

**DEVELOPMENT
POLICY
ADVISORY
COMMITTEE**

21 OCT 2014

Hon Jay Weatherill MP
Premier of South Australia
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Dear Premier

Thank you for your letter regarding your recent decision to reform South Australian Government Boards and Committees.

As the Presiding Member of the Development Policy Advisory Committee (the Committee), I would like to take this opportunity to provide you with some information regarding the role of the Committee.

The Committee is a statutory committee established to discharge explicit functions as set out in Section 9 of the *Development Act 1993*. This includes:

- To advise the Minister for Planning (the Minister) on any matter relating to planning or development that should, in the opinion of the Advisory Committee, be brought to the Minister's attention.
- To advise the Minister on any matter relating to the design or construction of buildings that should, in its opinion, be brought to the Minister's attention.
- To advise the Minister, on its own initiative or at the request of the Minister, on:
 - the administration of the Act;
 - the policies that govern, or should govern, the administration of the Act;
 - proposals to make regulations under the Act, or to make amendments to the Act; and
 - proposals to amend Development Plans.
- To consider all public submissions in respect to Ministerial led Development Plan Amendments which are prepared by the Minister and to provide advice to the Minister in respect to any amendments that should be made in response to the submissions.

The Development Policy Advisory Committee has established the Building Advisory Committee (to provide specialist advice in respect to building matters) and the Local Heritage Advisory Committee (to provide specialist advice in respect to heritage matters) as Sub-Committees.

While the Committee (and its Sub-Committees) are not decision-making bodies, the role of the Committee is to provide independent advice to the Minister for Planning. Presenting a range of views from different sectors of expertise is seen as an important function in the decision making process. In doing so, the Committee provides the Minister with a considered, balanced and objective view on planning policy matters, separate from the advocacy and representative advice and roles played by individuals, industry bodies and lobby groups. In turn, through the Development Policy Advisory Committee, both the Local Heritage Advisory Committee and the Building Advisory Committee, provide specialist advice in respect to building (for example expert advice in respect to policy and practice associated with fire safety, construction and most importantly life and safety issues) and heritage matters.

In respect to the future role of the Committee (and its Sub-Committees), I note that the report titled *Boards and Committees: Interim Report*, contains the following interim recommendations:

- Development Policy Advisory Committee
Other Reform
Under Review as part of broader review of planning system by Expert Panel on Planning Reform.
- Local Heritage Advisory Committee
Other Reform
Under Review as part of broader review of planning system by Expert Panel on Planning Reform.
- Building Advisory Committee
Reclassify
Sub-Committees not to be listed as separate board and committee.

Clearly, the Final Report from the Expert Panel on Planning Reform and the recommendations contained in that Report, may have implications on the future of the Development Policy Advisory Committee and its Sub-Committees.

As such, the recommendations contained in the Interim Report are supported in the context that a final decision will be made once the recommendations of the Expert Panel on Planning Reform are adopted and implemented.

Notwithstanding this, the Expert Panel Report in respect to the creation of a State Planning Commission to "*.....subsume the roles of existing bodies such as the Development Policy Advisory Committee and the Development Assessment Commission and their sub-Committees*", does not provide sufficient detail upon which to make an immediate decision about the Development Policy Advisory Committee and its Sub-Committees.

It is recommended therefore that the Development Policy Advisory Committee and its Sub-Committees (the Building Advisory Committee and the Local Heritage Advisory Committee), remain in place until the form, function and responsibilities of a new structure are in place. If a new structure as recommended by the Expert Panel is not put in place, then in the Committee's view the existing structure should remain in place.

In conclusion, notwithstanding the final decision which may be taken in respect to the planning system and Boards and Committees generally, the provision of independent and objective expert advice is fundamental to any planning system. The opportunity to ensure that this advice is continued to be provided the Minister, will ensure the continuation of a robust, responsive and progressive system.

Insofar as the Building Advisory Committee is concerned, as the details relating to the future of this Sub-Committee is unknown (ie Reclassify) and it is not specifically referenced in the Expert Panel Report, it is critical that the role of the Building Advisory Committee is recognised in either the proposed State Planning Commission structure (should it be established) or through a new framework which ensures that the Minister receives independent advice in respect to Building Rules matters ie the Building Code of Australia, relevant Australian Standards and the Ministers specifications.

I note that the State Government will receive a report from the Expert Panel on Planning reform in December 2014 and that a series of significant reforms, if they are accepted by the State Government, will change the nature in which the Government receives independent advice.

I thank you for the opportunity to comment on the proposed changes in respect to Boards and Committees.

I would be pleased to discuss with you the issues raised in this letter.

Yours sincerely



Mario Barone FPIA
PRESIDING MEMBER
DEVELOPMENT POLICY ADVISORY COMMITTEE

17/10 /2014

PREM14D05615



Hon Jay Weatherill MP
Premier of South Australia

Mr Mario Barone
Presiding Member
Development Policy Advisory Committee
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Dear Mr Barone

Thank you for your letter of 17 October 2014 to the Premier of South Australia, the Hon Jay Weatherill MP, about Boards and Committee Reform.

Your letter has been sent to the Minister for Planning, the Hon John Rau MP, as this matter falls within his portfolio responsibility.

Should you have any queries about your letter, please contact the Minister's office on telephone 8207 1723.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Jay Weatherill'.

**Premier's Correspondence Unit
Office of the Premier**

22 October 2014

cc: Office of the Hon John Rau MP, Minister for Planning