



GA-D000060

Green Adelaide Board

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Dear Mr Lennon

Planning and Design Code Phase 3 Revised Draft

Thank you for providing the Green Adelaide Board (the Board) with the opportunity to comment on the Planning and Design Code Phase 3 Revised Draft. The Board is keen to continue working with the State Planning Commission (the Commission) to achieve positive environmental and community outcomes within the planning system.

As highlighted in our previous correspondence of 8 August 2020, the Board commends the inclusion of important greening and water sensitive urban design policies for infill developments in the Code. These policies will contribute to making Adelaide a cooler, greener and more climate resilient city. We note that these policies have been retained, with some amendments.

Tree planting policy

The Board is pleased that the tree planting policy for new developments has been retained. This policy will provide important greening and cooling benefits to our urban landscapes and the community.

We note the Commission's intention to investigate the establishment of an offset scheme to provide the option for payment into a fund to support the planting of trees in reserves, or other public land, as an alternative option for planting new tree(s) on development sites. If an offset scheme is considered, we ask that Green Adelaide and other key stakeholders (including local government) are consulted during the development of the scheme to ensure that it does not negate the benefits that the tree planting policies seek to achieve. We are particularly interested in providing input into what the scheme would look like, who might have access to it, how trees are valued in determining offset costs, and who would decide how funding from the scheme would be targeted. We ask that the Commission and the Planning and Land Use Services (PLUS) Division of the Attorney General's Department work closely with Green Adelaide on this matter.

As highlighted in our previous correspondence to the Commission, the Board reiterates its position that retaining mature trees in urban areas should always be the priority within the planning system. Replacing an existing mature tree with one or even several new trees does not account for the interim loss of both canopy cover and benefits to the community. We recommend that the proposed tree planting policies are strengthened where possible to protect existing trees, e.g. greater incentives for retaining mature trees, disincentives for removal.

The Board acknowledges that while requirements for tree planting in the Code are a much needed addition, the policy is just a first step. We also recognise that the planning system alone cannot be relied on to address the loss of urban trees. Rather, a strategic approach is required across the planning system, open space planning and management, infrastructure planning and management, and community engagement. The Board is keen to support and enable other important levers both within and outside the planning system, including education, incentives, capacity building, public realm infrastructure delivery. We would therefore welcome the opportunity to meet with the Commission and PLUS to discuss how Green Adelaide's work in 2021 could best support the implementation of the Code tree planting policy.

Regulated and Significant trees

The Board supports the inclusion of policies relating to significant trees into the *Regulated and Significant Tree Overlay* in order to more closely reflect standard Development Plan policy in the Code and to strengthen the protection of significant trees.

However, we still have concerns about the following:

- The ability for significant trees to be readily removed by State and local governments without engagement or approvals, or removed without local government approval as a consequence of numerous exemptions.
- The current fees to be paid in lieu of planting replacement trees when removing a regulated or significant tree fall well short of representing the actual cost of planting and maintaining a replacement tree and the lost benefits to the community.

The Board is committed to working with the Commission, Planning and Land Use Services, and councils to explore options for greater protection of significant, regulated, and other mature trees in Generation 2 of the Code and other legislative mechanisms, e.g. greater incentives for retaining regulated and significant trees, increased fees for failing to plant replacement trees.

We recommend the establishment of a cross-sector 'Advisory Group' to provide independent, informed advice on trees including the development of valuation guidelines, penalties for removal, and realistic environmental offsets when removal is truly unavoidable. We also recommend that considering trees as appreciating 'Structural Assets' and any new information that comes to light in terms of the dollar value of additional benefits should become a focus of further work.

Rainwater tanks

The Board is pleased that the on-site rainwater tank policy for infill developments has been retained in the Code. We strongly support the introduction of a detention component in larger rainwater tanks and an increase in the percentage of roof area connected to tanks to 80%, to provide for better stormwater management outcomes.

However, we have concerns regarding the proposed changes to the deemed-to-satisfy requirements for connections to rainwater tanks on sites less than 200 m². The revised Code requires these sites to have a 2,000 litre retention tank (with no detention) and only be

connected to either a toilet, laundry cold water outlet, or hot water service. Modelling commissioned by Water Sensitive SA indicates that this will not adequately reduce peak stormwater runoff in minor storm events. The long-term consequence of this will be a continual reduction in the performance of minor drainage networks impacted by the increased impervious area arising from new developments.

To address the shortcomings of this policy amendment, the Board supports the policy options recommended by the DEW and WSSA.

Climate Change

The Board notes that while the revised Code includes a number of policies that will contribute to climate change mitigation and adaptation, no amendments have been made to explicitly articulate climate change mitigation or adaptation as an objective in desired outcomes and performance outcomes. The Board strongly encourages the inclusion of explicit climate change language in Generation 2 of the Code, along with accompanying advisory material.

Coastal Management

We understand that the Coast Protection Board has been working closely with PLUS staff on the refinement of coastal management policies within the Code. We support the issues raised by the Coast Protection Board in its letter in regards to the Phase 3 Code.

Generation 2

The Board acknowledges that the timeframes for planning reform have been challenging and that 'Generation 1' of the Code is largely a policy-neutral conversion and consolidation of existing policies into the new framework. We note the valuable reforms for infill developments that have been introduced in Generation 1, but stress that there is still work to be done relation to urban greening. We continue to seek a commitment from the Commission and the Attorney General to work collaboratively on Generation 2 reforms, with a focus on significant improvements to the Code that will move the planning system closer to realising the vital urban greening agenda.

Application of the Planning and Development Fund

I would also like to take this opportunity to again raise the Board's perspectives on the proposed change to the *Planning, Development and Infrastructure (General) Regulations 2017* that allows contributions paid into the Planning and Development Fund to be used for administering the *Planning, Development and Infrastructure Act 2016*, including planning reforms and the e-planning portal. The Board is strongly opposed to this change and we feel it sends the wrong message to those making the contributions as well as to the broader community. Any open space contributions must be directed towards practical outcomes in providing quality green open space.

The Board's Greener Neighbourhoods Grants Program currently receives funding through the Planning and Development Fund. In 2019 and 2020, 16 projects in 11 metropolitan council areas gained funding through the program for practical projects focused on street planting and water sensitive urban design to help create greener and cooler

neighbourhoods. Projects are also expected to contribute to improvements in community health and wellbeing and urban biodiversity. To build on this important work, we are seeking support from the Planning and Development Fund to continue to be made available in 2021/22 as it is integral to the program's existence. We also welcomed the opportunity to be on the assessment panel for the Open Space and Places for People Grants in 2019/20 and seek the opportunity to participate again in 2020/21.

Thank you once again for the opportunity to comment on the revised Draft of the Code. We understand that our comments respond directly to the code as well as indicating areas where the Green Adelaide Board would like to work with the State Planning Commission to progress improved outcomes consistent with the State Government's agenda to cool and green Adelaide. Green Adelaide and the State Planning Commission have many shared objectives in terms of seeking to create greener and more liveable neighbourhoods and we would like to identify opportunities where we can assist the planning reform process. We are also currently preparing our five year Regional Landscape Plan, and will soon be commencing development of our Annual Business Plan where we identify how Green Adelaide will invest the levy that is paid by all Green Adelaide region property owners. I would therefore welcome the opportunity to make a time with you and Ms Sally Smith to discuss how Green Adelaide can practically partner in Generation 2 Code policy improvements and supporting urban greening initiatives to value-add to the planning reforms in 2021.

We hope that this submission provides useful feedback for your consideration. Should you require further information about the Board's comments, please contact Ms Louisa Halliday, Manager Strategy and Performance on phone [REDACTED]

Yours sincerely



Chris Daniels
PRESIDING MEMBER
Date: 18 / 12 / 2020