MID MURRAY COUNCIL

AGENDA FOR THE MEETING OF THE MID MURRAY COUNCIL
STRATEGIC PLANNING AND DEVELOPMENT POLICY COMMITTEE
TO BE HELD IN THE COUNCIL CHAMBERS, MAIN STREET, CAMBRAI,
ON MONDAY, 19 MARCH 2018 COMMENCING AT 1.00PM

PRESENT:
Cr Kevin Myers (Chairperson), Mayor Dave Burgess, Cr Jeff Hall and Cr Steve Wilkinson

IN ATTENDANCE:
Joel Taggart, Acting Director – Development & Environmental Services
Jake McVicar, Acting Manager – Development Services
Russell Peate, Chief Executive Officer
Melissa Marschall, Minute Secretary

COMMENCEMENT AND WELCOME: PM

APOLOGIES:
Cr Adriaan Sakko and Cr Mardi Jennings

moved that the apologies be received.
Seconded

DECLARATIONS OF INTEREST:
In line with Division 3, Sections 74 & 75 of the Local Government Act, 1999

(1) A member of a Council who has a material conflict of interest in a matter before
the Council must disclose the interest to the Council and leave the meeting
room.

(2) A member in making a disclosure must provide full and accurate details of the
relevant interest.

(3) A disclosure made under point (1) must be recorded in the minutes of the
Council (including details of the relevant interest).

(4) A member of Council who has an actual or perceived conflict of interest in a
matter before Council must disclose the interest to the Council and deal with the
interest in a transparent and accountable way.

(5) A disclosure made under point (4) must be recorded in the minutes of the
Council, together with the manner in which the member dealt with the
disclosure.
CONFIRMATION OF PREVIOUS MINUTES:

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moved that the Minutes of the Mid Murray Council Strategic Planning and Development Policy Committee Meeting held on 20 November, 2017, be taken as read and confirmed.
Seconded

STRATEGIC PLANNING AND DEVELOPMENT POLICY REPORT:

moved that the report be received.
Seconded

OTHER BUSINESS:

NEXT MEETING:

CLOSURE:
A. Planning Policy Program Update

Reporting Officer       Jake McVicar
Position               Acting Manager – Development Services

Please find attached an update on the current status of Council's Planning Policy Program.

Refer Appendix A.
B. **Heritage Incentive Scheme and Heritage Advisory Service**

**Reporting Officer** Jake McVicar  
**Position** Acting Manager – Development Services

**Report Purpose**

To seek the endorsement of the Committee to adopt the attached document as the Heritage Incentive Scheme (HIS) and Heritage Advisory Service (HAS) (which would include waiving of Development Application fees and Heritage works grant funding).

**Introduction/Background**

In December 2017 Council staff submitted the final document for the Southern Heritage Places Development Plan Amendment (DPA) to the Department of Planning, Transport & Infrastructure (DPTI) for approval. At present, we are still waiting on the final decision on the DPA. It is likely that this project is being delayed due to other priorities within the Department such as planning reforms.

In addition to the above, at its October 2017 meeting the Council adopted the following resolution:

19851/1 Cr Jennings moved that

1. Council agree to amend the ‘MMC-DP10 - Waiving of Development Application Fees for Community Groups Policy’ to include Development Applications relating to a State or Local Heritage Place (proposed Clause 5.6); and

2. Council agree to develop a Heritage Incentive Scheme (HIS) and a Heritage Advisory Service (HAS) to assist owners of Local Heritage Places by way of heritage advice and grant funding, and a further report detailing both of the proposed schemes be presented to an upcoming meeting of the Strategic Planning & Development Policy Committee.

3. The report on the Heritage Incentive Scheme (HIS) and Heritage Advisory Service also include the estimated financial implications for Council with reference to other Council’s.

Seconded Cr Wilkinson.  
**CARRIED.**

It was seen as important to develop a HIS and HAS as the Local Heritage listing process was seen by some as an additional impost being imposed by Council. In order to assist owners who have had their properties Local Heritage listed, the Heritage Incentive Scheme (HIS) and a Heritage Advisory Service (HAS) would allow for expert advice to be provided free of charge to applicants, as well as some funding to undertake works. It should be noted that a total of 122 premises are proposed to have a Local Heritage listing placed on them.
B. **Heritage Incentive Scheme and Heritage Advisory Service cont’d**

**Discussion**

**Heritage Incentive Scheme (HIS)**

The key components of the HIS include:

- Waiver of Development Application fees (certain criteria applies);
- A heritage grant funding scheme;
- A heritage advisory service (see below).

The HIS would only apply to applications/works triggered by the Local Heritage listing (e.g. painting an unpainted surface, demolition of a local heritage place or any additional works required as a result of the heritage consultant's comments). Generally it would not extend to an application for a shed in the yard of a Local Heritage Place etc., unless such shed was deemed to have a material effect on the heritage value of the place.

The proposed grant funding will offer owners of Local Heritage properties a subsidy or assistance for works associated with the conservation of the listed item. Council staff have requested $20,000 in the 2018/19 budget to allow the grant scheme to commence which would potentially allow approximately many grants to be awarded over the next financial year. The grant funding is proposed to include:

- A minimum cash contribution of 1:1 to the total value of the approved funding (does not include ‘in kind’ contributions, volunteer labour and services); and
- A maximum grant amount of $1,000, or a higher amount subject to demand and budget constraints. Any grant amount over $1,000 would be presented to Council for resolution.

Any application for funding would need to complete the relevant application form, provide supporting documentation and a copy of the Development Approval (if applicable). All applications would then be assessed by Council, with the assistance of a heritage consultant and applicants would be notified of the outcome.

Refer to Appendix B for the Heritage Incentive Scheme document.

Refer Appendix B.

**Heritage Advisory Service (HAS)**

Council staff have requested $10,000 in the 2018/19 financial year (subject to approval) to use for the proposed Heritage Advisory Service.

This service would allow Council to consult with a suitably qualified heritage consultant/architect on any Development Application received that affects a Local Heritage Place. Selection of a consultant would be subject to normal Council procurement practices. The consultant would be able to assist applicants and staff with advice on:

- Building design;
- Building materials and colours;
- Impacts on heritage listing.
B. **Heritage Incentive Scheme and Heritage Advisory Service cont’d**

Council would fund this service with the aforementioned budget and would work through a remote system (using phone/email contact), or a system where the Heritage Architect would visit the Council once per month. This would be determined based on demand and budgetary constraints.

It is important to note that this role would be advisory only and Council staff would need to make balanced decisions on a ‘case by case’ basis.

**Other Matters**

The relevant application forms will be developed by staff to support the HIS.

**References**

**Community Plan**

Theme 1: **The Natural and Built Environment**

Facilitate an active partnership between Council and Community to:

Theme 1.5 – Actively identify, record and protect sites of historic significance for both Indigenous and European history.

**Respond positively to the Development Planning System reform by:**

Theme 1.17 – Encouraging the adoption of best practice design principles in our development plans.

**Budget**

Budget bid prepared for 2018/19 budget of $30,000.

**Legislation**


**Recommendation**

Moved __________________ Seconded __________________

that it be recommend to Council that subject to funding in the 2018/19 budget, Council agree to adopt the Heritage Incentive Scheme (HIS) and commence a Heritage Advisory Service (HAS) to assist owners of Local Heritage Places by way of heritage advice and grant funding.
C. **Dry Stone Walls Investigation**

**Reporting Officer** Jake McVicar  
**Position** Acting Manager – Development Services

**Report Purpose**
To advise the Strategic Planning and Development Policy Committee of the cost to undertake an audit/study of Dry Stone Walls in the Mid Murray Council Area.

**Discussion**
At the November 2017 Committee meeting the following resolution was adopted which was subsequently endorsed by Council at its 12 December 2017 meeting:

470/1 Cr Hall moved that it be recommend to Council that:

1. Council staff contact the Dry Stone Wall Association of Australia (DSWAA) to ascertain the costs and work involved to undertake a study of the Dry Stone Walls in Mid Murray; and

2. Council agrees to investigate the Dry Stone Walls within the Council and if appropriate, consider additional walls for heritage listing or develop a preservation and promotion policy.

Seconded Cr Wilkinson. **CARRIED.**

Given the above, I contacted Bruce Munday from the Dry Stone Wall Association of Australia (DSWAA) to ascertain what cost would be involved in undertaking a study of the dry stone walls in Mid Murray.

Mr Munday advised that in order to undertake a comprehensive study an approximate estimate would be $70,000. This would include:

- Photographic survey (combination of drive by and aerial imagery using a drone) showing the general condition and extent of walls;
- Identifying precincts where a network of walls relate to each other and ‘stand out’ in the landscape;
- Review by suitably qualified heritage consultant to research history/significance of the walls; and
- Report recommending what level of protection should be applied to the walls and/or precincts.

Mr Munday advises that a template developed by members of the DSWAA which was used in the survey/audit for the City of Melton could be helpful and may also reduce some of the associated costs.

Given the higher than anticipated cost for such a study, Council staff will, subject to the recommendation of the Committee and Council endorsement, investigate further and obtain at least two (2) other quotes from professional historians/heritage architects to have the study undertaken.
C. **Dry Stone Walls Investigation cont’d**

It is likely that this survey will be factored into the 2019/20 budget given the estimated cost and other competing priorities. From that point on, the work would then begin to audit the dry stone walls and develop a Preservation and Promotion Policy or possibly consider some of these walls for heritage listing with the Mid Murray Council Development Plan.

In addition to the above, Cr Adrian Sakko provided staff with the attached letter at the Open Space & Recreation Advisory Committee meeting in February 2018 which relates to the history of the stone walls in and around Keyneton. This document is being provided as information only.

Refer Appendix C.

**Conclusion**

The dry stones walls of the Mid Murray Council area represent some of the best examples of their kind in Australia. At present, only two sections of walls are proposed to be listed as Local Heritage Places in the current Southern Heritage Places DPA.

The dry stone walls are a prominent feature of the Hills Region within the Mid Murray Council area and should be preserved given their importance to the history of the region. Their preservation may also present an additional tourism drawcard where driving/walking trails could be developed and promoted along the route of the dry stone walls.

As reported to the Committee in November 2017, the length of all walls measures some 52km and as such, investigations were always likely to be costly. Council staff will seek additional quotes and factor these costs into the 2019/20 budget.

**References**

**Community Plan**

**Theme 1: The Natural and Built Environment**

Facilitate an active partnership between Council and Community to:

Theme 1.5 – Actively identify, record and protect sites of historic significance for both Indigenous and European history.

Respond positively to the Development Planning System reform by:

Theme 1.17 – Encouraging the adoption of best practice design principles in our development plans.

**Budget**

No budget allocated.

**Legislation**

C. **Dry Stone Walls Investigation cont’d**

**Recommendation**
Moved __________________ Seconded __________________
that it be recommend to Council that:

(1) Council support, in principle, the notion of a study into the heritage dry stone walls within the Council area; and

(2) Council staff seek at least two (2) additional quotes to undertake the survey/audit of dry stone walls within the Mid Murray Council area and that the survey/audit of Dry Stone Walls be considered for inclusion into the 2019/20 budget.
D. State Government Planning Reform Update

Reporting Officer: Joel Taggart
Position: Acting Director – Development & Environmental Services

Report Purpose

To provide Elected Members with an update in relation to the ongoing planning reforms being rolled out at a State level by the Department of Planning, Transport and Infrastructure (DPTI).

Introduction/Background

As Elected Members may be aware, the State Government, through DPTI, are implementing a large program of Planning Reforms. This is based around the Planning, Development and Infrastructure Act 2016, which was proclaimed earlier in 2017, followed the findings being handed down from the Independent Expert Panel on Planning Reform. The State Government has developed numerous resources, guides and information sheets, which are all available at the new SA Planning Portal – refer to this weblink www.saplanningportal.sa.gov.au. In addition, DPTI have recently met with Council staff to start progressing the planning reforms.

Discussion

There are many aspects to the Planning Reforms, which Council staff are gradually finding out more about as DPTI promotes each individual aspect of the reforms. Below is a brief overview of some of the areas of the Planning Reforms that may be of interest to Elected Members and the general public.

Accredited Professionals

The State Government has developed a new system whereby Council staff in the Planning and Building teams would need to hold a new accreditation, as would Council Assessment Panel members. A separate report on this matter is contained in this Committee agenda.

DPTI and LGA Liaison

Whilst it is not necessarily up to Council to promote these planning reforms, Council is a key player in the overall planning/development assessment process. Therefore, given that a large amount of information is now being provided to Council by DPTI and the LGA, Council is developing a section on our website in relation to the Planning Reforms. This will be supported by Facebook posts and media releases as required. Further, DPTI and the LGA have both been running regular forums and consultations to seek comments from staff and the community about the shape of the future Planning system in South Australia.
D. **State Government Planning Reform Update cont’d**

**Planning and Design Code - River Murray Zone Planning Regime**

One of the biggest changes proposed by the State Government is for Development Plans to be phased out, and replaced with a simple and easier to use Planning and Development Code. The rationale behind this is to ensure the ‘rules’ are easier to understand for practitioners and applicants alike. This will involve simplifying existing zoning provisions. This task will require conversion of existing policies into new policies/provisions.

Council is working closely with DPTI in relation to this project. A specific DPTI officer has been allocated to work with Mid Murray Council to develop an individualised “Collaborative Work Plan” which details how the Planning Reforms will be facilitated and delivered within each Council area. Staff have met with DPTI staff several times, and have now furthered this Work Plan.

In addition, Council staff have recently met with relevant State Government agencies and other Murraylands and Riverland Council’s to discuss reforms to the River Murray Zone and Flood Plain. This includes discussions about ensuring consistency of zoning across each Council area, reducing red tape and potentially altering the Flood Plain so as to recognise the 1974 Flood Level as opposed to the 1956 Flood Level. These discussions will be ongoing and reported on frequently to Council. Staff are happy to receive comments from Elected Members about the current policy and ideas for change at anytime.

**SA Planning Portal**

As detailed previously, the SA Planning Portal was established ([www.saplanningportal.sa.gov.au](http://www.saplanningportal.sa.gov.au)) earlier in 2017. This is a very informative website and one that is regularly updated. It is a good website to review to obtain information about the Planning Reforms. Ultimately this website will be used as a lodgement, payment and tracking tool for all Development Applications across the State. In the coming months a new and updated SA Planning Portal with more functionality will be launched.

From 1 July 2018, Council’s will pay financial contributions to ensure the ongoing development of this website – Mid Murray’s contribution is $16,000 per year (which may change depending on the value of development lodged within the Council area). It should be noted that this was originally to be charged from 1 July 2017, however DPTI altered the date to provide more time for Council’s to budget for that charge.

**Community Engagement Charter**

Information surrounding this element of the Planning Reforms was reported on at the November 2017 Council meeting. The Community Engagement Charter is now being finalised and details about the Charter are available here - [http://www.saplanningportal.sa.gov.au/our_new_system/community_engagement_charter](http://www.saplanningportal.sa.gov.au/our_new_system/community_engagement_charter)

The last draft of the Community Engagement Charter is also contained as Appendix D.

Refer Appendix D.
D. **State Government Planning Reform Update cont’d**

**Joint Planning Agreement/Regional Planning Board**

As reported to Council previously, this matter is currently still being managed by DPTI. Mr Geoff Parsons from the Rural City of Murray Bridge is the regional representative on the DPTI working group that relates to this topic. The working group has now assisted two regions with initial investigations to establishing a Joint Planning Agreement/Regional Planning Board (Lower North and Riverland). Due to this, various business plan documents, templates and procedures used for this purpose are now available to our region. It is now proposed that the Murraylands region commence initial investigations into this concept in conjunction with the relevant Murraylands Council's and the regional LGA. It is considered that the best approach is Council initiates these discussions together with the Rural City of Murray Bridge.

**Conclusion**

In conclusion, there is a large body of work currently being developed between local Council's and the State Government. This work will continue to occur over the next two years and staff will continue to keep Elected Members updated with matters pertaining to the State Government Planning Reforms.

**References**

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<th>Community Plan</th>
<th><strong>Theme 1: The Natural and Built Environment</strong> Respond positively to the Development Planning System reform by:</th>
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<td>Theme 1.14 – Seeking further improvement in the development approval process.</td>
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<td>Theme 1.15 – Lobby State Government for sensible amendments that protect local influence, representation and customisation of development plans.</td>
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<td>Theme 1.16 – Improve co-ordination, and resource sharing, with neighbouring communities to develop consistent regional planning policy.</td>
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<td>Theme 1.17 – Encouraging the adoption of best practice design principles in our development plans.</td>
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**Budget**

At present this matter has no budgetary impacts.

**Legislation**

Planning, Development and Infrastructure Act 2016.
D. State Government Planning Reform Update cont’d

Recommendation
Moved __________________ Seconded __________________
that it be recommend to Council that:

(1) The report be titled ‘State Government Planning Reform Update‘ be received and noted;

(2) Discussions surrounding the establishment of a Joint Planning Agreement/Regional Planning Board shall commence with other participating Murraylands Councils, and that staff liaise with the Murraylands and Riverland Local Government Association and the Rural City of Murray Bridge in order to commence this process, and

(3) Council support a streamlined approach to the River Murray Zone through the current Planning Policy review, including investigations relating to the adoption of the 1974 Flood Level in lieu of the 1956 Flood Level as the benchmark for the River Murray Flood Plain
E. **Accredited Professionals Scheme – Planning and Building**

**Reporting Officer**  
Joel Taggart

**Position**  
Acting Director – Development & Environmental Services

**Report Purpose**

To provide Elected Members with an update in relation to the new initiative being proposed by the State Government to introduce an “Accredited Professionals” scheme in the Development Services area. This is part of the ongoing planning reforms being rolled out at the State level by the Department of Planning, Transport and Infrastructure (DPTI).

**Introduction/Background**

As part of the State Government’s Planning Reforms being delivered through DPTI, an “Accredited Professionals” scheme is being developed. This is based around the requirements of the new Planning, Development and Infrastructure Act, 2016. The State Government has developed a discussion paper and a website to provide practitioners, Councils and the community information about the proposal at hand. The discussion paper is quite detailed and has a number of tables and graphics to explain the proposed scheme. In addition, DPTI are holding forums and discussions with practitioners in the coming weeks, which Council staff will be involved with.

The website dedicated to this topic is -  

The “Accredited Professionals” scheme Discussion Paper is attached at Appendix E.1.

Refer Appendix E.1.

**Discussion**

There are many aspects to the Planning Reforms, which Council staff are gradually finding out more about as DPTI promotes each individual aspect of the reforms. This particular report relates to the proposed “Accredited Professionals” scheme, which is a key component of new planning legislation, approved in 2016.

The scheme aims to ensure that individuals and businesses undertaking development can have further confidence in the professionals making development decisions. According to the State Government, the “Accredited Professionals” scheme will bring better decisions, better recognition and more choice for professionals and applicants when engaging with the development process in South Australia.
E. **Accredited Professionals Scheme – Planning and Building cont’d**

The proposed scheme will apply to both public sector and private professionals (including private certifiers and planning consultants). Under the proposal, professionals will need to meet prescribed requirements for qualifications, experience and specialist knowledge relevant to the type of work they are performing. The proposed scheme introduces a new code of conduct, improved management of complaints and investigations, and a required program of continuing professional development. This is proposed to be much more rigorous than the current training and development programs run by the relevant professional associations (e.g. the Planning Institute of Australia and the Australian Institute of Building Surveyors).

Affected staff in Council’s Development Services team have workshopped the proposal and reviewed the discussion paper. A table of comments has been developed for submission to DPTI and is attached to this report. In summary though, some of the comments of Council staff are as follows –

1. Concern about planners with less than 1 years experience not being able to assess and approve even minor Development Applications in their own right – this is problematic for rural Council’s who often must recruit recent graduates in the planning and building area given financial constraints and a lack of interest from more experience professionals.
2. Concern about land surveyors being able to approve/certify small land divisions. In respect to this, it is suggested rigid guidelines would need to be developed if this initiative was to be pursued.
3. Clarification sought about the registration fees associated with this proposal – already staff are required to be members of their respective professional associations for training and quality assurance purposes, however this new system may impose additional fees that Council will be required to cover.
4. As Council Assessment Panel independent members are also covered by this scheme, clarification is also sought about training and development requirements for those members.
5. Suggestions provided in respect to the types of training that would be beneficial for planning and building staff.
6. Seeking clarification about the role of State Government referral agencies in relation to “Accredited Professionals”. Staff feel that it is important that those agencies Council deals with regularly e.g. DEWNR and EPA also have “Accredited Professionals” on staff to ensure adequate planning assessment occurs by those agencies as part of the referral process.

Elected Members are strongly encouraged to review the attached discussion paper and have the option of either undertaking a DPTI online survey (link - [https://www.saplanningportal.sa.gov.au/lodge_submission?submission=APROFESSIONALS](https://www.saplanningportal.sa.gov.au/lodge_submission?submission=APROFESSIONALS)) and/or adding comments to the below resolution, which will form part of Council’s formal submission to DPTI.

A table of comments from Council staff for submission to DPTI is included at Appendix E.2.

Refer Appendix E.2.
E. **Accredited Professionals Scheme – Planning and Building cont’d**

**Conclusion**

In conclusion, staff will continue to keep Elected Members updated with matters pertaining to the State Government Planning Reforms and the “Accredited Professionals” scheme.

**References**

Community Plan  
**Theme 1: The Natural and Built Environment**  
Respond positively to the Development Planning System reform by:  
Theme 1.14 – Seeking further improvement in the development approval process.

Theme 1.15 – Lobby State Government for sensible amendments that protect local influence, representation and customisation of development plans.

**Budget**  
At present this matter has no budgetary impacts, however it may require additional registration and training costs for Development Services staff.

**Legislation**  
Planning, Development and Infrastructure Act 2016.

**Recommendation**

Moved __________________ Seconded __________________
that it be recommend to Council that it support the proposed “Accredited Professionals” scheme and that it provide the following comments, together with the table in Appendix E.2 to the Department of Planning, Transport and Infrastructure relating to the proposed “Accredited Professionals” scheme:

(1) ____________________________________

(2) ____________________________________

(3) ____________________________________

Joel Taggart  
**Acting Director - Development & Environmental Services**