

Expert Panel Implementation Program

Planning and Land Use Services



Table 1

Completed Recommendations

No	Recommendation	Government's Response	Status	Instrument
11	A Government business unit should be established to manage and implement infrastructure schemes.	Support	Completed – Housing infrastructure Planning Development Unit established in February 2023.	
26	The State Planning Commission investigate implementing a land supply and demand monitoring program.	Support in principle and will undertake further investigation	Completed – Land Supply Dashboard launched March 2024.	
40	The Urban Tree Canopy Off-Set Scheme fees are increased.	Support	Completed – commenced on 16 May 2024.	Urban Tree Off-set Scheme
56	The State Planning Commission prepare guidance material which indicates the role of planning in managing climate change and identifying how climate change is already included in Planning and Design Code policy.	Support	Completed – Climate Change and the Planning System Brochure released in July 2023.	Non statutory guidelines
72.8	Preliminary Site Investigations for land contamination should be able to be a Reserve Matter.	Support	Completed – commenced October 2023.	Practice Direction
72.13	Outline consents should be commenced as soon as reasonably practicable.	Support	Completed – commenced February 2024.	Practice Direction
Character and Heritage E1	Elevate Character Areas to Historic Areas.	Support	Ongoing work with individual councils.	Code
Character and Heritage E2	Character Area Statement Updates.	Support	Ongoing work with individual councils.	Code
ePlanning E1	Subscription Service Improvements.	Support	Completed – commenced Q1 2024.	
ePlanning E2	Development Application Map.	Support	Completed – commenced Q1 2024.	
ePlanning E5	Conditions and Notes by Element Type.	Support	Completed – commenced Q1 2024.	
ePlanning E6	Code Rules as a Checklist.	Support	Completed – commenced on Q1 2024.	

No	Recommendation	Government's Response	Status	Instrument
Trees E1	The prescribed circumference of a regulated and significant tree be reduced with the intent of offering protection to a broader range of mature trees.	Support	<i>Planning, Development and Infrastructure (General) (Regulated and Significant Trees) Amendment Regulations 2024</i> commenced 16 May 2024.	Regulations
Trees E3	The existing proximity exemption of ten (10) metres to a dwelling or swimming pool be significantly reduced.	Support	<i>Planning, Development and Infrastructure (General) (Regulated and Significant Trees) Amendment Regulations 2024</i> commenced 16 May 2024.	Regulations
Trees E4	Pruning of protected trees only be permitted to occur at a rate of 30% once in every five (5) years.	Support	<i>Planning, Development and Infrastructure (General) (Regulated and Significant Trees) Amendment Regulations 2024</i> commenced 16 May 2024.	Regulations
Trees E5	The Government investigate and re-consider the need for the inclusion of an exempt species list in the Regulations.	Support	<i>Planning, Development and Infrastructure (General) (Regulated and Significant Trees) Amendment Regulations 2024</i> commenced 16 May 2024.	Regulations – species list now in Ministerial Notice.
Trees E6	The off-set fees for the removal of regulated and significant trees are significantly increased, with that increase acknowledging the cost to local government of planting and maintaining replacement trees.	Support	<i>Planning, Development and Infrastructure (General) (Regulated and Significant Trees) Amendment Regulations 2024</i> commenced 16 May 2024.	Regulations
Trees E7	The Government consider whether there are any interim measures able to be implemented to prevent a rush on tree removals.	Support	<i>Planning, Development and Infrastructure (General) (Regulated and Significant Trees) Amendment Regulations 2024</i> commenced 16 May 2024.	Regulations

Table 2

Recommendations Underway

No	Recommendation	Government's Response	Status	Instrument
5 (Phase 1)	The Accredited Professionals Scheme and associated Regulations should be amended to remove the ability for building professionals to issue planning consents.	Support in principle and will undertake further investigation	PDI Draft Regs – to be consulted in Q3 2024.	Regulations
6	The Government, through Planning and Land Use Services, works with Assessment Managers to identify, and develop guidelines for minor variations which may be implemented by the State Planning Commission.	Support	Draft Practice Direction underway. To be consulted Q3 2024.	Practice Direction
7	The e-Planning system should require a Relevant Authority to record when a minor variation has occurred.	Support	Updates to e-Planning system commenced Q2 2024.	
9	Accredited Professionals must be audited more frequently than once in every five (5) years.	Support in principle and will undertake further investigation	<i>Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019</i> to be consulted in Q3 2024.	Regulations
14	Increase the assessment timeframe associated with Performance Assessed development applications to 30 business days for complex applications, thus increasing the time available before a Deemed Consent may be issued.	Support in principle and will undertake further investigation	PDI Draft Regs – to be consulted in Q3 2024.	Regulations
16	The State Planning Commission should prepare a Practice Direction regarding verification.	Support	Programmed to commence Q4 2024.	Practice Direction
18	Increase the verification timeframe to align with development application complexity.	Support in principle and will undertake further investigation	PDI Draft Regs – to be consulted in Q3 2024.	Regulations

No	Recommendation	Government's Response	Status	Instrument
19.1	If an application is verified in less time than the legislated verification timeframe allows, any additional time available to verify the application should be added to the associated development assessment timeframe.	Support	PDI Draft Regs – to be consulted in Q3 2024.	Regulations
19.2	If the legislated verification timeframe is exceeded, any additional time taken to verify the application should be deducted from the associated development assessment timeframe.	Support	PDI Draft Regs – to be consulted in Q3 2024.	Regulations
22	Minor variations to a planning consent once Development Approval has been issued should only be assessed by the relevant council.	Support in principle	PDI Draft Regs – to be consulted in Q3 2024.	Regulations
24	Demolition of all dwellings should be recorded on the e-Planning portal.	Support	PDI Draft Regs – to be consulted in Q3 2024.	Regulations
27	The State Planning Commission should review and amend the Community Engagement Charter to provide guidance on First Nations engagement.	Support	Draft amendments to Charter consulted on in Q2 2024. Amendments anticipated to be considered and finalised Q3 2024.	Community Engagement Charter
28	The State Government should investigate and consider how planning is dealt with in out of council areas.	Support	Ongoing – approach to inspections in the outback amended and Practice Direction 7 updated April 2024.	
29	The State Government, through Planning and Land Use Services, should aid and guide those Relevant Authorities struggling to verify and assess development applications within the prescribed timeframes.	Support in principle and will undertake further investigation	Ongoing monitoring and support provided where resources permit.	

Table 2

Recommendations Underway

No	Recommendation	Government's Response	Status	Instrument
30	The State Government, through Planning and Land Use Services, prepare a template set of design guidelines for character and historic areas.	Support in principle	Draft guidelines currently being prepared – programmed for consultation Q4 2024.	Non statutory guidelines
37	The Planning and Design Code policy should support design innovation to enable the retention of trees.	Support	Trees and Greening Planning and Design Code Amendment to be consulted in Q4 2024.	P&D Code
38	Extend the application of the Urban Tree Canopy Overlay to all new allotments in the Master Planned Neighbourhood Zone.	Support	Trees and Greening Planning and Design Code Amendment to be consulted in Q4 2024.	P&D Code
39	Extend the Urban Tree Canopy Overlay and the Regulated and Significant Tree Overlay to townships and address any anomalies in current township mapping for this purpose.	Support in principle and will undertake further investigation	Trees and Greening Planning and Design Code Amendment to be consulted in Q4 2024.	P&D Code
50	The minimum garage dimensions should be increased.	Support	To be considered in Car Parking Bill. Consultation expected to commence Q4 2024.	PDI Act
51	The requirement to provide undercover car parking should be removed from the Planning and Design Code, but provision of space for a covered car park should still be made available behind the face of the dwelling.	Support	To be considered in Car Parking Bill. Consultation expected to commence Q4 2024.	PDI Act
52	The State Planning Commission consider producing Local Road Design Standards for local roads.	Support	<i>Refer to Premier's Housing roadmap.</i>	Design Standards
53	Electric Vehicle charging stations should generally be an exempt form of development, but investigations should be undertaken to determine in which locations they will be considered development.	Support in principle and will undertake further investigation	PDI Draft Regs – to be consulted in Q3 2024.	Regulations

No	Recommendation	Government's Response	Status	Instrument
54	Car Parking Offset Funds should be permitted to be used to build active travel infrastructure.	Support	To be considered in Car Parking Bill. Consultation expected to commence Q4 2024.	PDI Act and Car Parking off-Set Scheme
66	The online version of the Planning and Design Code should be reviewed by an editor and graphic designer.	Support in principle	Development commenced Q2 2024.	
68	Document management capabilities should be introduced into the e-Planning portal.	Support in principle	Analysis commenced Q2 2024.	
71	The e-Planning system be reviewed to ensure fees are being consistently applied and appropriately distributed.	Support	Analysis commenced.	
Trees E2	The Government investigate the use of tree canopy as a measure of tree protection.	Support	Referred to ERDC for investigation.	
ePlanning E3	Builders Database	Support	Development commenced.	
ePlanning E4	Refined Submission Process.	Support	Development commenced Q3 2024.	
ePlanning E7	Development Application processing.	Support	Development commenced Q2 2023.	

Table 3

Recommendations to commence in 2024

No	Recommendation	Government's Response	Status	Instrument
55	The Affordable Housing Overlay should apply to all residential, neighbourhood and activity centre zones.	Support	<i>Refer to Premier's Housing roadmap.</i>	P&D Code
57	An independent user experience review of the PlanSA website is undertaken, following which the website interface is updated to be more user friendly and intuitive, acknowledging the various capabilities of users.	Support	Programmed to commence Q3 2024.	
63	Investigate the implementation of automatic assessment Deemed-to-Satisfy development applications	Support	<i>Refer to Premier's Roadmap.</i>	ePlanning system



Table 4

Recommendations to commence in 2025 (post Greater Adelaide Regional Plan)

No	Recommendation	Government's Response	Status	Instrument
1	Proposed developments which exceed the maximum height identified in the Planning and Design Code (including any affordable housing incentive) should attract third-party appeal rights	Support	Greater Adelaide Regional Plan to provide direction on where this should be applied (and exempted)	P&D Code
2	Greater education needs to be provided on public notification and how to make a submission on a development application.	Support	Fact sheet to be distributed in July 2024 with further materials developed.	Non statutory guidance
3	Extend the public notification zone in rural areas outside of townships to align with separation zones identified by the Environment Protection Authority, based on proposed land use	Support in principle and will undertake further investigation	To be considered in 2025.	PDI Act
4	An additional 'on boundary' category of public notification should be created such that only directly affected neighbours are notified of on boundary developments by the Relevant Authority	Support in principle and will undertake further investigation	Programmed Q2 2025.	PDI Act
5 (phase 2)	The Accredited Professionals Scheme and associated Regulations should be amended to remove the ability for building professionals to issue planning consents.	Support in principle and will undertake further investigation	Await outcomes of reforms in relation to recommendation 5 (Phase 1).	Regulations
8	There should be automatic mutual recognition for related professional bodies.	Support in principle and will undertake further investigation	Programmed Q1 2025.	Accredited Professionals Scheme
12	Local heritage to be removed from PDI Act and incorporated into the <i>Heritage Places Act 1993</i> and aligning state and local heritage listing processes	Support in principle and will undertake further investigation	Dependent on reforms to the <i>Heritage Places Act 1993</i> .	Heritage Places Act/ PDI Act

No	Recommendation	Government's Response	Status	Instrument
13	Section 67(4) and 67(5) of the <i>Planning, Development and Infrastructure Act 2016</i> should be repealed, or otherwise never turned on.	Support in principle and will undertake further investigation	Dependent on reforms to the <i>Heritage Places Act 1993</i> .	Heritage Places Act/ PDI Act
15	Deemed consent provisions should apply to land divisions	Support in principle and will undertake further investigation	<i>This could be investigated as part of land division reforms from Premier's Roadmap.</i>	
17	The requirements of Schedule 8 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> should be reviewed to ensure that a Relevant Authority is provided with sufficient information to assess the nature of the application and assessment pathway, at the time of verification.	Support in principle and will undertake further investigation	Programmed Q2 2025.	Regulations
20	Land division verification should be recentralised.	Support in principle and will undertake further investigation	<i>This could be investigated as part of land division reforms from Premier's Roadmap.</i>	
21	The State Planning Commission investigate the cumulative impact of multiple minor variations and provide further guidance as to when a minor variation should and should not occur.	Support	To be considered following implementation of recommendation 6.	
23	The State Planning Commission should review the size and purpose of catalyst sites.	Support	Greater Adelaide Regional Plan to provide direction on this recommendation for the City of Adelaide.	P&D Code
25	Local government and State government collaborate to review and redevelop the Local Design Review Scheme.	Support in principle and will undertake further investigation	Office for Design and Architecture to lead.	Local Design Review

Table 4

Recommendations to commence in 2025 (post Greater Adelaide Regional Plan)

No	Recommendation	Government's Response	Status	Instrument
31	The Expert Panel supports the State Planning Commission's proposal to require a replacement building to be approved prior to demolition being able to occur in Character Areas.	Support in principle and will undertake further investigation	Subject to implementation and effectiveness of Character and Heritage Early Recommendations 1 and 2.	P&D Code Regulations
32	The role of Representative Buildings should be reviewed.	Support in principle	Programmed Q1 2025.	P&D Code/ Practice Guideline
33	To facilitate greater adaptive reuse of heritage places, the Planning and Design Code should include a broader range of possible land uses for heritage places than those listed in the relevant zone or subzone.	Support in principle and will undertake further investigation	Programmed 2025. Discussions with Department for Environment and Water required.	P&D Code
34	The State Government resource the identification and assessment of heritage that is not within a council area.	Support in principle and will undertake further investigation	Department for Environment and Water to lead.	
35	On the basis that local heritage is transitioned to the <i>Heritage Places Act 1993</i> , the places currently identified as local heritage should be reviewed to ensure they meet all relevant criteria.	Support in principle and will undertake further investigation	Dependent on reforms to the <i>Heritage Places Act 1993</i> .	
36	The State Government review and refine the intersection between the <i>Planning, Development and Infrastructure Act 2016</i> and <i>Native Vegetation Act 1991</i> to remove confusion within the community and development sector, to ensure native vegetation is retained.	Support in principle and will undertake further investigation	Department for Environment and Water to lead.	Native Vegetation Act/PDI Act

No	Recommendation	Government's Response	Status	Instrument
41	The Government investigate what additional and/or alternative penalties are available for tree damaging activity to disincentivise poor behaviour.	Support	Programmed Q1 2025.	PDI Act/ Regulations
42	Investigations be undertaken to establish an independent arboriculture advisory body to provide advice on applications pertaining to significant trees.	Support	Department for Environment and Water to lead.	N/A
44	The Government investigate what opportunities and mechanisms are available to encourage tree retention and planting on private land.	Support	Department for Environment and Water to lead.	
45	General infill design guidelines should be prepared in conjunction with industry to demonstrate and promote different styles and types of infill development.	Support in principle and will undertake further investigation		
46	The Planning and Design Code policy pertaining to strategic sites should be reviewed, and non-planning mechanisms should be investigated to assist with creating strategic sites.	Support in principle and will undertake further investigation	To be considered through Greater Adelaide Regional Plan.	
47	The Planning and Design Code provisions pertaining to Private Open Space should be revised.	Support in principle and will undertake further investigation		P&D Code
48	The storage policy identified for apartments should apply to all forms of residential development.	Support		P&D Code
49	A basic landscaping plan should be provided for all infill developments to document how the soft landscaping requirements of the Planning and Design Code are to be adhered to	Support in principle and will undertake further investigation	Programmed Q1 2025.	

Table 4

Recommendations to commence in 2025 (post Greater Adelaide Regional Plan)

No	Recommendation	Government's Response	Status	Instrument
58	Create a simplified online submission form which does not require an applicant to have a PlanSA account and login.	Support	Programmed to commence Q2 2025.	
59	Increase relevant authority data management within the Development Application Processing system.	Support	Programmed to commence Q2 2025.	
60	Build Inspection Clocks into the Development Application Processing system.	Support	Programmed to commence Q2 2025.	
61	A non-refundable lodgement fee should be paid at submission of a development application to 'lock in' the version of the Planning and Design Code to be used for assessment.	Support in principle	To be considered in 2025.	PDI Act
62	Enable elective concurrent verification and assessment for Deemed to Satisfy development applications	Support	To be considered in 2025.	PDI Act
64	Investigate the development of a mobile application to improve the mobile accessibility of the e-Planning system and PlanSA website	Support	Programmed to commence Q3 2025.	
65	Build into the e-Planning system an option for an assessing officer to record why a development moved from Deemed-to-Satisfy into Performance Assessed	Support	To be considered in 2025.	

No	Recommendation	Government's Response	Status	Instrument
67	PlanSA undertake further engagement with Relevant Authorities to develop a more flexible workflow within the e-Planning portal	Support	Programmed to commence Q2 2025.	
69	Increase the file upload capacity of the e-Planning portal.	Support in principle	Programmed to commence Q2 2025.	
70	Referral agency advice should only be published on the public register following a decision being made on a development application for non-publicly notifiable development.	Support in principle	To be considered in 2025.	PDI Act



Table 5

Minor and Operational Recommendations

No	Recommendation	Government's Response	Status	Instrument
72.1	Definitions within the PDI Act and Code should be reviewed and additional definitions included.	Support in principle	To be considered in Assessment Improvements Code Amendment to be commenced in Q3 2024.	P&D Code
72.2	Development to State Heritage Places should not attract a referral in certain circumstances.	Support in principle and will undertake further investigation	To be considered in Q3 2024. Discussions with Department for environment and Water required.	P&D Code
72.3	Consideration should be given to aligning the definition of 'contiguous land' in both the PDI Regulations and the <i>Real Property Act 1886</i> .	Support in principle and will undertake further investigation	To be considered in 2025.	Regulations
72.4	Schedule 4 should be reviewed.	Support in principle	To be considered in 2025.	Regulations
72.5	A sliding scale for development application fees pertaining to heritage places should be introduced, together with an ability to waive application fees for State Heritage Places in certain circumstances.	Support in principle	To be considered in Q3 2024. Discussions with Department for environment and Water required.	Fees Notice
72.6	Investigate, consult and determine whether reform is required to encompass civil design within the regulatory framework for land divisions.	Support in principle and will undertake further investigation	To be considered in 2025.	
72.7	Ensure all future design guidelines reference matters related to disability inclusion and access	Support	This is an ongoing obligation and unable to be delivered through just one thing. Should be incorporated into the design guidelines prepared for the purposes of implementing other recommendations.	
72.9	The interface between the PDI Act and the <i>Fences Act 1975</i> should be reviewed to resolve the duplication of consultation requirements.	Support	To be considered in 2025.	PDI Act

No	Recommendation	Government's Response	Status	Instrument
72.10	The State Government undertake and fund LiDAR tree mapping at appropriate intervals.	Support in principle and will undertake further investigation	Discussions with Department for environment and Water required.	
72.11	Payments made to local and State government in accordance with the PDI Act and/or PDI Regulations should be recognised and annually reported through Treasury management processes.	Support in principle and will undertake further investigation	To be considered in 2025.	PDI Act
72.12	The State Government investigate what mechanisms are available to it to provide copyright protection to local government, and in what circumstances those protections would be available.	Support	PDI Draft Regs – to be consulted in Q3 2024.	Regulations
71.14	The referral timeframes prescribed in the PDI Regulations should be reviewed to ensure they appropriately align.	Support	PDI Draft Regs – to be consulted in Q3 2024.	Regulations
72.15	Refine Performance Outcome 6.1 in the Local Heritage Place Overlay to exclude deterioration due to neglect as a supporting factor for demolition, as in State Heritage Place Overlay.	Support	To be considered in Assessment Improvements Code Amendment to be commenced in Q3 2024.	P&D Code
72.16	PLUS undertake a language and consistency check of the Code to ensure the same terms and expressions are used throughout.	Support	To be considered in Assessment Improvements Code Amendment to be commenced in Q3 2024.	P&D Code
72.17	The Hills Face Zone be reviewed to consider minor boundary anomalies.	Support in principle and will undertake further investigation	To be considered in 2025.	

Table 5

Minor and Operational Recommendations

No	Recommendation	Government's Response	Status	Instrument
72.18	Investigate the application of specified car parking rates for major open spaces.	Support	To be considered in 2025.	
72.19	The Code should be reviewed to ensure requirements are reasonable and practical.	Support	To be considered in Assessment Improvements Code Amendment to be commenced in Q3 2024.	P&D Code
72.20	There should be a bi-annual Code Amendment which deals with minor matters.	Support in principle and will undertake further investigation	In principle support is for an amendment to section 76 of the PDI Act as suggested by the Panel. The Govt does not support a bi-annual CA as it would be too administratively burdensome.	PDI Act
72.21	A list of restricted development types applicable to a site must appear when you search a property address on the PlanSA website.	Support	Development commenced Q2 2024.	
72.22	Relevant Authorities should be required to upload evidence of applicant agreement prior to making an additional Request for Information.	Support	Due for delivery Q3 2024.	
72.23	A Development Approval should not be issued in the absence of the provision and assessment of wastewater systems and should be recorded on the e-Planning portal.	Support in principle and will undertake further investigation.	Development commenced Q2 2024.	
72.24	The e-Planning portal should enable duplication of information.		To be delivered in conjunction with ePlanning early recommendation 4.	
72.25	Go-Zones should be mapped on the South Australian Property and Planning Atlas.	Support in principle and will undertake further investigation	To be considered in 2025.	