dwellings on the site of an existing retirement village (the “original application”).

2. In June 2006 building rules consent was granted to Stage 1 of the original application by a private certifier. Stage 1 was limited to substructure and civil works for the dwellings only. Development approval was subsequently issued for Stage 1 shortly thereafter.

3. In March 2008, a variation application was submitted to the Council seeking development plan consent for a varied scheme which included amendments to the layout and configuration of some of the dwellings on the land which were the subject of the original application. The Council granted development plan consent to the variation application.

4. In late September 2008, building rules consent was granted for the variation application by a private certifier, for what was described as Stage 2, being the superstructure works for six of the dwellings. However, as at that date, no building...
rules consent had been granted for the substructure and civil works for those dwellings, as amended, by the variation application.

5. Commencement of the six dwellings occurred in late September 2008 in accordance with the variation application which had received development plan consent only.

6. When the Council became aware that building work was being undertaken unlawfully, it issued a section 84 enforcement notice to the builder and to the owner of the land. Subsequently, the builder then directed works continue in breach of the notice.

7. In December 2008, building rules consent for Stage 1 (as varied) was granted and development approval then issued.

No building rules consent or development approval had been granted for the unlawful building work, which was the subject of the section 84 enforcement notice, prior to the commencement of that building work.

The Council commenced a prosecution against not only the builder but also the owner of the land, along with the company who entered into the contract for the building work, and the director of the said companies. The builder pleaded guilty to the charge of failing to comply with the directions in the section 84 enforcement notice. The work undertaken in breach of the notice related to the installation of windows for a couple of the dwellings only which were at risk of damage and which were creating a safety issue for residents who were already living in the retirement village complex. The court found the offending to be at the lower end of the scale and imposed a fine of $1,000.00, which was subsequently reduced by 25% on account of the builder’s full cooperation and early plea of guilty, to $750. The maximum penalty was $20,000.

The company who engaged the builder pleaded guilty to undertaking development without approval. The sole director of the defendant company was an experienced developer and knew of the need for building rules consent and development approval to be obtained before building work could lawfully commence. He told the builder, untruthfully, to proceed with the construction works because all approvals had been obtained when he knew that was not the case.

The Court found that this was more than an administrative oversight and was a deliberate course of action on the part of the company.

Although the company sought to avoid a conviction being recorded, its reasons amounted to little more than “it was a first offence”. In sentencing, Her Honour entered a conviction against the defendant company and imposed a fine of $16,000, which was reduced by 20% on account of the guilty plea and circumstances of the matter generally. The resultant fine was therefore $12,800, compared with a maximum of $120,000.

The Court also ordered that the company pay $5,000 in costs to the Council (a figure which had been agreed between the parties beforehand).

The sentence emphasises the Court’s strict approach to matters which come before it concerning breaches of the Development Act 1993 involving unlawful building work. The Court has now made it plain that it requires those who undertake development to make proper enquiries beforehand to satisfy themselves that the relevant work is in fact approved prior to the commencement of that work.

In our view, it seems to me that all contractors and builders should, and in fact work, the plans which have been stamped as having been granted development approval and, if they do not, they place themselves at serious risk of offending.

Pursuant to section 105(7) of the Development Act 1993, where a fine is imposed by the Court, the fine is paid to the clerk of the Court who must then pay the amount of the fine to the Council.

Joy Flights and the Limits of Development Assessment

David Billington, Senior Associate

Norman Waterhouse

How far, geographically, does a change of land use extend when a port, aerodrome, railyard, or transport depot is proposed? As far as we are aware, this has not had a definitive answer in South Australian law. Road transport depots, and other traffic-generating developments such as shopping centres, are frequently subject to traffic assessment in relation to impacts upon adjoining roads. Aerodrome noise impacts upon adjoining areas are assessed. But how far must a planning authority go?

This question was squarely raised in Eco-Action Kangaroo Island Inc v Kangaroo Island Council [2012] SAERDC 14. A developer obtained development plan consent to erect a site office and helipad, and to conduct helicopter joy flights from land within a General Farming Zone. Eco-Action, represented by the Environmental Defenders Office,
appealed and, as a preliminary issue, argued that the assessment of the proposed development should include the impacts from the joy flights themselves, wherever the flights might go over the Island.

The Court held that this was not correct, saying:

the Development Act 1993 sets up a land use planning system. It does not seek to control activities which are not related to land. In my view, the proposed helicopter flights can only reasonably be characterised as a use of the land whilst the helicopter is on or over the land. The impact of the helicopter flight can be assessed beyond the limits of the land for so long as those impacts can reasonably be said to arise from the use of the land by the helicopter, but no further. In other words, once a helicopter has reached a cruising height, so that the impact on the ground under it is the same as it would be regardless of where the helicopter had taken off from, the assessment of the impact of the helicopter flight is no longer the assessment of a change in the use of the land. It is no longer an assessment which is called for under the Development Act.

As with more conventional matters, the Court indicated that consideration of the take-off and landing of the joy flights was a matter for assessment, even where that occurred over other land.

In our view, this decision enshrines a “commonsense” approach to assessing planning impacts which occur beyond the site of a proposed development.

There are many techniques to present evidence to demonstrate the truth of a matter. The case of Marion v Markou & Mouhalos & Ors [2011] SAERDC 56 is no exception.

This prosecution concerned the removal of a significant Corymbia citriodora tree (lemon scented gum) on land which contained a dwelling. The tree had been removed shortly after the sale of land to two of the five defendants.

The land’s purchase price was substantially depressed because the tree could not lawfully be removed. As a result the development potential of the land was significantly limited.

Central to the issues in dispute at trial was whether the tree met the requisite circumference size to be a “significant tree” under the Development Act 1993. The Council called a number of witnesses in support of its case. However, there were no photographic or documentary evidence of the size of the circumference of the tree. To successfully prosecute, the Council needed to prove this fact beyond reasonable doubt.

The Council witnesses included, among others: an arborist who had been engaged by the previous owners prior to sale; the daughter of the previous owner who; and the Council arborist who had worked for the Council for 35 years.

Mr Whitehill, an independent arborist, had measured the tree prior to sale but did not make a record of its circumference. Nevertheless, his evidence that he was certain that the tree was a significant tree was accepted by the Court.

The daughter of the previous owner told the Court that in 2009, she and her husband hugged the tree by wrapping their arms around the trunk. She said that in hugging the tree, they were unable to touch hands on one side. In preparing the evidence for trial, she and her husband went to the Council depot and “measured” a number of significant lemon scented gum trees using the same tree hugging method. The trees identified as being closest in size to the subject tree were then professionally managed. While the daughter was accepted as an honest witness her evidence was not ultimately accepted by the Court.

Mr Sykes, the Council arborist said that he had conducted a visual examination of the tree but did not measure it. Mr Sykes said that in his work over the years, he has measured approximately 2,000 trees for which he has written reports. He said that the tree was obviously significant and would estimate the tree to be 2.6 metres in circumference. The evidence of Mr Sykes was also accepted by the Court.

Judge Costello convicted all five defendants, imposed a fine of $35,000 plus victims of crime levy upon each of the three individual defendants (a new record for the removal of a significant tree). All defendants were also ordered to pay the Council’s legal costs of the prosecution, assessed against the District Court Scale rather than the far less-generous Magistrates Court Scale. The fines will be remitted to.
the Council upon payment to the Court.

In determining the appropriate penalty to be imposed, the Court found that the removal of the tree was motivated by a desire for financial gain by the owners, who profited from its removal. While the tree lopper did not profit in the same way, the Court held that people who make a living from tree removals must ensure the appropriate approvals are obtained before removing trees. The Court further remarked “that there is a compelling public interest in imposing a penalty in matters such as these which will serve as a general deterrence to others who may be tempted, to as it were, ‘take a chance’ that they can cut down a tree like this and get away with it.”

Councils and developers alike must realise that the imposition of significant fines is a real possibility where the unlawful removal of a “regulated” or “significant” tree is motivated by financial gain.

Fuel leaking from a pipe connected to a fuel tank which was located on Lochert’s land. Lochert operated a business which involved packing, marketing and distribution of citrus products in the Riverland. A part of the business included transporting fruit to suppliers and to port for export. Fuel equipment (owned by Shell Company of Australia) was located on the land, and the diesel that was deposited into the fuel tank was owned by Lochert.

Around October 2006 Lochert became aware of unexplained fuel discrepancies and, believing fuel was being stolen, implemented security measures to prevent further losses. In December 2006 an employee discovered a leak from a pipe connecting the tank to the bowser pump. An estimated 57,880 litres of fuel spilled into the surrounding soil between 19 July 2006 and 6 December 2006.

The Court found the offence proven beyond reasonable doubt including that Lochert (as the owner and occupier of the land) was “the occupier or person in charge of a place....from which pollutant had escaped”.

The judgment considered whether “the general defence” under section 124(1) had been made out, namely that the alleged contravention of the Act:

“did not result from any failure on the defendant’s part to take all reasonable and practical measures to prevent the contravention or contraventions of the same or a similar nature”.

The Court examined what was reasonable and practicable for Lochert to have done before the leakage and during the time when the diesel was leaking but before the cause of it was known.

Taking into account that diesel had been leaking over a period of five months and that a quarterly recognition performed in October 2006 showed approximately 12,500 litres was missing during that quarter (which was nearly an entire tank), the Court found Lochert should have been more active in addressing the issue of the fuel discrepancies and more conscious of the possibility of a fuel leakage.

It was found other measures may have been reasonable and practicable, such as performing more frequent reconciliations especially after the discrepancy was discovered, informing the owner of the fuel tank of the magnitude of the discrepancy at an earlier stage, seeking help to identify the cause and more thorough investigation of the fuel equipment.

The defendant failed to make out the defence and the Court found Lochert guilty of the offence against section 79(2) of the Act. The defendant is currently awaiting sentencing. The maximum penalty for an offence against section 79(2) is $500,000 for a body corporate.

Case note: Circelli v Lochert Bros Pty Ltd [2012] SAERDC 8

Jacqui Shepherd, Associate
Norman Waterhouse

The Environment, Resources and Development Court recently found Lochert Bros Pty Ltd (Lochert) guilty of causing serious environmental harm by polluting the environment contrary to section 79(2) of the Environment Protection Act 1993. The pollution was caused by diesel fuel leaking from a pipe connected to a fuel tank which was located on Lochert’s land.

Lochert operated a business which involved packing, marketing and distribution of citrus products in the Riverland. A part of the business included transporting fruit to suppliers and to port for export. Fuel equipment (owned by Shell Company of Australia) was located on the land, and the diesel that was deposited into the fuel tank was owned by Lochert.

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Jacqui Shepherd, Associate
Norman Waterhouse

Truss Inspections – Is your Council ready?

James Nicolson, Solicitor
Norman Waterhouse

With the commencement date of 1 July 2012 for the new Development (Trusses) Variation Regulations 2011 rapidly approaching, now is the time to ensure that your Council has appropriate systems in place to meet its obligations.
The truss regulations amend the Development Regulations 2008 by creating new obligations in respect of building work involving roof framing, including:
• a new notification requirement for building work;
• that building inspection policies must include minimum inspection levels of building work involving the construction of roof framing;
• that manufacturers of roof trusses provide specific information to councils; and
• that development applications include specific information relating to roof trusses.

It is important for councils to update their procedures and policies to ensure that they will meet the new obligations created by the truss regulations. In particular, councils must ensure they update their building inspection policy (required under Section 71A of the Development Act 1993) to reflect the minimum inspection levels prescribed by the truss regulations.

As of 1 July 2012, all councils must specify in their building inspection policy the following minimum inspection levels for building work involving the construction of any roof framing:
• 66% of building work where a licensed building work contractor is responsible for the work; and
• 90% of building work where a licensed building work contractor is not responsible for the work (eg an owner-builder).

The inspection requirements do not apply to class 10 buildings, unless the class 10 building is attached to any part of the roof framing of another class of building.

While a council will not commit an offence where it fails to comply with its building inspection policy, it may be exposed to liability in circumstances where a failure to comply results in loss of life, personal injury or damage to property.

The obligations created by the truss regulations, and in particular compliance with the prescribed minimum inspection levels, will give rise to significant resource implications for councils.

Norman Waterhouse has been advising and assisting councils to prepare for the commencement of the truss regulations ahead of the 1 July 2012 commencement date. For further information please contact James Nicolson on 8217 1342.

“Planners In The Pub” - is on again!

After the success of the first networking function - come along to the PIA “Planners In The Pub”, for a chance to catch up with friends and colleagues and unwind at the end of the week in the updated sophisticated and captivating Benjamin on Franklin.

Friday, April 13th
4.30pm - 6.30pm
Benjamin on Franklin - 233 Franklin Street, Adelaide
FREE to attend but please register your attendance online for booking purposes!

Go to www.planning.org.au/sa to register your attendance

We look forward to seeing you there!
Part 1 of this article raised posed the question ‘What does the increasing importance of social media networking mean for the way planners interact with clients, colleagues and community?’

While the use of social media to inform communities is becoming more commonplace, with many governments embracing social media as a method of providing information, it is the engagement and repeat connection with communities and individuals (on their own terms) that should be embraced to assist communities to become more involved in strategic decision making.

Social media offers an opportunity to reach a broad level of the community via a cost effective and popular medium. Already the links between the online and physical worlds are becoming closer. Online users can tag their favourite locations, track movement of friends and participate in online forums from anywhere in the world. All of these features can provide useful data for planners on how and when communities are using urban spaces and places.

The opportunities offered by social media networking for planners to build relationships with communities and promote the relevance and benefits of planning presents an opportunity to further develop an environment where people are not only encouraged but are motivated to participate in processes that will guide decision making.

PIA has recognised the importance of Social Media Networking through the establishment of a Facebook page, Twitter account and LinkedIn group and these forums present opportunities for professionals and community members to share information and knowledge. PIA has also released a Social Media Guide for the planning profession to highlight some of the opportunities and pitfalls of entering the online community.

The promotion of planning through social media networking is an opportunity that should be further embraced by the profession if planners are to continue to build and develop relevance to our communities.

Below are a number of social media networking resources which may be of use for planners to develop relationships with colleagues and communities.

Facebook – there are a number of Facebook groups that offer tips or tools to engage with communities and provide more information. An example is the ‘Social Networking Application for Planners’. Facebook membership is now over 800 million worldwide.

Foursquare is a social networking program that operates using smartphones. Foursquare users are able to ‘check in’ to geographic locations and rate locations and spaces.

LinkedIn is a business based social networking site that allows individuals to manage their professional profile on the internet and connect with colleagues and professional contacts. LinkedIn now has over 150 million members worldwide and over 2 million in Australia.

Slideshare is a hosting service where members can upload files or particularly power point presentations for viewing. Recent estimates had the monthly visitation for the site at over 58 million.

Wikiplanning is an online engagement tool where community members can log in to receive specific project information or participate in engagement exercises. They can then opt to remain involved for the life of the project through project updates or follow up sessions.

Darren Starr MPIA CPP
National Town Planning Discipline Leader FYFE Pty Ltd

Darren is the Vice President of PIA (SA), Chair of the Urban and Regional Planning Chapter and National Town Planning Discipline Leader for FYFE Pty Ltd.

Darren Starr LinkedIn
As another year commences at UniSA I’m delighted to report that there has been a record level of interest in urban & regional planning at undergraduate level. The first year undergraduate intake is a strong cohort of 64 new students and the postgraduate program is also looking healthy with 30 new enrolments, 17 of these being on to the newly modified two year PIA accredited Masters program. Despite the job market for new graduates having tightened in the last couple of years it looks like planning is still viewed as a good career opportunity by many school leavers.

One of the big attractions to the undergraduate experience continues to be the overseas exchange program which continues to expand, offering new opportunities to gain international experience by studying abroad for a semester at Universities in Copenhagen, Montreal, Toronto and San Diego in addition to the well regarded Planning Study Visit to Penang. New developments in the School of Natural & Built Environments include the arrival of new staff member Dr Rowena Butland, a PhD graduate of Sydney University, who has joined us from the University of the West Indies. Rowena will be taking over teaching Social Planning Techniques on the third year of the undergraduate program as well as developing her interests in heritage management with the first years. Another change this year is that Dr Matthew Rofe has stepped down after several very successful years as postgraduate program director and handed over to Dr Sada Karuppannan. In 2012, for the first time, we have offered a short work placement to postgraduate students, building on the success of the undergraduate program’s semester long work placement. We hope this will provide better opportunities for postgraduates to engage with the workplace and the profession and enhance their job opportunities.

Over the course of this year the program team will be busy developing an exciting new Masters program. The aim is to provide a pathway for genuine skills enhancement to planning graduates through offering a Masters in Advanced Urban Planning. As well as providing an opportunity to develop specialist skills and knowledge in areas such as Healthy Cities and Urban Regeneration, the program aims to cement strong relationships with employers and along with them, develop research topics which students will work on, supervised by both an academic staff member and a practitioner. We see this as very positive step forward in upskilling the current generation of young planners. I encourage any employers reading this who would like to know more about our plans or even better, would like to be engaged in partnering us with project ideas, to get in touch with me. I can be emailed at jon.kellett@unisa.edu.au.

Jon Kellett
Associate Professor

A National Young Planning Professionals Conference (with a difference)

YPConnect is an annual forum that allows young planners (both students and graduates) to join together with over 100 other students and young professionals from across the country to have a voice on a national scale and to participate in professional development specifically targeted at young planning professionals.

YPConnect11 will commence with a welcome activity and cocktail function on Saturday 28 April 2012 followed by a full day conference on Sunday 29 April 2012. The program includes a vast array of speakers covering topics on how planning can respond to our current economy, where planning is heading in the future, and how young planners can adequately perform their role as future planners and decision-makers.
They Don’t Make Planners Like They Used To – Gen Y and the Future of Planning

Organisations involved in planning across South Australia are currently dominated by Baby Boomers (born between 1946 and 1964) and Generation X (born between 1965 and 1980). Generation Y (born between 1981-2000) currently comprises 20% of the Australian workforce but will represent up to 40% in just five years time. Social and demographic research over the years has identified a number of characteristics that are considered generally applicable to each of these generations.

Baby Boomers are extremely hard working and define themselves by their professional accomplishments. They are competitive, believe in long hours in the office and are generally stable in their jobs. Boomer planners have pursued ‘linear’ career pathways, which for many involved starting as technical officers or in DA, and will end in senior management. They are independent, unafraid of confrontation and willing to challenge established practices.

Generation Xers are also independent, valuing freedom and responsibility. They are comfortable with technology, having been the first generation to grow up with computers. More willing to change jobs to ‘get ahead’ than previous generations, they adapt well to change and are tolerant of alternative lifestyles. Ambitious and eager to learn new skills, they espouse a work hard/play hard philosophy to life.

Generation Y is technologically savvy, being ‘plugged in’ 24 hours a day, 7 days a week. This generation prefers to communicate through social media, email and text messaging rather than face-to-face contact. They prioritise family and friends over work, seeking to “work to live” rather than “live to work”. They are often willing to trade high salary for fewer working hours and more flexible schedules. Generation Y is confident, ambitious and achievement-oriented. Being part of a ‘no-person-left-behind’ generation, they appreciate being ‘kept in the loop’. Gen Ys have high expectations of their employers, are not afraid to question authority and, while they don’t like being told what to like or do, will seek frequent praise and reassurance.

The average Baby Boomer was married by 21, had their first child at 23 and by their 25th birthday was locked into a mortgage. Once on that trajectory, they needed the security of a stable job. In contrast, Generation Y has the education and confidence to do what they want for 10 or more years before ‘settling down’. With more options at their disposal than ever before, young people road-test everything from jobs and partners to houses and cities. People used to be embarrassed by the fact they hadn’t settled for something or someone, whereas today it’s seen as being ‘out there’ and being connected.

So what does this mean for the way we think about the planning workforce – and the very way we plan our cities and regions?

Firstly, we can expect to not only lose experience ‘at the top’ with the retirement of the Baby Boomers, but to also struggle to retain those being trained ‘at the bottom’ who are unlikely to commit to a job or organisation like their predecessors did. Gen Ys are tipped to have an average of 29 jobs and 7 different careers in their lifetime. Recent survey data indicated that planning graduates will remain with their employer for an average of 18 months. Planning workplaces will struggle to retain their highly skilled graduates and mid-career planners if they cannot find enough ‘experiences’ within their organisations.

In addition, workplaces may experience a net loss in organisational knowledge and skill if our younger employees do not remain in roles long enough to...
develop – and then master – key knowledge and competencies that currently are central to our planning system. Gen Ys themselves may also suffer because they never get to a point of being something of an expert at a task or in a field.

Questions remain about whether Gen Y’s propensity to not want to ‘settle down’ and commit to an organisation, marriage or mortgage means that they are also unlikely to commit to a defined process or structure for the planning of our cities and regions. Gen Y are known for making decisions at the last minute to ensure that they don’t miss out on a great opportunity, whether this be their social calendar for the upcoming weekend, their relationships or decisions about investing in property. Does the fluid manner in which Y’s run their life mean they will struggle to make a concrete determination of development applications, or establish a clear-cut policy framework for our cities and regions, forever waiting for a “better offer”? If Gen Ys apply their flexible tendencies to their planning, are we going to see our tightly regulated and rationally structured cities and regions (largely planned by rational Boomer planners using tried and tested methods), give way to more of a mosaic, where we are less prescriptive about what goes where?

On the other hand, the diverse life and professional experiences that Gen Ys carry experts producing a number of individual conclusions about the matter. We have struggled to work in an interdisciplinary manner, where there is a common understanding of issues and this forms the basis of common problem solving methods and subsequent conclusions. New bodies such as the Integrated Design Commission seek to move away from traditional multidisciplinary approach and espouse the principles of interdisciplinary work, and a rising tide of Gen Ys in the workforce may assist this transition.

Gen Ys are highly educated, well travelled, fast thinkers, respond well to feedback and accepting of difference. These characteristics may lend themselves to effective interdisciplinary work. Indeed, this may become a necessity as they are unwilling to spend long hours in the office and are reluctant to do mundane tasks if they perceive there is a faster, more collaborative way to get to the same (if not better) outcome. Similarly, Gen Ys not only use technology like Gen Xers and some Boomers can, but they ‘know’ technology and have high expectations about what technology will do. Rather than seeing technology as a tool that assists in the completion of specific tasks that has always been done, Gen Ys challenge convention by seeing technology as an integral part of the entire problem solving process, helping to generate creative solutions.

At URPS, an organisation where all three generations work together closely, our opinions remain divided about what the rising tide of Gen Ys in the workforce will mean for planning. Some of us think we need a radical re-think of how our organisations work – and the way in which we do planning - to ensure we maximise the opportunities before us and experience a smooth demographic transition. Others think the generational differences are overstated, that the portrayal of these issues is mere stereotyping and in reality the ways we all work are not that different. Others again think that the changes to the way planning is happening is less generational, and more due to broader changes, such as political factors and the increasingly strong market orientation of our Governments.

But then again, maybe these perspectives reflect our own generational biases?

**Michael Arman and Marcus Rolfe**
**Planner and Managing Director, URPS**

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**Congress Social Program**

The Congress social events offer delegates the opportunity to mix mingle and network with planners from around the country. We provide the functions - you add the fun.

Those who get into Adelaide early and have time on Sunday before the welcome party may enjoy a tour of the Barossa, McLaren Vale or head off to the Tasting Australia Festival.
Interview with Maggie Beer

**Sustainable Food Production: Planning for Food Security and Protection of Productive Agricultural Land**

Maggie Beer is a keynote speaker at the 2012 PIA National Congress held in Adelaide at the Convention Centre from Sunday, 29 April to Wednesday, 2 May. Maggie will be speaking on the topic of Sustainable Food Production: Planning for Food Security and Protection of Productive Agricultural Land.

Throughout her life Maggie Beer has been passionate about the protection of rural land to maintain agricultural productivity. She has played a meaningful part in the development of planning policies to limit residential development in prime viticulture areas.

The beauty of the Barossa Valley drew Maggie from Sydney in 1973. Settling there with her husband Colin, the couple’s intention was to breed game birds and grow grapes. Maggie’s passion for food and flavours however, soon led to the establishment of the now legendary Pheasant Farm Restaurant which has taken its rightful place at the forefront of Australian dining experiences. In 1991, it was honoured with the prestigious Remy Martin Cognac/Australian Gourmet Traveller Restaurant of the Year award.

Maggie’s appearance in the popular ABC series The Cook & The Chef cemented her place as one of Australia’s best known and most loved food personalities. Maggie’s eighth cookbook is on the way.

Maggie has been kind enough to take some time in her busy schedule to participate in a short interview on her topic that will be discussed at the upcoming Congress in a month’s time.

1. **What is your professional career highlight?**

You know, I really can’t choose a professional highlight. I do know however how lucky I was to find what I absolutely love to do purely by chance and from necessity. From those first hectic days of The Pheasant Farm in 1979, to being named Australian Gourmet Traveller Restaurant of the Year in 1991, to launching our first product nationally, to opening the export kitchen in Tanunda... it has all been so amazing. I will say though that being named Senior Australian of the Year in January 2010 was an incredible honour and highlight, professionally and privately. I found that this position gave me the scope to further a cause that is very important to me – which is to change a culture of the food in aged care.

2. **How important do you believe is food security to the planning profession?**

Consumers are more interested to know where their food comes from, and where it was grown, under what conditions, how it’s been transported, how many people have been involved in the production process, etc. The model of communities that are urbanised but within reasonably easy reach of agricultural areas is one to be protected.

3. **What is your advice to planners with regard to food security?**

I think it really is just about common sense. It’s easy to look at our attitude to food security as a ‘trend’ – we’re becoming increasingly eco and green, in response to global warming. But actually, modern farming techniques and shopping patterns will probably be seen by history as the fads; our obsession...
with having access to everything, all year round, hopefully will change. The traditional structure of village shopping, markets, local and seasonal food being the driving force of community consumption, this is what has to be kept in mind when planning for the future.

4. How can we encourage communities to produce their own food?

Many years ago, I was part of a group to lobby for the introduction of edible fruit trees to be used in council planting, and herbs as hedging. However, it was rejected because people would “steal” the fruit. Whereas, this has the potential to foster greater community ties and strength. Many people, given the option of having access to free fruit growing on council trees, would probably be happy to volunteer sometimes to help with the maintenance of the trees, whether that be by collecting fallen fruit, or pruning branches, etc. There has to be a real break from the nanny state mentality if litigation might have been a fear that restricted such an idea.

To get people taking ownership of their food production and consumption community gardens lead to sharing of gardening skills that lead to home gardens and the understanding of seasonality and flavour.

Mount Pleasant has a Swap Market – members take their own, home-grown produce and trade amongst themselves. For example, if you have a glut of zucchini, you could swap for eggs, or tomato or basil, and so on.

5. Why is it so important to protect productive agricultural land, such as that found in the Adelaide Hills?

Simply that if agricultural land is carved up to make way for urban development, well, you lose more than just beautiful rolling hills.

6. How can we encourage food production within Metropolitan areas?

I am honoured to serve as the South Australian Ambassador to the Stephanie Alexander Kitchen Garden Foundation. This foundation’s sole purpose is to implement edible gardens in primary schools to then cook the product they have grown hoping to engender in our children a proper understanding of food production, and the delight and joy that comes from growing. This should be available to all.

7. Finally, what is your favourite meal to cook using?

I am very happy to say my garden produces some fine examples of heirloom fruits and vegetables. My tomatoes were particularly good this summer, and to me, one of the simplest pleasures is a really good Bruschetta. Garlic rubbed into toasted Ciabatta, and topped with perfectly ripe tomato, and a glug of good quality Australian Extra Virgin Olive Oil. Not fancy, but oh so rich in flavour.

8. What’s next for Maggie Beer?

I was hoping 2012 was going to be a quieter year for me, but I have somehow managed to load up my calendar with a very exciting array of work and travel. Last year, we opened a seasonal kitchen at our Farm Shop – a small operation dedicated to producing short runs of products (as distinct from the larger volume of products made in our export kitchen in Tanunda) and that can be made from whatever abundance of to hand. Having bought our neighbours orchard late last year I can tell you we have a lot of product to hand and this is a steep learning curve of our agriculture life.

Thank you to Maggie Beer and her organising Committee to take the time for this interview to allow PIA Members an insight to the upcoming Congress and her thoughts on planning for food security.
Women with a Plan: Interview with Wendy Bell

International Women’s Day (IWD) is now a recognised official holiday in many countries, which sees many honouring women in their lives (mums, wives, sisters, girlfriends, colleagues etc) with recognition and appreciation for their contribution in striving for a better world. IWD has moved from a day which has highlighted the difficulties women face in some parts of the world to enjoy equality of pay, gender and a choice of vocation and include a celebration of all the positive outcomes women have achieved over time however big or small their achievements have been. Every year on 8 March there are events and celebrations held internationally under the auspices of IWD to inspire women and celebrate their achievements. Before too long, it is intended to interview a number of early women planners in the profession to contribute to recording planning history in this state. To celebrate IWD, PIA SA has interviewed one of South Australia’s successful women in the planning profession, Wendy Bell.

Wendy Bell has over 30 years architectural, planning and urban design experience, specialising in the social and environmental aspects of these fields. She has a unique range of skills working in the UK, Australia and New Zealand. Wendy also works in collaboration with allied professionals providing specialist advice to all levels of government and the private and community sectors.

As a qualified Architect, Town Planner and Trainer, Wendy has contributed to the professional development of planners and furthered the work of the profession, including keeping up to date knowledge of international, national, state, regional and local policies in sustainable aspects of:

- Social Planning and Social Impact Assessment
- Urban and Regional Planning
- Sustainable Urban Design
- Crime Prevention
- Housing Policy
- Planning Appeals
- Natural Resources Management/ Environment and Planning
- Training

Wendy has worked in most aspects of these fields and offers research, strategy and policy development, guidelines, and specialist advice in these categories of urban planning and design.

**Interview with Wendy Bell**

1. **What made you choose planning as a career?**

As a practising Architect I was disappointed with the narrow focus of architecture on individual buildings with little consideration of wider context so I decided to do planning.

2. **What has been your biggest success as a professional, particularly in the planning?**

Setting up my own practice and operating it for over 25 years with clients around Australia and New Zealand.

3. **Tell us about your history in planning.**

a. I graduated in Architecture in 1967 and worked for 5 years as a Architect, the last two in London in the multi-disciplinary practice of Arup Associates, where I had experience of working in a team of all disciplines required to plan, design and build buildings. This is when I realised the importance of true collaboration in teams.

b. I did my post graduate planning course in Edinburgh Scotland, one of the main seats of urban and regional planning learning in the early 1970s.

c. During my course I worked in a Scottish New Town Livingston which was established to house those who had lived in the overcrowded Glasgow slums.

d. During my time at Livingston I watched new suburbs being planned without any involvement of the community and using standards of provision that applied to southern England rather than Scottish people, with many of the recreation areas for example being unused as a result.

e. After that experience of the importance of planning for specific communities and engaging them in the process I moved back to Australia where I worked as a consultant with the Albury Wodonga Development Corporation, a growth centre initiative of the Whitlam Government, doing Recreation Planning for the growth centre.

f. I then worked in the Victorian Department of Community Welfare as a Social Planning and acquired skills in community engagement and involvement in the planning of social infrastructure in North
I recently found myself in the situation where I was preparing some guidance for a stakeholder who was considering submitting a non-complying application to Council. During the writing of the advice, I noted I was referring to the Development Plan page numbers in descending order. That is, the stakeholder would be writing their application by going backwards through the Development Plan as they referred to the Principles of Development Control first for the Precinct, then the Policy Area, then the Zone and finally to the General Section. The thought occurred that, not only did this present an image of unnecessary complexity, but it also had the potential to make the planning process and profession look a little ridiculous.

We can all cite examples of procedures and documentation that has morphed over time, which when looked at anew, are not always appropriate to the current times. I’d suggest that the current format for the Better Development Plan is one such example, perhaps it is now time for those who make reference to a Development Plan on a daily basis to start discussing what structure and format the next generation of Development Plan could take.

In the interests of discussion some assumptions have been made regarding the structure of a development plan. The main one is that the Development Plan is a public document which has two primary users. They are the developer, be they amateur or professional, and the statutory planner. Any development plan would therefore be expected to have a structure that is user friendly for both parties and consistent with how a proposal might be prepared and subsequently assessed.

**Introduction**

So, in lieu of there not being a common format for this section, one of Better Development Plan formats could be used. However, there would need to be some amendments so that its structure is in harmony with the structure used throughout the development plan.

Reference would be made to a development plan being a document that describes the land use and built form that each council would like to see within its boundaries. An addition would be a description of the non-complying process with an emphasis on the uncertainty and loss of appeal rights that comes with this type of proposal.

**Council Preface Map**

This may be stating the obvious but the Preface Map in this context connects the above Introduction with the council’s strategic direction. That is, the land use and built form guidelines described in this development plan apply to the land enclosed within these boundaries.

**Index Map**

Its natural place is at the front of...
the Development Plan as this where the process starts. It describes where one will need to look in the development plan for the information that will be needed to progress the proposal, irrespective of whether it is for an application or for an assessment.

Maps
If logic dictates the order then the site specific State Heritage Places, the Local Heritage Places and Contributory Items (viz., the higher ranked to the lower ranked) would be first. The Precinct Area Map, the Policy Area Map and the Zone Map would follow – again, from the specific to the less specific. But being a statutory planner, logic is not always in my toolkit. So, the heritage places and items would come after the Precinct, Policy and Zone Maps and be included with the more generalised maps such as for example, Flood Hazard. This ordering of the maps suggests to the reader the order of importance in which the proposal might be assessed with respect to its land use and the built form.

Non complying for the Zone
If the proposal is in this list then it is better to find out early then find out at the end of your investigations (See the Introduction for details about the non-complying process as mentioned above.) If the proposal is not in this list, then one could argue that the proposal is already halfway there. All it needs now is to get the details right. Obviously some land uses will be self evident because of the planning zone – or perhaps not.

Complying Development
If it’s a land use and a built form that is not in the above list and one is looking for a fast track approach, this is the set of design provisions that will get through in the shortest timeframe. If it is not possible to fast track because of the nature of the proposal, then one will need to consult the rest of the development plan for guidance. Reference to the Residential Development Code would be included in this section

Precinct Provisions
This includes the Desired Character and the Principles of Development Control that include “Land Use” and “Form and Character” etc.

Policy Provisions
This includes the Desired Character and the Principles of Development Control that include “Land Use” and “Form and Character” etc.

Zone Provision
This includes the Desired Character and the Principles of Development Control that include “Land use” and “Form and Character” etc.

You’ll note that no reference has been made to Objectives. This is deliberate. Both the Objectives and the Desired Character statement describe the nominated direction of development in the precinct/policy/zone. Is this repetition really necessary? Perhaps it’s time for some discussion on the effectiveness and relevance of the two sections. The Better Development Plan format certainly seems to put an added emphasis on the Desired Character of the land use and built form. If this is the new direction and it works, why not keep it and remove the Objectives section entirely.

Ancillary Tables.
Tables such as the “Off Street Vehicle Parking Requirements” include those design features or numeric values which are often integral to the functionality of the proposal. So, because of their specific nature, it would be consistent for the Tables to come before the General Section

General Section
These are currently the more nuanced guidelines because of their broad based and “catch all” approach. They are, as it were, the final deciding guidelines that are used in the preparation and assessment of a proposal. While it can be argued that they should therefore be in front of the process, their generalised nature has them at the end of the assessment process, in keeping with the earlier stated rationale of proceeding from the specific to the less specific.

Concept Plans
A final check that the proposal is consistent with the overall direction of the land use and the built form.

My thanks to those who have provided their comments during the preparation of this moment of wishful thinking.

Leon Jaworski MPIA
Auckland versus Adelaide – another Trans Tasman rivalry

Having recently emigrated to Adelaide from Auckland, New Zealand, I thought I could offer some comparative views on planning between these two mid-sized Australasian cities. As Planners I think it is always healthy to broaden our horizons and consider approaches from different councils, cities, states and countries.

Some background

Adelaide has a beautiful street plan. Most Adelaideans I meet incorrectly think that Adelaide and Christchurch were designed by the same man, Colonel William Light. Some similarities between Adelaide and Christchurch in the characteristics of the original city plan, together with the reputations of both cities as “garden cities” and “cities of cathedrals” has probably helped build the myth of a shared city designer.

The population of metropolitan Adelaide is about 1.2 million. Therefore, it’s population is similar to Auckland’s, which sits at around 1.5 million – a mid-sized city by international standards. Adelaide also faces many similar challenges to Auckland. Although Adelaide has not been growing as quickly as Auckland, its population growth has been steady and is projected to continue in that manner. Like Auckland, greater Adelaide covers a large geographic area. However Adelaide’s population density is significantly lower than Auckland.

Some key differences

Because Adelaide’s density is significantly lower than Auckland, it would seem that there is significantly more capacity and opportunity to retrofit the urban form, and intensify in existing urban areas.

A good example of this is in the CBDs of Auckland and Adelaide. Auckland’s CBD has a permanent residential population of approximately 40,000 people, Adelaide’s CBD population is approximately 13,000, similar to the Auckland CBD population in 2004. Large numbers of tall apartment buildings crowd the Auckland CBD skyline, in Adelaide apartment buildings taller than 6 storeys are still relatively rare.

Another important difference is in construction economics. Construction costs in Adelaide are significantly lower (around 25%), which makes construction in general and infill development in particular more competitive. Furthermore, Auckland has a comprehensive development contributions regime not present in Adelaide - which typically sees contributions in the order of $30,000 per dwelling payable.

As a result, Adelaide should have a significant advantage over Auckland in attracting new residential investment and development.

In Auckland, one Council – the Auckland Council – governs the entire metropolitan area. This follows the amalgamation of 7 region-wide Councils in 2010. Prior to 1990 there were more than 30 Councils in the region. Therefore the Auckland planning system is characterised as being more centralised than in Adelaide, notwithstanding the fundamental central role that DPTI has in planning processes in greater Adelaide.

Sprawl versus Intensification

The draft Auckland Plan – the Auckland equivalent of The 30-Year Plan for Greater Adelaide – was notified in September 2011. One of its key planks is to set out how and where new housing development will occur to cater for Auckland’s projected growth from 1.5 million people today, to well over 2 million people by 2040.

The Draft Plan proposes that 75% of all additional housing should occur in the existing urban area (over the whole life of the plan), with 25% in new greenfield development areas. This compares with the Adelaide plan where the ultimate goal is to move to a ratio of about 70:30 in terms of infill development to fringe development by the end of the Plan’s life.

Since the Plan was notified, further expert capacity assessment has been undertaken which has determined that the 75:25 ratio is unrealistic. Speculation is that...
the ratio will be reduced to 60:40 when the final Auckland Plan is confirmed by the end of March. The analysis suggests that even this target is somewhat aspirational, given factors such as widespread heritage areas in the city, the aforementioned limitations in land development capacity, as well as economic factors.

An interesting view that departs from the dualistic "Sprawl versus Intensification" debate has been offered by Dushko Bogunovich, Associate Professor of Urban Design at Unitec Institute of Technology, Auckland. Bogunovich proposes that rather than battling against cultural desire for dispersed living and the natural attributes of Auckland's wide and scenic hinterland (Attributes he labels "Blue Arcadia" and "Green Arcadia"), more self-sufficient eco-communities (villages / small towns) should be facilitated throughout the region, within a "periurban" belt. Far from being an apologist for sprawl, Bogunovich argues that this option is a resilient form of settlement design based on "green" decentralised infrastructure provision. In my brief stay in Adelaide I have been unable to determine whether such an option has been considered in Adelaide. I suspect, like in Auckland, it is a fringe (pun not intended) view that has not been seriously considered, which I think is a pity.

**Development controls**

Development controls obviously vary from Council to Council in greater Adelaide, however a key observation is that development controls are generally more liberal than Auckland. For example, site coverage controls of 50% or more are common in greater Adelaide, even in general (non-medium density) zonings. This aids delivering affordable housing, as it allows for good-sized houses to be built as single storey rather than double storey (significantly reducing construction costs) on smaller allotments. By comparison, site coverage controls in Auckland and New Zealand in general are usually set at around 35%, which together with rather onerous requirements such as requiring each dwelling to provide 100 square metres of private open space, means that sites of over 450 square metres are typically required to provide for a 150 square metre single storey home, compared to sites of 300 square metres throughout Greater Adelaide.

**Plan Changes v Development Plan Amendments**

Adelaide Planners may consider 2-3 years a long time for a DPA. In New Zealand, more complex DPAs (or "District Plan Changes" as they are known there) often take over five or six years. Some have taken longer than 10 years! To be fair, recent legislative reform has been enacted to speed some of these processes up.

Appeals to the Environment Court have typically been the main factor in delaying DPA processes in New Zealand. The argument against reducing appeal rights has always been that it would be an erosion of democratic rights.

**Council consent fees**

Councils in greater Adelaide do not appear to utilise the New Zealand model of pure user pays for consent application fees. Here planning application fees for minor to mid complexity applications usually cost between $100-$200, with building consent fees typically costing a further $100-$200. By comparison, fees for similar types of applications in Auckland can easily reach $5000 for planning and building applications.

Fees for more complex, publicly notified applications are based on a percentage of the development value. The fees for these applications usually come out much lower than fees for equivalent types of application in Auckland.

Therefore staff time involved in processing consent applications is largely funded through Council rates, with some minor funding support coming from larger applications. Although creating a larger rates burden, the public benefit significantly from paying very low fees for minor to moderate complexity applications. The Auckland fees approach is a large obstacle for home owners and small business owners who wish to carry out development often involving relatively trivial planning infringements.

**Conclusions – Lessons for Auckland, Lessons for Adelaide**

Through my professional career dating back to the mid 1990s I have witnessed a transformation in Auckland. In some ways I long for some of the qualities that Auckland had in the 1990s but has lost, some of the qualities which I now find in Adelaide. Auckland is a more impersonal place now. It’s lost a lot of urban places which were a bit rough around the edges, slightly bohemian and down at the heels, but interesting. The old Oriental Markets that used to exist near the waterfront have long been demolished. Carpark buildings and ugly, sterile apartments now sit in their place. It used to be nearly as easy to get around Auckland as Adelaide, but now it’s a nightmare.
Housing used to be relatively affordable, now Auckland is one of the least affordable housing markets in the world. Adelaide is too, but at least in Adelaide houses are still readily being delivered to the market for less than the median house price.

Some of the changes have been both positive and negative. The surge in apartment development from 2001 to 2007 in the CBD of Auckland has substantially increased the CBD population, and with it has come much greater vibrancy and activity. Yet, the design quality of many of the apartments is poor.

An important question Adelaide-based planners may ask is how did Auckland gain such a surge in CBD apartment development from 2001 to 2007. Can Adelaide learn anything from the Auckland experience?

Well, my answer to that question is that this surge was the result of both market and policy factors, with greater importance attributable in my opinion to market factors. This was the era of relatively cheap and easy credit that helped facilitate apartment developments. In addition this was a period of substantial growth in the international language school and university markets, which strongly supported the CBD apartment market.

Nevertheless, planning policy was a significant factor in the transformation.

In particular, the lack of minimum parking requirements, and significantly greater plot ratio allowances for residential apartments versus other land uses, helped to incentivise apartment development. A lack of regulation in terms of external design controls for apartments, and other aspects such as an absence of standards such as minimum apartment sizes and mix of apartment types, also helped the feasibility of apartment development. In my view, this lack of regulation was not necessarily a good thing overall (despite the vibrancy benefits of greater population) as witnessed by the prevalence of ugly apartment blocks dominated by “shoe box” apartments. However, I think the reactively drafted “corrective” policy in 2007 went too far in the opposite direction, so that now, even when the economy starts to recover robustly and financing frees up, minimal apartment development is likely due to overly onerous design requirements (and where it occurs it is only likely to be realised at the high end of the market, with minimal if any opportunity for affordable housing).

So in essence, I think it is in Auckland’s CBD development that Auckland has the most lessons – positive and negative - to offer Adelaide.

And lessons from Adelaide to Auckland? I think the lessons are particularly strong in the procedural realm, as well as in the more liberal and flexible approach to development generally witnessed in Adelaide as compared to Auckland, which more readily allows for affordable housing development.

Matthew Paetz
2012 has already been a busy year in respect of planning law reform. Below is a brief summary of three “hot issues” which are, or have the potential to affect planning law and planning processes in the near future.

**Regulated Trees**

On Wednesday 15 February, a motion to disallow the Development (Regulated Trees) Variation Regulations 2011 was formerly restored (and therefore relivened after the Parliamentary break) in the Legislative Council by the Honourable Michelle Lensink. The effect of this motion, if carried, will be to completely remove the Regulated Trees provisions from the Development Regulations 2008 and to resume the previous Regulations as they were in force prior to 17 November 2011. The effect of doing so will be problematic, as the Development Act 1993 (as amended) now refers only to “regulated trees” – the definition of which is contained within Regulation 6A. However, if the regulations are restored to their previous wording, there will be no definition of “regulated tree” and therefore the definition of “tree-damaging activity” in the Act, which refers to the damage, removal etc of a “regulated tree” will be, in effect, inoperative and of no effect.

Debate on this motion was suspended and has not yet resumed. We are closely watching developments in this regard and will keep you informed of any updates as they occur.

**Urban Renewal Authority**

On 1 March 2012, the Urban Renewal Authority was established under the Housing and Urban Development (Administrative Arrangements) Act 1985.

This new body supersedes the Land Management Corporation and now has responsibility for:

1. residential and industrial land holdings of the LMC;
2. industrial land holdings of Defence SA;
3. urban renewal projects at Bowden, Woodville West and other projects previously headed by the LMA; and
4. planning the redevelopment of existing SA Housing Trust assets.

Further details pertaining to the URA can be accessed through its website at by clicking [here](#).

**Barossa Valley and McLaren Vale Protection Districts DPA**

This Ministerial DPA was declared on interim operation on 28 September 2011 in conjunction with the introduction of the Character Preservation (Barossa Valley) Bill 2011 and the Character Preservation (McLaren Vale) Bill 2011 into Parliament.

Briefly, each of the Bills intend to restrict non-primary production development in the Barossa Valley and McLaren Vale districts. The DPA was intended to ensure that development ear-marked as inappropriate under the Bills could not occur in advance of their passage into law.

The Public Submissions period for the DPA ended on 19 December 2011 and public meetings were scheduled on 13 March and 20 March 2012. However, the public meetings have been suspended pending a review of the DPA. Details of the review and/or changes to the DPA have not yet been released. We will keep you informed in this regard.
Have you heard what’s happening at LIGHT?

Apart from the usual 8 (or so) DPA’s and desks piled high with Development Applications, Light Regional Council is focussed on the delivery of its component of the State Government’s ‘30yr Plan for Greater Adelaide’ through the Roseworthy Garden Town Project.

Planning on this challenging project began in earnest in August 2010, and looks to deliver concentrated fringe growth that capitalises on an existing rail corridor with a variety of housing forms and densities, mixed uses and a prevalence of open space. The development will deliver some; 25000 dwellings, 65000 people and around 20000 jobs within the town and adjacent employment lands through the life of the project. With the development area of approximately 4000Ha, it equates to more than triple the total footprint size of Mawson Lakes, another master-planned community.

Roseworthy will be the single largest greenfield development since the settlement of South Australia.

Council is working closely with all tiers of government and a development consortium comprising; the University of Adelaide, Regional Land and Hickinbotham Developments through a process built on sound governance, robust probity, open discussions and pure planning & design. The preparation of the Concept Plan for the development has benefited from an extensive community engagement process, starting from a blank page, the process has been tailored to provide a design outcome that balances local values and desires with strategic expectations and a relationship with established features of the local area.

A key milestone was reached in December with the Council endorsing the Concept Plan (see below)

When can we expect to see something happen on the ground you may ask? The next steps which precede any civil works are the infrastructure negotiations, Structure Planning and the DPA itself. The infrastructure negotiations are advancing well with the momentum expected to shift to the DPA later in 2012 before development applications and allotment production from 2014.

Authors who can be contacted for more information on this exciting project –
Nathan Cunningham – General Manager – Strategy, Projects & Engineering
Craig Doyle – Manager, Strategy
Chad King - Senior Development Officer Planning
Did you know you can update your member details online?

The new PIA Website allows you to update your details on your own by following these easy steps:

1. Simply visit [www.plannings.org.au/sa](http://www.plannings.org.au/sa) and on the top right hand corner click ‘Log in’ and enter in your username and password to access your account.
2. Once in your account go to ‘Update your contact details’ and you can add in your new details then hit ‘submit’.

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Revealing a new look PIA National Congress

Join us in Adelaide 29 April – 1 May 2012 for the Planning Institute of Australia’s 2012 National Congress, Planning for a Sunburnt Country: Building resilient communities through planning. A new look format and program schedule will be introduced in 2012 that will be sure to engage, invigorate and motivate delegates. Here is a snapshot of what you can expect from the 2012 National Congress:

- Short, Sharp and Shiny: The Cutting Edge of Planning concurrent presentations. These are short to the point presentations to allow delegates to gain more understanding and knowledge in a short period of time.

- The third day of the Congress will include the opportunity for delegates to join a Master Class on topics including Urban Design and Social Planning or alternatively participate in study tours around the city and further beyond to the Barossa.

- Concurrent Sessions at offsite venues to get you up close and personal to the topics discussed.

- Poet in Residence as part of the Congress and a Poets Corner where planners can let their creative juices flow writing poems and limericks relating to planning.

- Bike Tours and Walking activities during the Congress Program as well as the opportunity to experience some of the sites of South Australia including Tasting Australia, the Barossa Valley and historic Hahndorf.

We hope to see you in Adelaide for what is shaping up to be an exciting National Congress!