

This is feedback on the following documents published for community consultation by the South Australian State Planning Commission;

- . *Draft Planning and Design Code: Phase Two (Rural Areas) October 2019* and
- . *Draft Planning and Design Code: Phase Three (Urban Areas) October 2019*.

Recommendations

I recommend that all plans and schedules to implement the *Draft Planning and Design Code* be abandoned and relevant documents be returned to their authors for editing and re-writing. I further recommend that the authors be given time and resources sufficient to do the work properly before the documents are re-submitted for further community consultation.

Context

The web site from which I downloaded the documents

(https://www.saplanningportal.sa.gov.au/have_your_say/Draft_Planning_and_Design_Code_for_South_Australia) explains that;

The Planning and Design Code ... is the cornerstone of the new planning system that will help revolutionise the way that development is regulated in South Australia. Consultation on the Code represents an important opportunity for South Australians to influence the way we live, work and move.

Being lengthy documents, 1,833 and 3,031 pages respectively, and with a 28 February deadline for feedback, it was impossible for me to study all aspects of the documents in detail. I therefore decided to concentrate on just one aspect; one of particular interest to me; namely, biodiversity.

The *Planning and Design Code* Documents

I began by searching for occurrences of the term *biodiversity* in the documents. Following is some of what I discovered;

the term is mentioned 14 times in the *Phase Two (Rural Areas)* document and 21 times in the *Phase Three (Urban Areas)* document. In all cases it is used within what are called either a "Desired Outcome", such as;

The conservation and enhancement of the natural environment and natural ecological processes for their historic, scientific, landscape, faunal habitat, biodiversity and cultural values and provision of opportunities for the public to experience these through low-impact recreational and tourism development. [*Phase Two (Rural Areas)* pp.104]

or a "Performance Outcome", for instance;

Landscaping in open space facilitates habitat for local fauna and facilitates biodiversity. [*Phase Two (Rural Areas)* pp.1685].

Nowhere in either document is there a definition of the term *biodiversity* or an explanation of its intended meaning. It is unclear if it refers to genetic diversity, species diversity, or ecosystem diversity; or some combination thereof.

Furthermore, there is no explanation of how the conservation, enhancement and facilitation of biodiversity will be assessed, nor whether it is referring to the diversity which existed prior to European settlement or some aspirational diversity which does not presently exist.

Concerned by this lack of clarity, I decided to work backwards and study documents published on the SA Planning Portal with which the *Draft Planning and Design Code* documents are associated or from which they are seemingly derived, namely;

- . *Guide to the Draft Planning and Design Code Rural and Urban Council Areas (Phases Two and Three)* and
- . *What We Have Heard Report: Natural Resources and Environment Policy Discussion Paper*.

Documents associated with the *Draft Planning and Design Code* documents

Beginning with the *Guide to the Draft Planning and Design Code Rural and Urban Council Areas*, I discovered that;

... policies within the Code have been developed and aligned with strategic directions set out by the State Planning Policies (SPPs) ...

SPPs identify high-level land use planning and development priorities that will improve the liveability, sustainability and prosperity of South Australia. [pp.12]

Further, one of the 16 SSPs has the title *Biodiversity*, details of which are provided on pp.100 to 102. Unfortunately, explanation of the SSP is limited, contains many undefined terms and concepts, and includes some possibly fundamental contradictions. Some questions (of numerous possible) arising from the explanation are;

- . what is meant by “critical life-supporting functions”,
- . what differentiates “areas of high biodiversity value” from other areas,
- . are “areas with recognised natural character and values” the only areas for which biodiversity is a consideration, and
- . based on the statement “maintaining and improving current urban biodiversity (where appropriate)”, when can maintaining biodiversity be inappropriate?

Still seeking clarity, I then moved to the *Natural Resources and Environment Policy Discussion Paper*. On pp.8 and 9, under the heading *Theme 3: Biodiversity*, I discovered many excellent observations from “state government departments, agencies and committees, local councils, industry professionals and representative organisations, and the community” [pp.1]. Some examples are;

- . benchmarks are necessary to measure biodiversity performance, but are difficult to establish.
- . tools are required to measure the cumulative impacts of small-scale developments, but are difficult to create.
- . biodiversity is not limited to flora and fauna.
- . backyard biodiversity is important.

Why were these observations not incorporated into the *Planning and Design Code* documents? I could find no connection between the *Natural Resources and Environment Policy Discussion Paper* and the *Planning and Design Code* documents.

Conclusion

Based on the study of just one aspect of the *Draft Planning and Design Code*; albeit an important one; I could find no progression from the original discussion paper to the documents published for community consultation. From a promising beginning, the process seems to have created a product totally unfit for purpose.

If the South Australian State Planning Commission truly seeks to revolutionise the way that development is regulated in South Australia, and truly sees consultation as an opportunity for South Australians to influence the way we live, work and move, it will significantly improve the current *Draft Planning and Design Code*.

I recommend that all plans and schedules to implement the *Draft Planning and Design Code* be abandoned and relevant documents be returned to their authors for editing and re-writing. I further recommend that the authors be given time and resources sufficient to do the work properly before the documents are re-submitted for further community consultation.

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