



38th CPA Australia and Pacific Regional Conference

‘The Challenge of Urbanisation – Parliament’s Role’

Parliament House, Adelaide, South Australia, 18-21 November

Session 7: Urban development and democracy- balancing the roles of the Executive and Legislature

Hon. Mark Parnell MLC (SA)

Adjunct Professor Rob Fowler, Law School, University of South Australia



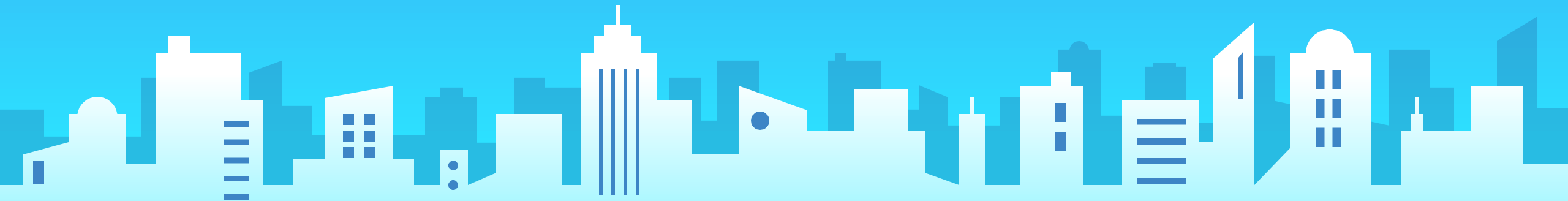
A Global view of Urbanisation: Some Key Facts

▫ TRENDS:

- 70% of world's population expected to live in cities by 2050 (currently 55%)
- In 2019, Asia-Pacific region became majority urban (2.3 billion, estimated 3.5 billion by 2050);
- Cities generate over 80% of GDP

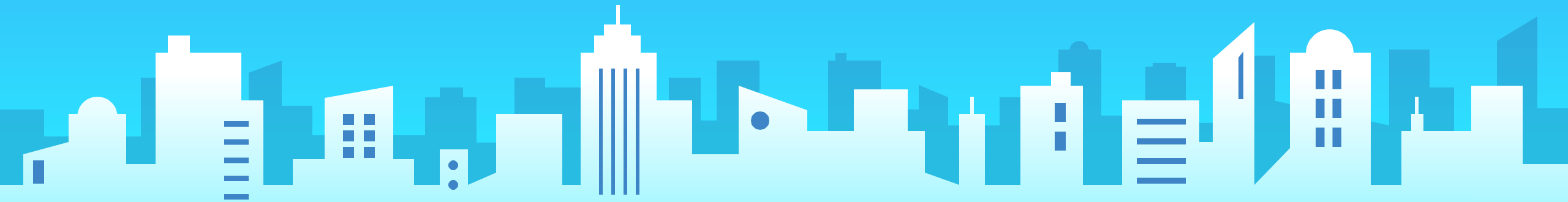
▫ CHALLENGES:

- Cities consume 2/3 of global energy
- Account for more than 70% of GHG emissions;
- By 2050, up to 143 million people could become climate migrants/refugees



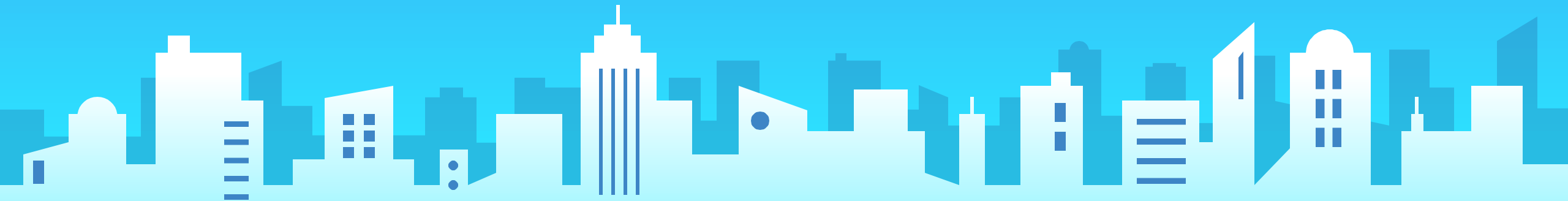
2018 Report of UN Secretary General on the Implementation of SDG 11 (“make cities and human settlements inclusive, safe, resilient and sustainable)

- from 1990-2016, the proportion of people living in urban slums fell from 46% to 23% (but still 1 billion people due to population growth);
- Urban expansion is 1.28 times faster than population growth;
- 53% have access to convenient public transport (75% in Aust./NZ);
- Only 21% have access to convenient open public spaces;
- 9/10 people in urban areas breathe air that does not meet WHO air quality guidelines for PM 2.5;
- 2 billion people lack access to urban waste collection services.



Some recent/forthcoming international developments in urbanisation and sustainability

- Global Platform for Sustainable Cities (GPSC);
- Sao Paulo Statement on Urban Sustainability (2019)
- Penang Platform for sustainable Urbanisation (2019)
- UN Guidebook for Future Urbanisation in the Asia-Pacific Region
- IUCN World Conservation Congress 2020 (Marseilles, France)



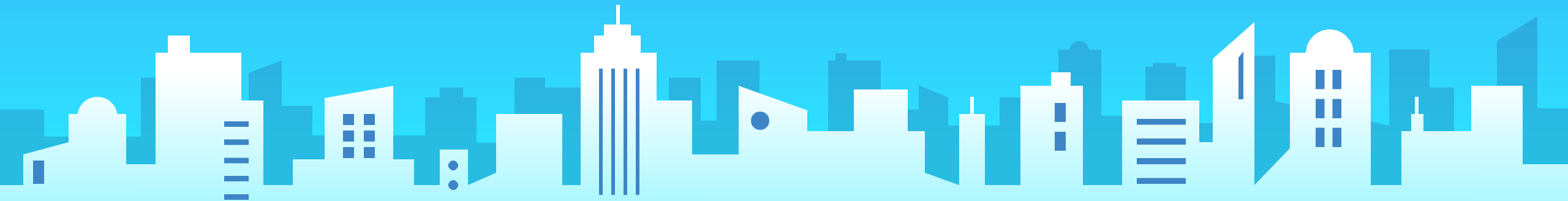


Global Platform for Sustainable Cities

- Established by World Bank
- Currently comprises 28 cities across 11 countries
- See <https://www.thegpsc.org/>

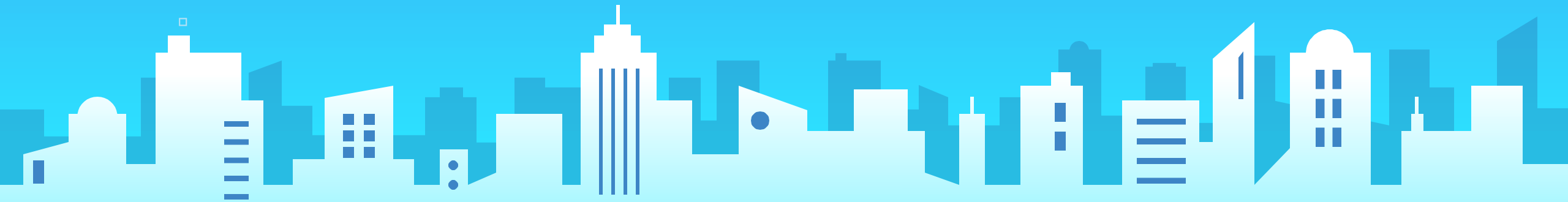
Focal areas:

- Sustainability indicators
- Integrated urban planning and management
- Municipal finance



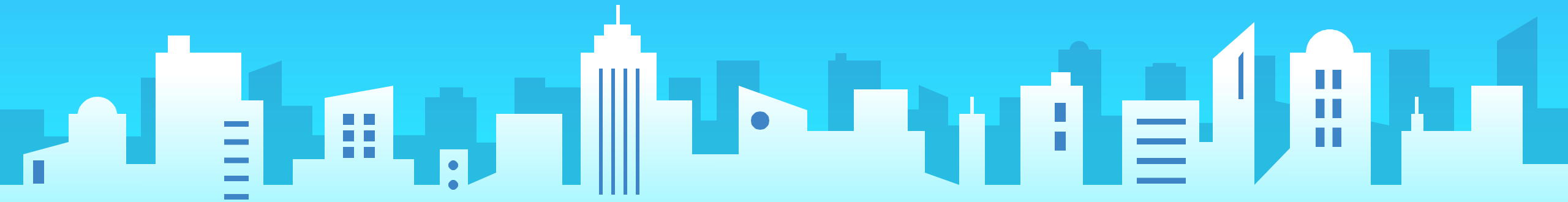
Sao Paulo Statement on Urban Sustainability

- Adopted 20 September, 2019 at 3rd Global Meeting of the Global Platform for Sustainable Cities (GPSC)
- Calls for integrated solutions to urban development & social inequality that mitigate climate change and avoid biodiversity loss, by:
 - Setting low-emission targets with aim of **carbon neutrality**;
 - Developing and implementing **local biodiversity plans**;
 - Integrating climate and biodiversity information into **spatial planning**; and
 - Bringing nature closer to people through **green corridors**



Penang Platform for Sustainable Urbanisation (PPSU)

- Adopted on 17 October 2019 at 7th Asia-Pacific Urban Forum (UN ESCAP & UN Habitat);
- Focuses on collaboration to accelerate SDG implementation in cities;
- Asia-Pacific Mayor's Academy to be established during first phase of the Platform from 2019-2023;
- Founding members of PPSU include Commonwealth Local Government Forum (see <https://www.clgf.org.uk/>)
- See further re PPSU: <https://www.apuf7.org/initiatives/ppsu>



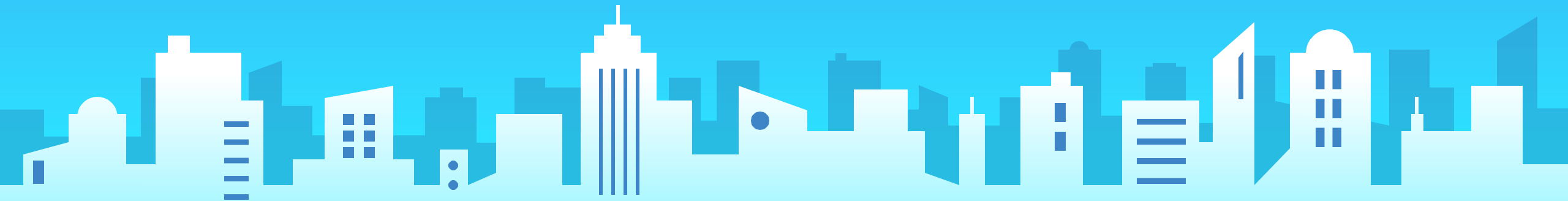
UN Guidebook for Future Urbanisation in the Asia-Pacific Region (ESCAP/UN Habitat)



- Released October 2019 at 7th Asia-Pacific Urban Forum;
- Describes 15 pathways to guide future urbanisation across four priority areas:
 - Urban and territorial planning;
 - urban resilience;
 - smart and inclusive cities; and
 - urban finance
- Available at https://www.unescap.org/sites/default/files/publications/Future%20of%20AP%20Cities%20Report%202019_0.pdf

IUCN World Conservation Congress 2020 (Marseilles, France)

- To take place from 11-19 June 2020 in Marseilles France;
- Urban nature to be discussed under the theme “Managing Landscapes for Nature and People”
- Introducing and supporting natural areas within cities is critical to biodiversity and also to human health and well-being;
- See <https://www.iucn.org/about/world-conservation-congress>



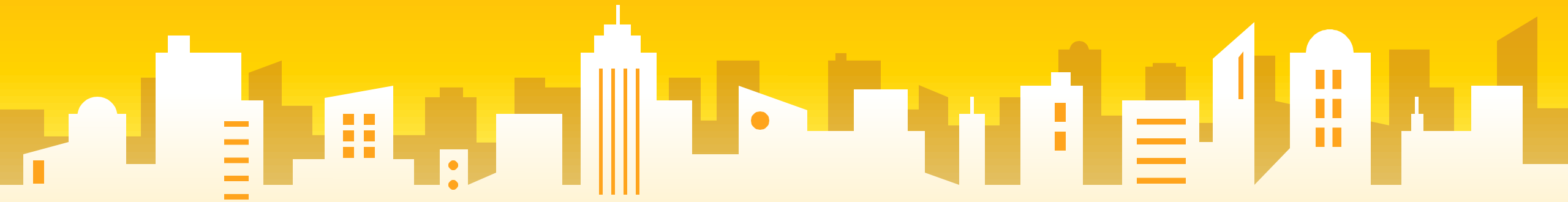
Key aspects of urbanisation from a global perspective

- Climate change/climate neutrality (cf., Paris agreement and C40 Cities Climate Leadership Group: see <https://www.c40.org/>);
- Addressing biodiversity through urban nature (“biophilic” cities);
- Sustainable Development Goals (SDGs) implementation (SDG 11)
- Q: population growth?
- See further: Kelbaugh, D., *The Urban Fix – Resilient Cities in the War Against climate Change, Heat Islands and Overpopulation*, Routledge, 2019.

AN AUSTRALIAN PERSPECTIVE ON URBANISATION:

“No Australian city has a long-term vision showing how a future stabilised population might be supported with the essential resources of food, water and energy. No Australian city has faced up to the inevitable social tensions of increasing inequality between a well-served inner-urban elite and an increasingly under-resourced urban fringe.”

Professors Mike Berry and Ian Lowe, The Conversation, 5 November 2019, at <https://theconversation.com/no-australian-city-has-a-long-term-vision-for-living-sustainably-we-cant-go-on-like-this-123916>

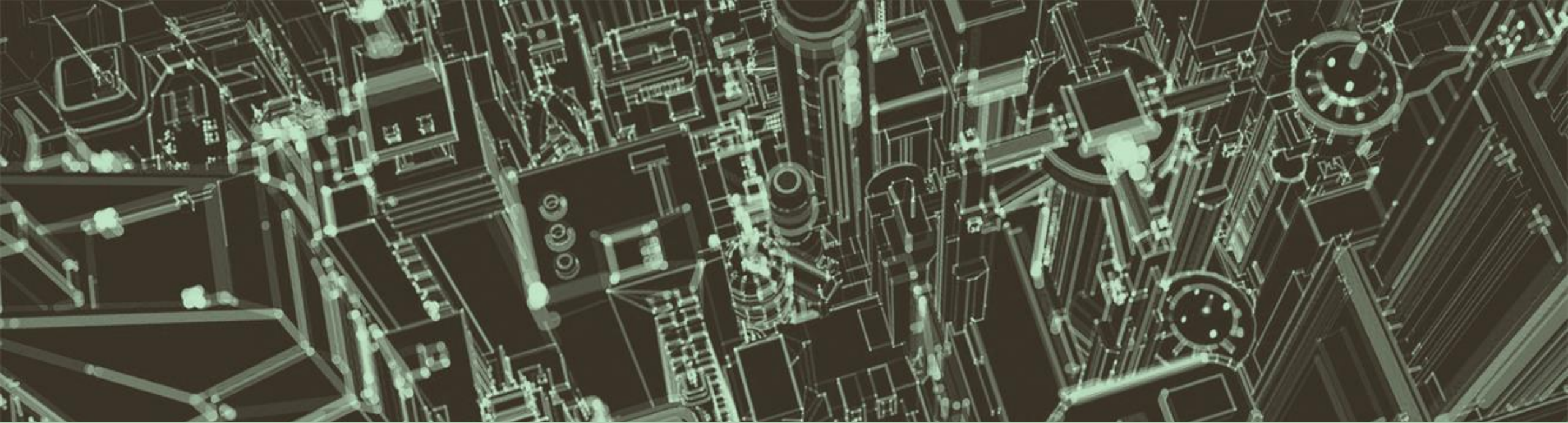




Hon Mark Parnell MLC, LLB, BCOM, MRUP (Greens SA)

Urban development & democracy

Balancing the roles of the Executive and Legislature



Conclusion:

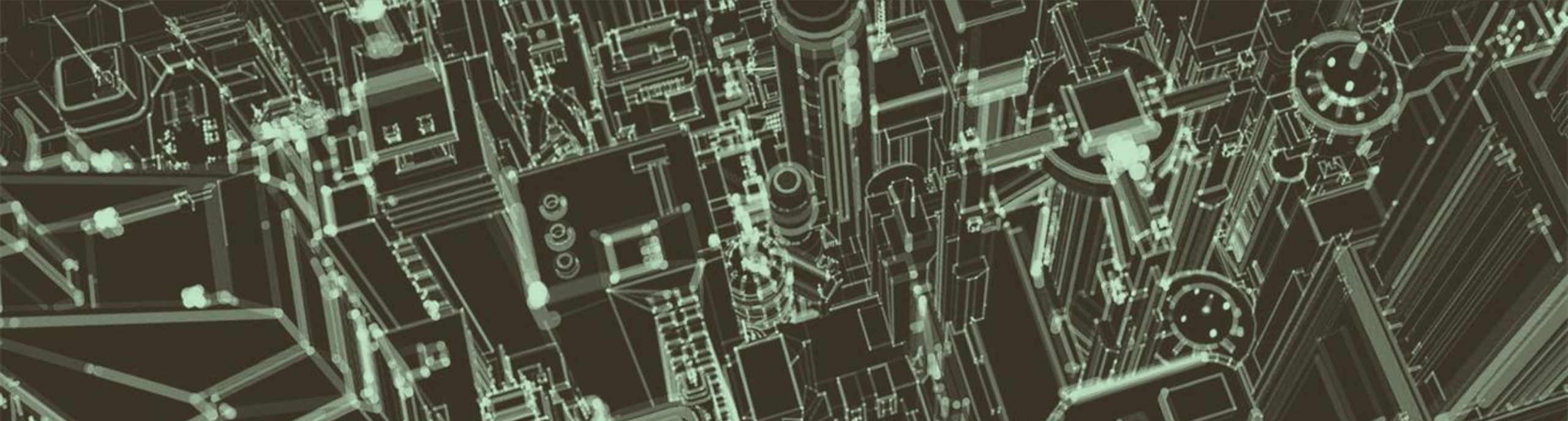
1. Decisions we make now about the future of our cities, towns and regions will last for decades or longer.
2. These decisions are too important to leave to bureaucrats, technical experts or even politicians.
3. We need a planning system that allows direct citizen engagement in ALL aspects of planning and development control.



Who decides the future?

Is urban planning:

- a) a “dark art” best left to technical planning experts?
- b) an economic issue best left to public servants & ministers?
- c) an outrageous interference by the State in the rights of private property owners to maximise the economic potential of their land?
- d) an exercise in democratic community building involving both Parliamentary and direct citizen engagement?



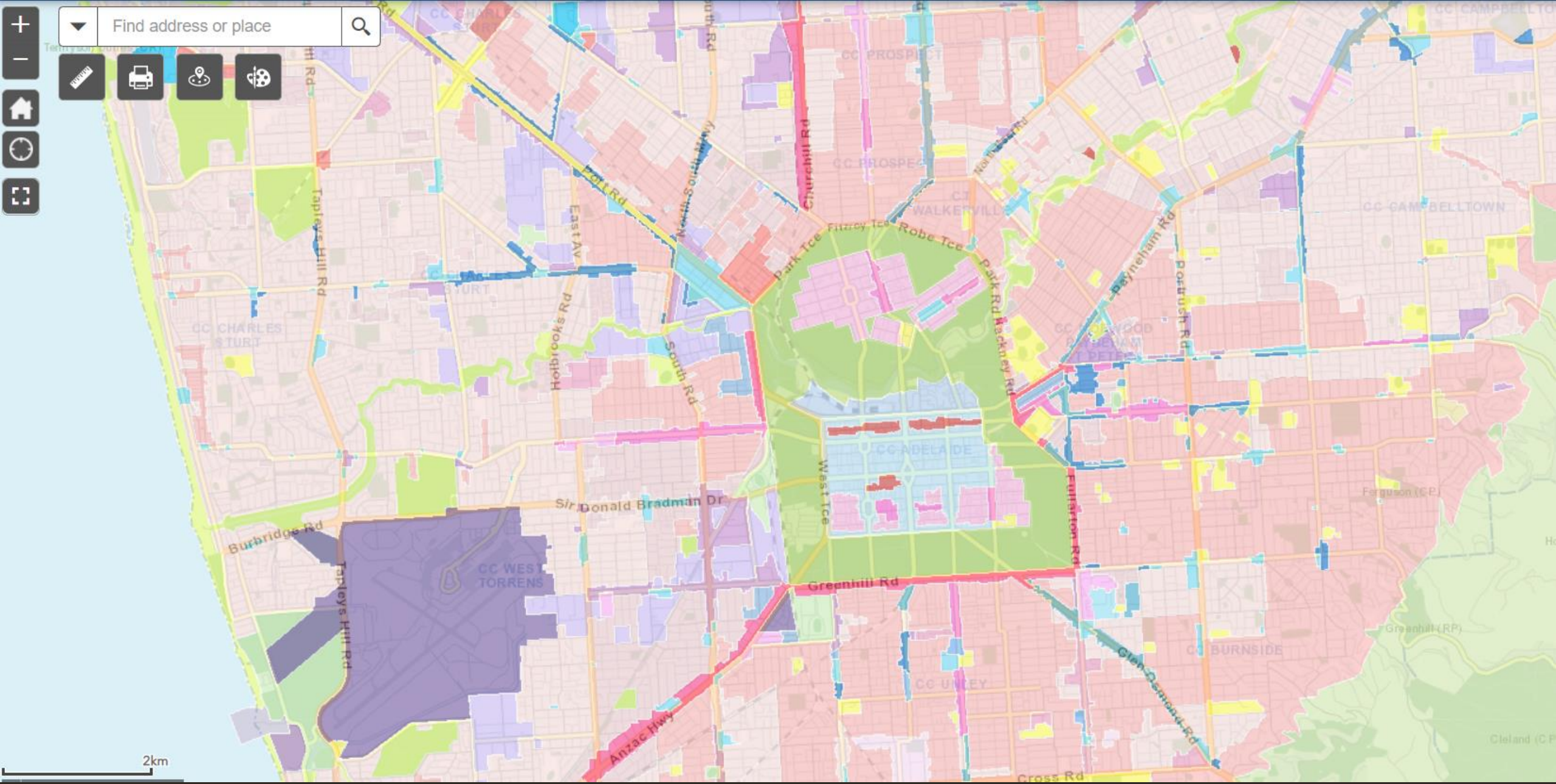
The 3 “Aarhus” Principles of public participation in environmental matters

1. Access to Information
2. Participation in decision-making
3. Access to Justice



1. Access to information

- **Planning Policy – how clear are the rules?**
- Influence of Property Developers / Party Donors (?)
- Access to Development Applications



Near Me



Search for an address or locate on map

Show results within 5 Meters

0 50

< Building Height (Storeys)

Approximate Distance: 0 m

Building Height (Storeys)

Id V0003
Name Building Height (Storeys)
Description Maximum building height **8 storeys**



Near Me



Search for an address or locate on map

Show results within 5 Meters

0 50

< Building Height (Metres)

Approximate Distance: 0 m

Building Height (Metres)

Id V0002
Name Building Height (Maximum Metres)
Description Maximum building height is 4 metres



The actual planning rules of this site?

Development Plan

Charles Sturt Council

Consolidated - 25 July 2019

3 Storey maximum (12 metres)

1. Access to information

- Planning Policy – how clear are the rules?
- **Influence of Property Developers / Party Donors (?)**
- Access to Development Applications

NATIONAL NSW ICAC

Why NSW development scandals keep happening,
over and over again

Decisions for 'mates'

Developer delivers \$100k cash
from Chinese fundraiser to
ALP in shopping bag: ICAC

NSW minister
stands aside
pending ICAC
investigation

1. Access to information

- Planning Policy – how clear are the rules?
- Influence of Property Developers / Party Donors (?)
- **Access to Development Applications**



[Current Planning System](#) ▼ [Planning Reforms](#) ▼ [Data and Research](#) ▼ [Resources](#)

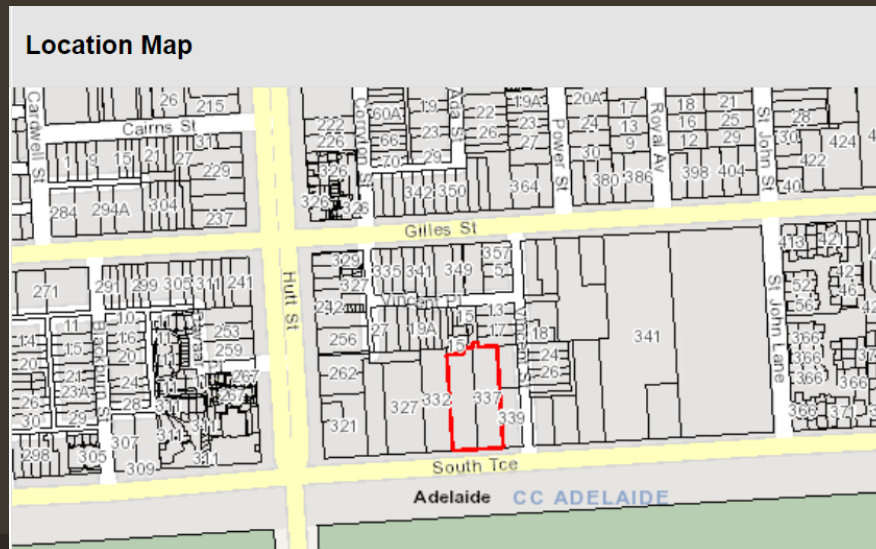
[Home](#) / DEVELOPMENT APPLICATION PUBLIC REGISTER

Development Application Public Register

View and track development applications in South Australia

4589	020/A056/19	J7 Nominees Pty Ltd C/- PBA	ADELAIDE CITY COUNCIL	333-337 South Terrace, Adelaide
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Construction of a multi-storey building comprising office and consulting rooms and associated basement car park.	Under Assessment	10/10/2019
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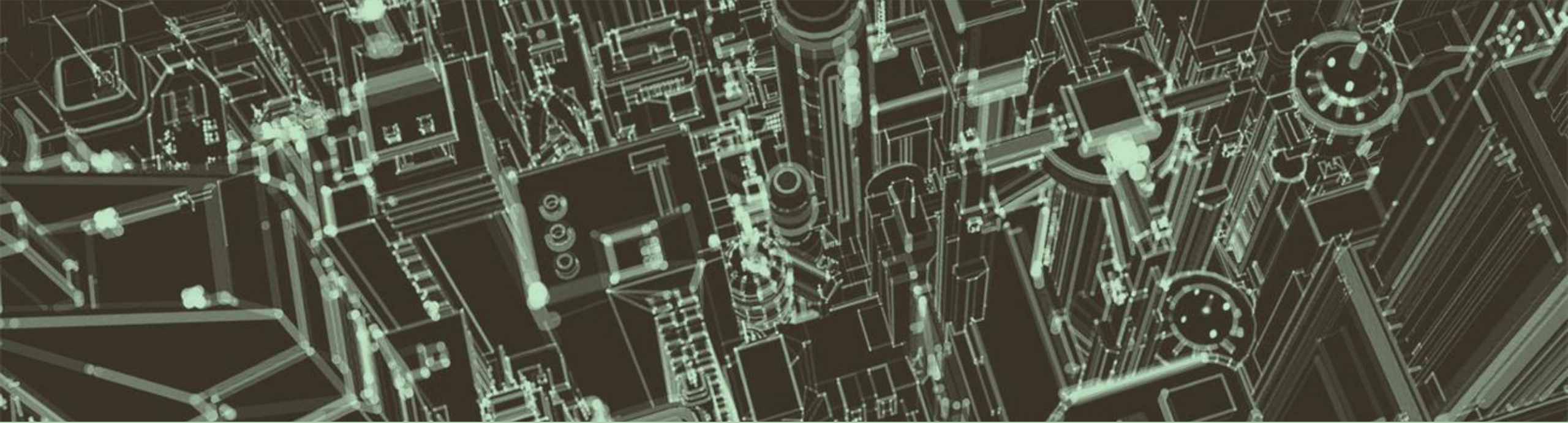


Application Documents

Document Title	Document Type
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There are no *Application Documents* currently associated with this application

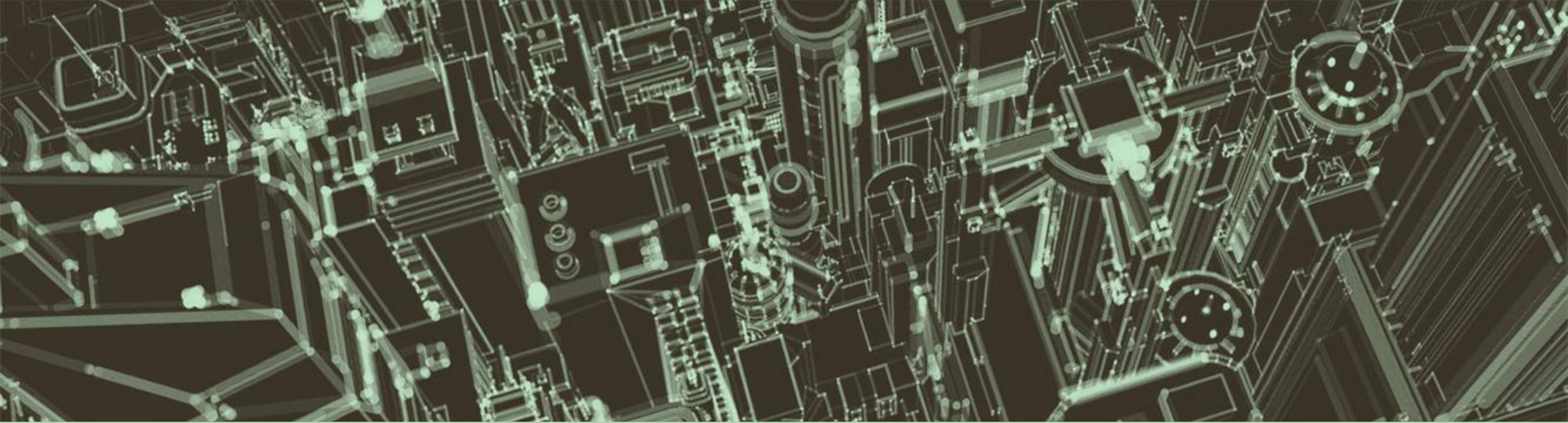
Should citizens have a right to know what is being proposed?



The 3 “Aarhus Principles”

1. Access to Information
2. Participation in decision-making
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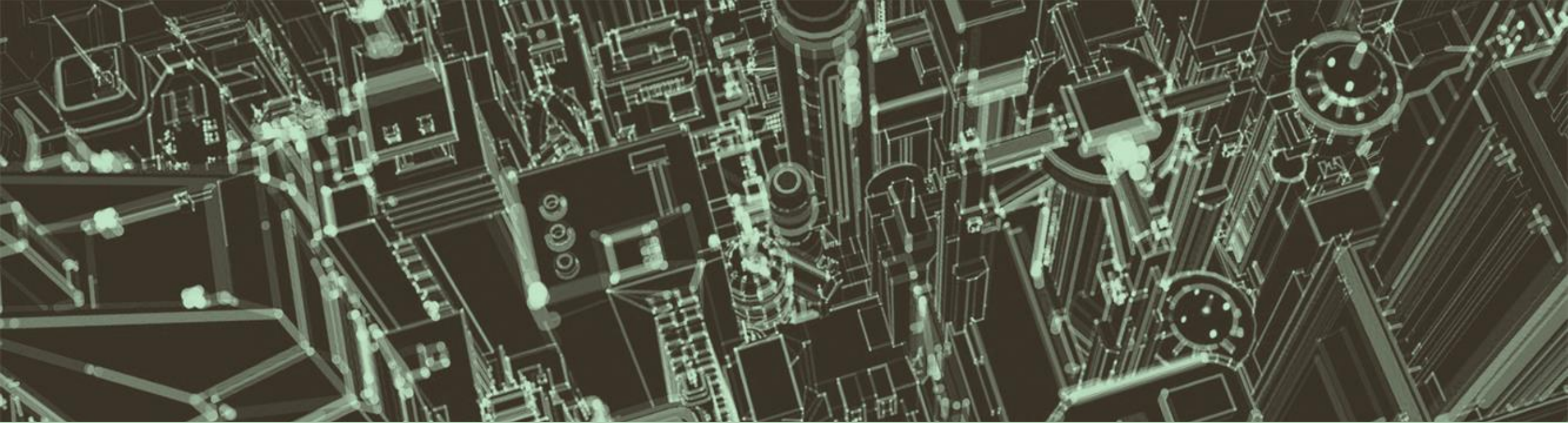




Should citizens have a right to participate in decisions that affect them or the environment?
If so, which decisions?

- Planning Policy?
- Development Applications?

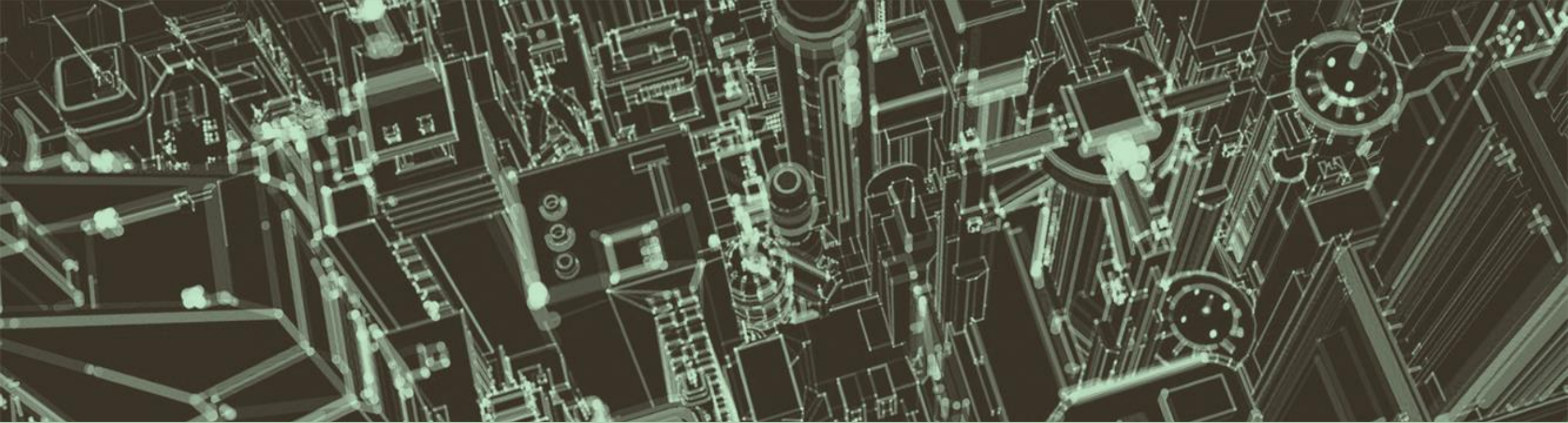




The South Australian approach

Engage citizens at the planning policy stage, but give them no rights (or few rights) when it comes to decisions about individual development applications.





Q. How realistic or reasonable is it to expect communities to engage in esoteric planning policy given that most people only start paying attention when actual projects are proposed?





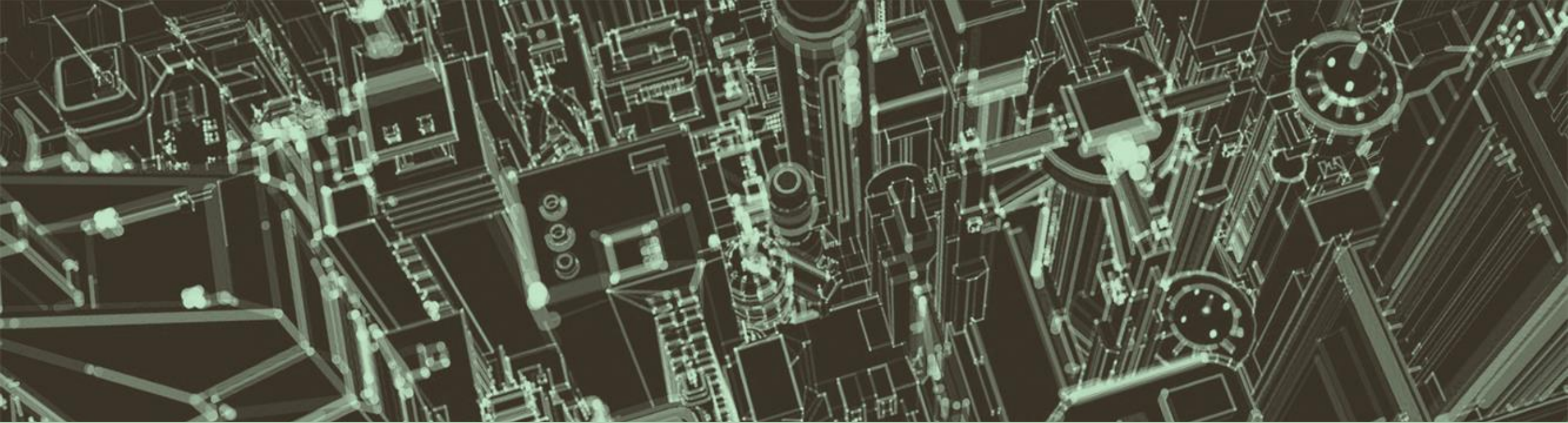
STATE
PLANNING
COMMISSION



COMMUNITY ENGAGEMENT CHARTER

April 2018

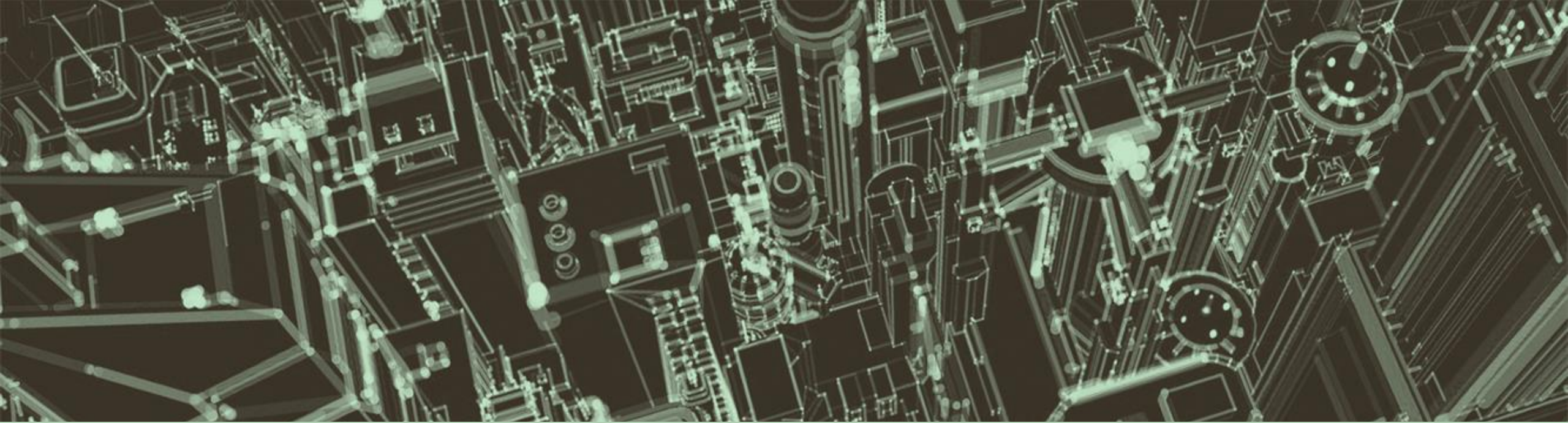




The 3 “Aarhus Principles”

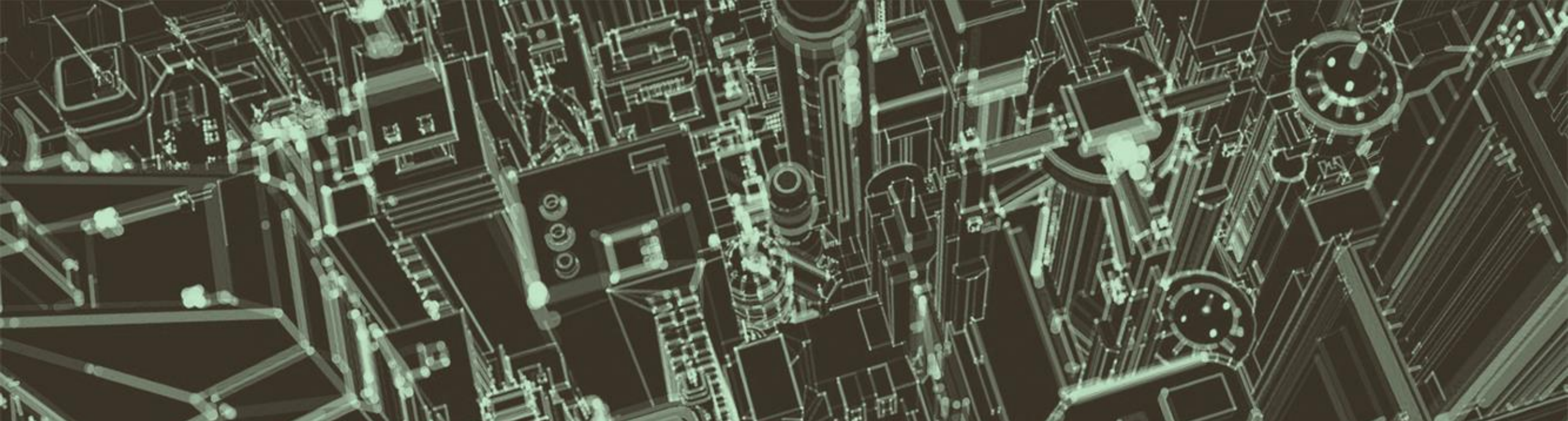
1. Access to Information
2. Participation in decision-making
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Q. In what circumstances should citizens be able to challenge planning or development decisions? Challenging “due process” errors, or “merits” disputes or both?

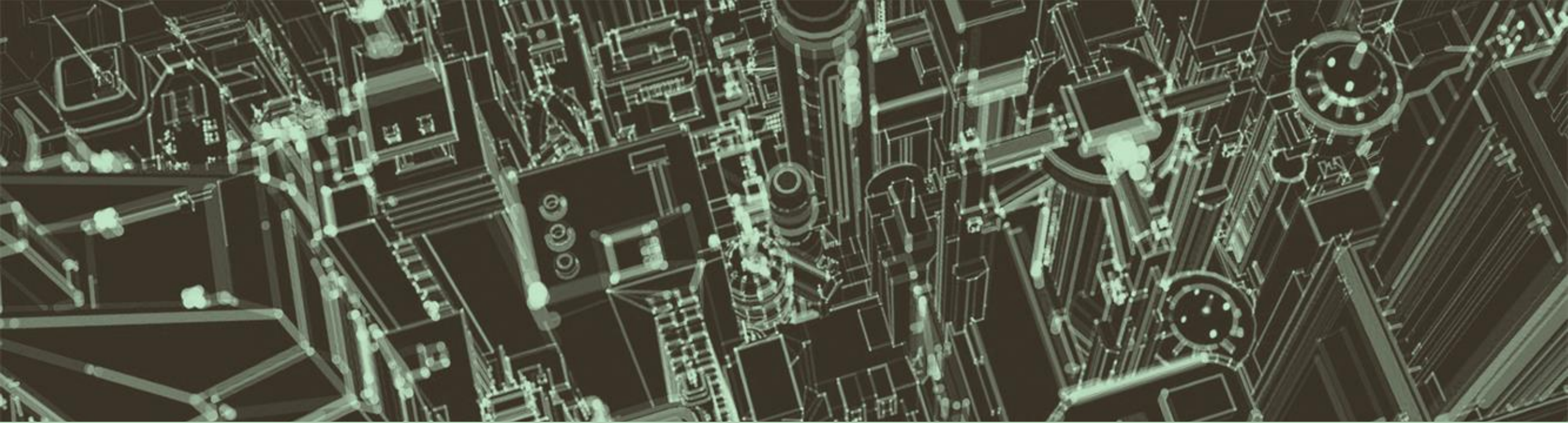




South Australian Approach:

Developers require “certainty”, which means citizen (third party) appeals are banned for most development applications and ALL planning policy.





Conclusion:

1. Decisions we make now about the future of our cities, towns and regions will last for decades or longer.
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