

Guide to the Draft Planning and Design Code

Rural and Urban Council Areas
(Phases Two and Three)

For Consultation - October 2019



ABOUT THIS PAPER

This guide provides background on the development of the Planning and Design Code (the Code) and is part of the formal consultation on the Code in accordance with the Community Engagement Charter. It has been prepared for planning practitioners and interested persons with prior knowledge/ involvement in the reform program.

The four chapters provide an understanding of how the following topics are dealt with in the Code:

01 People and Neighbourhoods

02 Productive Economy

03 Natural Resources and Environment

04 Integrated Movement Systems and Infrastructure

The Code is scheduled to commence across South Australia in three phases:

- Phase One: Land not Within a Council Area (LNWCA) – became operational on 1 July 2019
- Phase Two: Rural Areas – April 2020
- Phase Three: Urban Areas – by 1 July 2020.

For further information visit www.saplanningportal.sa.gov.au

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Introduction



BACKGROUND

Expert Panel

In 2012, South Australia's Expert Panel on Planning Reform was established to explore the best path for planning in South Australia. The panel identified a range of critical issues within the planning system under the *Development Act 1993* that required urgent resolution.

In particular, in its report to the Minister titled '[The Planning System We Want](#)', the panel recognised there were fundamental problems in the way land use policies were written, spatially applied and interpreted, including:

- excessive numbers and varieties of complex zones and policies
- lack of sophistication in complex zoning policies, resulting in poor outcomes
- limited use of performance-based planning rules and complying standards
- out-of-date planning policies
- confusion, delays and frustration in the interpretation of complicated policies
- design and its benefits poorly addressed.

To resolve these issues, the panel recommended the development of a Planning and Design Code (the Code) which would set a single, consistent and high-quality approach to zoning and policy development throughout the state.

Further to this, by making the Code digital, the panel believed the planning system would be made

more accessible through the development of a 'menu' of zones that could be applied in any region across the state. This would also make rezoning simpler and quicker; reduce delays and costs; and improve investor, developer and community confidence in the planning system.

In its response to the panel's findings, the then State Government agreed the existing planning system was 'straining under the burden of voluminous, complex and highly variable planning rules across the state', and that design had been poorly articulated in planning policy. It endorsed the establishment of a single state-wide code that would reduce unnecessary variation, inconsistency and complexity in land use policy, and place emphasis on built form and high-quality design.

Based on this, the Code was established as the cornerstone of the new planning system under the *Planning, Development and Infrastructure Act 2016* (the Act), the first generation of which will be implemented across the state by July 2020.

The Act placed the formation and management of the Code under the leadership of the State Planning Commission (the Commission) which introduced a [Blueprint for South Australia's Planning and Design Code](#) in March 2018.

"With more than 2,500 zone combinations spread across 23,000 pages of policy, maps and tables in the state's current 72 development plans, the volume of regulation in South Australia's system is unsustainable.

It results in planning rules that are unusable, highly variable and out of date, and makes it difficult for many people to meaningfully interact with the planning system.

This causes confusion and downstream delays in assessment, resulting in deferred investment, unnecessary development costs, and a lack of community confidence in assessment decisions.

It is little surprise that users of the planning system find it hard to locate or understand the rules that affect them most."

South Australia's Expert Panel on Planning Reform '[The Planning System We Want](#)' 2014

Benefits of the Code

- **A single reference point will be provided for state planning and design rules**

The Code will consolidate South Australia's 72 development plans into one clear planning rulebook for the state. Design guidelines will provide advice on best practice design elements and the principles of good design.

- **Consistent planning rules will improve certainty in decision making**

The Code will enable improved consistency of all development assessment and decisions.

- **Standardised interpretation of legislation will improve assessment and reduce delays**

The Code will streamline zones and policy to drive a faster and more efficient development assessment process.

- **Online delivery of the Code will provide assessment authorities with only the rules they need**

The new ePlanning Portal will automatically determine which planning rules apply to a development application for the assessment authority, saving time and improving consistency.

- **There will be flexibility to deal with local issues, while ensuring consistency for other issues**

Performance-based planning will support consistent policy while allowing decision makers to respond to local context.

- **Paperwork will reduce significantly**

The online application of the Code will significantly shift our planning system toward paperless operation, reducing the time-consuming flow of physical information.

- **Costs and delays in updating development plans will be reduced**

The Code will be administered centrally and electronically, with amendments implemented efficiently and consistently.



Proposed Code Amendments

The Planning and Design Code is being introduced in three stages:

1. Phase One (implemented on 1 July 2019): Code introduced to the outback (land not within a council area)
2. Phase Two (April 2020): Code will apply to rural councils with small towns and settlements
3. Phase Three (July 2020): Code will apply to urban councils and councils with large regional towns and cities

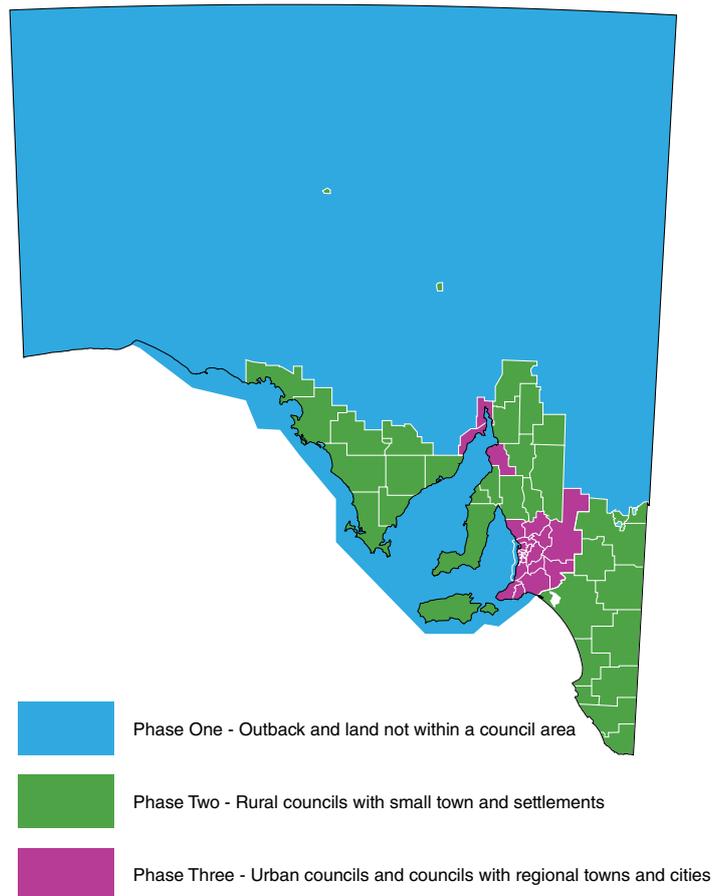
On 28 June 2019, the Minister for Planning, on advice of the Commission, adopted the Phase One Planning and Design Code (Outback Code). On 16 August 2019 the Commission subsequently initiated two separate Code amendments under section 73 of the Act, which expand the application of the Phase One Code, forming the proposed Code released for consultation.

The proposed Code framework is summarised at the end of this Introduction. Parts of the Code framework are already in place for the Outback and are being expanded to rural and urban areas; while other parts of the framework are new.

Attachment 1 of this report sets out the parts of the Code that are applicable for each stage.

It should be noted that the whole Code is now available for public consultation.

State-wide implementation map



Note: The Code incorporates transitional zoning for recent development plan amendments approved prior to 13 September 2019. Development plan amendments approved after that time will be transitioned into the Code after the consultation period.

Note: While the first Generation of the Code generally transitions current development plan policies, there are a couple of exceptions where new zoning is proposed. The below links provide more information on these areas:

- [Lot Fourteen](#)
- [Osborne](#).

DEVELOPING THE CODE POLICIES

Strategic Context

In accordance with the provisions of the Act, the policies within the Code have been developed and aligned with strategic directions set out by the State Planning Policies (SPPs), which includes SPPs under Special Legislative Schemes. SPPs identify high-level land use planning and development priorities that will improve the liveability, sustainability and prosperity of South Australia. Refer to Figure 1 for a list of the 16 individual SPPs.

The SPPs also make recommendations about the application and operation of the Code for specific areas and include performance targets.

An analysis of how the Code aligns with the SPPs is contained in **Attachment 2**. Each chapter of this guide also identifies the specific SPPs relevant to their topic.

Research, Consultation and Policy Development

An understanding of the strengths, weaknesses, opportunities and challenges associated with existing policies contained in development plans formed the foundation of the Code policy drafting process. To gain this understanding, the Department of Planning, Transport and Infrastructure (DPTI) worked with councils across the state to undertake Development Plan Reviews.

These reviews provided high-level findings regarding:

- opportunities to consolidate existing duplicated policy
- challenges and issues associated with existing policy

- policy that worked well and should be considered for inclusion within the Code
- gaps within existing policy that needed to be addressed to guide new and emerging forms of development.

Key findings from the reviews were included in a series of discussion papers released by the Commission from March 2018. The Policy Discussion Papers were designed to stimulate thought around the policy direction for the Code, while Technical Discussion Papers established the operational framework and content requirements for the Code.



Figure 1: State Planning Policies

Technical Discussion Paper	Link	Date Released	What We Heard Report (Link)
<p>The Blueprint for South Australia's Planning and Design Code – Introductory Paper</p>		<p>March 2018</p>	<p>N/A</p>
<p>South Australia's Planning and Design Code – How Will It Work? Technical Discussion Paper</p>		<p>March 2018</p>	
<p>Future land use definitions and classes</p>		<p>March 2018</p>	
<p>Assessment Pathways – How Will They Work? Technical Discussion Paper</p>		<p>August 2018</p>	

Policy Discussion Paper	Link	Date Released	What We Heard Report (Link)
Natural Resources and Environment*		August 2018	
Integrated Movement Systems*		August 2018	
Productive Economy*		November 2018	
People and Neighbourhoods*		September 2019	N/A

As part of this process the Commission released a number of additional papers that investigated issues in greater depth, including:

- *Overview of neighbourhood growth and change* (May 2019)
- *Practitioner and community guides to heritage and character in the new planning system* (May 2019)
- *Guide to demolition control*

A series of conversations were also held on key topics:

- Car Parking summit, focus groups and survey – community feedback was obtained via a ‘Your Say’ survey which ran for four weeks from 19 January to 16 February 2018 with 840 submissions received. Two community focus groups were convened; and a Car Parking Summit, attended by over 60 key stakeholders, was held in April 2018.
- A Planning for a New Retirement Future Symposium was held in August 2018 which covered a range of challenges, trends and opportunities informing the contemporary narrative around

aged and retirement housing for key industry stakeholders to identify issues and potential solutions to improve planning processes and policy on this topic.

- A series of Residential Infill Forums were held between June and September 2019, attended by industry representatives who deliver infill housing at various scales across Adelaide. These forums provided feedback to the Commission about improvements to policies that relate to infill housing.
- A Retail Round Table was convened in August 2019 with over 20 retailers in attendance to discuss retail sector issues and opportunities.

Commission Engagement/Position Paper	Link	Date
Heritage and Character Papers		May 2019

Commission Engagement/Position Paper	Link	Date															
Community Guide to Design in Our New Planning System		May 2019															
Renewable Energy	 <table border="1"> <caption>Wind Farm Trends</caption> <thead> <tr> <th>Year</th> <th>Number of Wind Farms</th> <th>Total Capacity (MW)</th> </tr> </thead> <tbody> <tr> <td>2012</td> <td>145</td> <td>95</td> </tr> <tr> <td>2019</td> <td>240</td> <td>161</td> </tr> <tr> <td>2012-2015</td> <td>446</td> <td>1438</td> </tr> <tr> <td>2019</td> <td>247</td> <td>920</td> </tr> </tbody> </table>	Year	Number of Wind Farms	Total Capacity (MW)	2012	145	95	2019	240	161	2012-2015	446	1438	2019	247	920	July 2019
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2012	145	95															
2019	240	161															
2012-2015	446	1438															
2019	247	920															
Metropolitan Adelaide Car Parking Review		April 2018															

Commission Engagement/Position Paper	Link	Date
<p>Planning for a New Retirement Future</p>		<p>August 2018</p>

The Code’s content is based on the feedback received via the discussion papers and engagement activities.

Preparation of the Code content also included:

- a review of the South Australian Planning Policy Library (SAPPL)
- investigation of case studies and best practice policy examples from Australia and the world
- workshops with state agencies, councils and special interest groups
- Commission-led policy workshops

- a review of South Australia’s development plans in partnership with local government
- a peer review process with thought leaders and key stakeholders such as planning reform advisory groups and government agencies.

More information on all of these engagement activities is available on the SA Planning Portal.

OUR APPROACH TO THE CODE

The ePlanning Solution

The Code will enable SA to establish a user-friendly online ePlanning system which will dramatically alter the way planning rules are stored, retrieved and maintained, and improve how data regarding development and assessment is collected. Further, the digital storage of the Code's policies and rules in a central online database means:

- All rules and maps are held in the ePlanning portal, and can be easily accessed
- The Code can be readily maintained and updated.

The ePlanning system will deliver the applicable rules and procedures transparently, consistently and instantly, irrespective of location or the type of development proposed. While the Code will exist in a digital format, the full Code or parts thereof, can still be downloaded and printed as a hard copy. For example:

- Councils can retrieve and print all parts of the Code that apply to their area.
- Developers can retrieve and print the content of particular zones.
- Home owners considering undertaking some kind of development (e.g. building a new shed or a dwelling addition) can print the rules that are applicable to their proposed development.

Performance-Based Planning

The Code provides a clear performance-based approach to planning by incorporating policies that address the scale, form and design of buildings as well as their relationship to the public realm.

A number of Australian jurisdictions are also moving to form-based codes. Instead of areas being divided into zones based on land uses, areas are defined by zones that indicate suitable density and form of development.

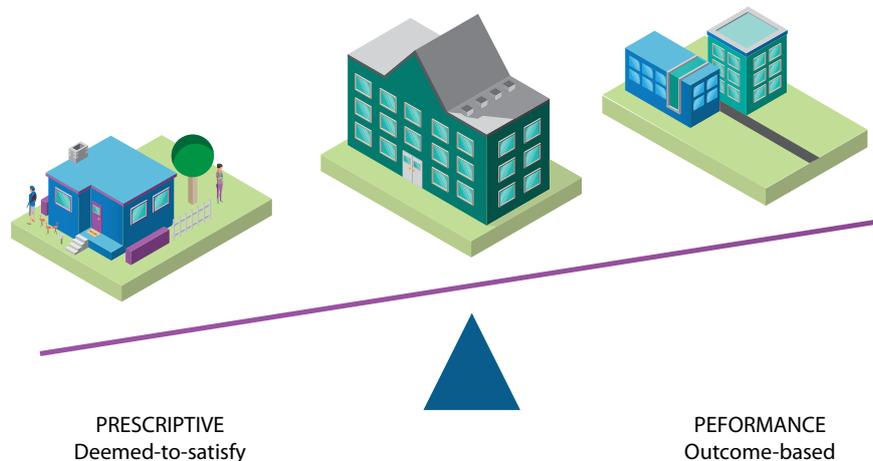
Performance outcomes are, by definition, qualitative, and for this reason require robust evaluation of potential impacts of a development proposal.

This provides greater flexibility to explore different design solutions that can better respond to a

location's context and places a greater emphasis on built form through a form-based approach, wherever this is important.

However, it should be noted that a more form-based performance approach won't necessarily be suitable in every circumstance. Some zones will have a greater emphasis on land use suitability, such as in heavy industry or primary production zones.

The inclusion of deemed-to-satisfy criteria provides a mechanism to readily approve low-risk and minor development expected for an area, ensuring the system provides certainty for this type of development. Alternatively, qualitative performance outcomes will allow design flexibility to achieve the desired outcomes for more intense and larger-scale developments. See the following diagram:



By concentrating assessment of a development on its performance, the Code enables a stronger emphasis to be placed on the design of buildings and the way buildings interact with the public realm and neighbouring built form (local context).

This is in contrast to conventional zoning's focus on the segregation of land uses and the control of development intensity through abstract and sometimes uncoordinated parameters (e.g. floor area ratios, minimum allotment sizes, parking ratios) to the neglect of achieving an integrated built form.

Performance-based assessment is beneficial in locations where the desired built form outcome is strongly tied to the existing context and form (e.g. character, spaces between buildings, building size and proportions, and building height) or where the desired outcome is transformational such as the high street part of a mixed use corridor infill zone.

In this instance the policy needs to clearly articulate the future form in relation to height, setbacks, active ground uses and so on.



Code Drafting Principles

Ten guiding principles set the foundation for the format and content of the Code:

1. Code policies implement the State Planning Policies.
2. Code policies are the key development assessment tool and address only those matters that require development approval under the Act. This will mean all of the Code's content must be directly applicable to development assessment.
3. Code policies do not reproduce other guidelines, standards, information or issues more appropriately managed under other legislation.
4. The Code does not contradict the National Construction Code.
5. Code policies guide the 'point in time' assessment of a planning application. They do not seek to control the ongoing management of a land use (which is more appropriately managed in a licensing arrangement or compliance with the relevant Development Approval and conditions).
6. Code policies are clearly worded, concise and easily understood, and provide consistency in interpretation and application.
7. Code policies do not contradict each other.
8. Code policies use consistent terminology.
9. Only one planning issue / element should be addressed per performance outcome.
10. Procedural matters (including deemed-to-satisfy, referrals and notifications) are based on unambiguously quantifiable / measurable criteria.

HOW THE CODE WORKS

Code Structure

The Code includes a set of policies, rules and classifications which may be selected and applied in various parts of the state for the purposes of development assessment.

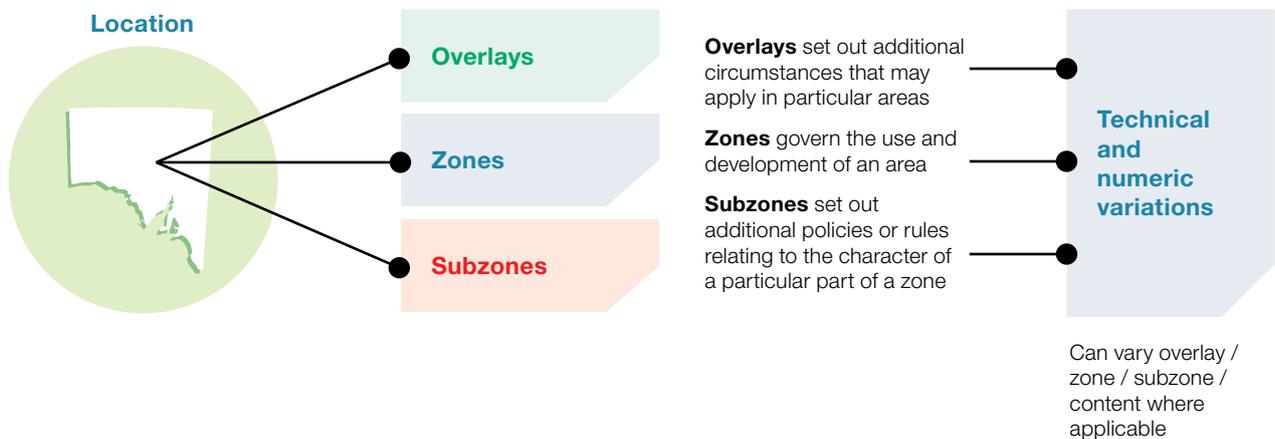
The Code applies zones, subzones and overlays (which form spatial layers across South Australia) to specify policies and rules that govern the use and development of particular areas.

General Development Policies can also apply, but are linked to the type of development proposed rather than its location.

The Code includes definitions of land uses and establishes land use classes, as well as administrative definitions.

In certain circumstances, the Code allows for the adaption of rules that apply to an overlay, zone or subzone to provide for local variations. This is done through a Technical and Numeric Variations Overlay.

Spatial policies and rules



Non Spatial policies and rules



Zones

Zones are the primary organising layer, and provide guidance on what can happen in an area. Policy in zones focuses on:

- Land use suitability – what sorts of activities are envisaged in a zone. This is achieved in a general sense through desired outcomes, and also through the identification of development types in an Assessment Table
- Land use intensity – based on land use suitability, land use intensity typically relates to specifics around density / land division requirements (site area, allotment frontage)
- Built form – describes built form outcomes for the zone, building envelopes (setbacks and height) and the like.

Zones contain procedural matters – they assign assessment pathways to development types and set public notification requirements.

Policies in a zone will apply consistently wherever a zone applies and are not able to be varied, other than through a subzone or overlay.

Subzones

Policies in subzones apply to variations in the character of a particular part of a zone and cannot apply in more than one zone.

A subzone can change the assessment pathway for a development type from deemed-to-satisfy to performance-assessed (but not to restricted). This will accommodate instances where an element of a development requires ‘on merit’ consideration in the subzone.

Overlays

Overlays, which are the primary mechanism to spatially express SPPs, pick up planning issues of state interest and locationally specific issues. Overlays can span multiple zones and subzones and more than one overlay can apply to the same area. Their policies take precedence over other Code policies.

Overlays may have procedural effects in relation to assessment pathways and referrals:

- **Referrals** can largely be expected to be contained in overlays where specialised assessment expertise is required to protect a matter of state interest
- **Assessment Pathways:** Overlays can add or remove envisaged development types (including altering the assessment pathway) as well as the policies and rules which apply.

Technical and Numeric Variation Overlays

Technical and Numeric Variation Overlays apply a suite of spatial data across various areas of the state. The requirements specified in these overlays effectively become part of a zone’s, subzone’s or overlay’s policies, varying one discrete policy (such as site areas or frontage width) without the need to apply an entirely new zone/subzone.

The application of these overlays allows the Code to maintain a succinct suite of zones and subzones while respecting the many and varied different attributes and features of the state’s built, productive and natural environments.

General Development Policies

While zones outline what can occur in an area, General Development Policies broadly relate to how a development should occur. These policies address the functional requirements for a development type or class, such as minimisation of overshadowing for a multi-storey building.

General Development Policies will be linked to specific development types listed in a zone/subzone Classification Table.

In focus: Concept Plans

A visual expression of development

The concept plan has long been a prominent feature in development plans across South Australia.

Designed as a visual expression of the desired development of an area over time, most concept plans have evolved from non-scaled, black and white drawings to more detailed maps identifying elements from desired future access points, sight lines, landscape buffers, flood flow paths and building heights.

Cleaning up our concept plans

During the Code drafting process, DPTI and the Commission worked closely with councils to identify and evaluate the importance and relevance of each concept plan in the context of the Code and the new planning system.

A large number of concept plans have subsequently not been carried across to the Code, principally due to:

- The plan being superseded or out-of-date
- The plan offering no substantive role in development assessment
- Irrelevance or obsolescence due to over-prescription or inflexibility (not being able to evolve with development over time)
- Development in the subject area having been largely completed.

Concept plans transitioned

A small number of concept plans have been identified and transitioned to the draft Code as overlays. These have been retained because:

- Policy and zoning tools available in the Code cannot adequately address the development outcomes envisaged in the concept plan

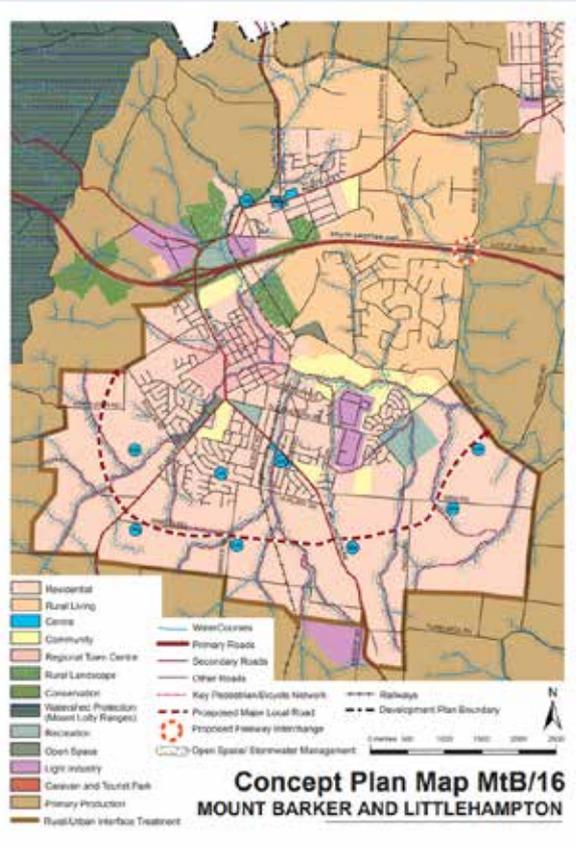


Figure 1: Concept Plan for Mount Barker and Littlehampton, Mount Barker Development Plan - Consolidated 8 August 2017

and/or

- The concept plan has an active policy role in the future staging of development and the provision of infrastructure (particularly for growth areas).

The transitioned concept plans will be referenced by policies within the overlay and will retain their original spatial extent.

Assessment Pathways

All development is classified into an assessment pathway (also known as category or classification) by reference to its zone and any applicable subzones or overlays. Tables in each zone classify different development types as either accepted, deemed-to-satisfy, or restricted. If development does not fall within these three classifications, it will be performance-assessed.

Accepted development

Accepted developments do not require planning consent as they are minor and expected in their particular zone.

Accepted developments are listed at the beginning of each zone in a table setting out the relevant criteria.

Deemed-to-satisfy development

Deemed-to-satisfy development must be granted planning consent.

Deemed-to-satisfy development is listed in the second table of each zone, which also references the applicable deemed-to-satisfy criteria within the relevant zone, subzone, overlay and/or General Development Policies.

The criteria for deemed-to-satisfy development are clear, quantifiable and measurable, and relate only to land uses and development types appropriate in the zone.

A development that falls within this category accords with established policies for the locality, making it an entirely expected, standard form of development. As such, an application that meets the deemed-to-satisfy criteria will be granted planning consent without undertaking public notification.

If a development listed in the 'Deemed-to-Satisfy Development Classification Table' satisfies the listed criteria, planning consent must be granted. If a relevant authority is satisfied that development is deemed-to-satisfy except for minor variations, the development will still be classified as deemed-to-satisfy.



Performance-assessed development

Performance assessment is the default assessment pathway and captures all forms of development that are not specified as accepted, deemed-to-satisfy, restricted, or declared as impact-assessed by the Minister.

Performance assessment will typically apply for development where:

- a performance-based assessment is warranted, including both quantitative and qualitative assessment criteria

- a referral to a third party for direction may be required
- issues are generally understood and can be mitigated in multiple ways.

If the relevant authority determines that the elements of performance-assessed development are seriously at variance with the Code, planning consent must not be granted.

Performance-assessed development is subject to public notification unless exempt in the Procedural Matters section at the end of the relevant zone.

The Code applies policies to classes of performance-assessed development through a Classification table relative to each zone. The table specifies the policies and rules that apply to classes of development within the zone, subzones and overlays, together with the relevant General Development Policies.

When undertaking a performance assessment, the relevant authority takes into consideration the relevant desired outcomes, performance outcomes and designated performance features in the zone/subzone/overlay/general policies.

PERFORMANCE ASSESSMENT CONSIDERATIONS

<p>Desired Outcomes</p>	<p>Desired outcomes are policies designed to aid the interpretation of performance outcomes by setting a general policy agenda for a zone, subzone, overlay or general development policies.</p> <p>Where a relevant authority is uncertain as to whether or how a performance outcome applies to a development, desired outcomes may inform its consideration or may assist in assessing the merits of the development against the applicable performance outcomes collectively.</p>
<p>Performance outcomes</p>	<p>Performance outcomes are policies designed to facilitate assessment according to specified factors, including land use, site dimensions and land division, built form and character, and hazard risk minimisation.</p>
<p>Designated performance features (DPF)</p>	<p>To assist a relevant authority to interpret the performance outcomes, in some cases the policy includes a Designated Performance Feature (which also doubles as the deemed-to-satisfy criteria), which will generally meet the corresponding performance outcome.</p> <p>DPFs guide relevant authorities about what is generally considered to satisfy the corresponding performance outcomes but does not derogate from their discretion to determine that the outcome is met in another way.</p>

Restricted development

Restricted development captures the forms of development that follow an impact-assessed pathway through the Commission. This does not necessarily mean the development is inappropriate in its zone but that assessment of the proposal will follow a more rigorous pathway. Development could be classified as 'restricted' if it:

- requires a complex assessment
- is beyond an expected use and/or scale
- may create an impact that is unacceptable in the zone/locality
- requires solutions to address impacts which require detailed investigation to determine.

Restricted development types are listed in the Restricted Development Classification table in each zone/subzone. These lists are much more succinct than non-complying lists in current development plans because they do not intend to capture all conceivable development types; rather they capture several targeted uses in a locality which warrants assessment at the state level.

Development not envisaged in a zone/subzone/overlay does not need to be listed as restricted in order to be deemed inappropriate; a performance-assessed development may still be refused based on assessment against the relevant policies.

When assessing a restricted development, the Commission must take into account the relevant provisions of the Code but is not bound by those provisions.



In focus: Public notification

Performance-assessed development requires public notification unless the type of development is exempt from notification through the Code.

Where public notification is required, the Assessment Panel for the relevant council or region, or the State Commission Assessment Panel, is likely to be the relevant authority.

When notification is required, the relevant authority will give notice in two ways:

1. **A letter to all property owners or occupiers within 60 metres of the development site (or email, where the email address is known)**
2. **A notice placed on the development site.**



Figure 1. Example of a notice that will be placed on a development site where notification is required

Both the letter and the notice will advise how the proposed development plans can be reviewed, and when/how a representation can be submitted in respect of the proposed development.

The applicant will be given a chance to provide a written response to any representations received.

The relevant authority may give those who submitted a representation an opportunity to be heard in support of their written representation before making a decision on the application.

WHERE TO FIND THE TYPES OF DEVELOPMENT THAT ARE EXEMPT FROM NOTIFICATION

The 'procedural matters' section at the end of the relevant zone, sets out the types of performance-assessed development that are exempt from public notification.

In addition, State Planning Commission Practice Direction 3 – Notification of Performance Assessed Development Applications 2019 prescribes that any development that is of a minor nature only and will not unreasonably impact on the amenity of adjacent land (in the opinion of the relevant authority) will be exempt from notification.

WHAT HAS BEEN EXEMPT FROM NOTIFICATION?

Notification should be required when development has the potential to directly affect neighbouring land based on the following principles:

- Land uses that are envisaged in a zone should not be notified (i.e. a shop in an activity centre zone) because they are an expected form of development
- Buildings that exceed the anticipated building envelope (i.e. height, setbacks, boundary walls) in a manner that may adversely impact adjoining land should be notified.

Referrals to Prescribed Bodies

The planning system provides for referrals to government agencies and other prescribed bodies, providing them with powers of direction or concurrence in relation to certain kinds of development. Referrals are generally linked to policies in the Code which serve the basis of a prescribed body's assessment and direction/report.

There are currently 36 referrals under the current *Development Act 1993* covering a range of development circumstances. These have been reviewed to determine their suitability in the new system, and if retained, updates will ensure they are contemporary for the Code.

Attachment 3 of this Guide summarises the full suite of proposed referrals.

The following table summarises the net result from the discussions with agencies on how referrals are proposed to be transitioned into the new planning system:

	OLD - Development Regulations 2008	NEW - PDI Regulations and Code
Referrals for direction	24	22
Referrals for advice (regard)	11	2
Referrals for concurrence	1	0
TOTAL	36	24

Note: The above figures represent each 'class of referral' and do not count the lists of individual development types or activities that specifically trigger a referral under each class.

As part of this review, DPTI developed eight guiding principles to evaluate and draft referrals for the new system:

Guiding Principles for Referrals

1. Referrals (particularly existing referrals for regard only) should not be established if they can instead be effectively addressed through Code policy.
2. Referrals should generally only be established where they require specialist technical, scientific or other expert assessment that a relevant authority wouldn't typically be able to perform.
3. Referrals should be able to fit within an ePlanning framework.
4. Referral triggers should generally be subject to the qualification that where relevant deemed-to-satisfy criteria are met in the Code, a referral is not required.

5. Creating a new referral should generally be avoided unless there is a clear need to establish it based on significant problems in the current system.
6. Spatial referrals need to be able to be clearly and practically mapped via overlays in the Code.
7. Referrals which are linked to the need to obtain a licence or other approval under another Act will be given higher weighting for inclusion in the new planning system.
8. Clear linkage to SPPs should be pursued.

DPTI has also undertaken detailed discussions with agencies regarding their existing referral rights and triggers, and has received feedback in relation to the preferred approach for referrals under the new system (including in some cases proposed Code policy to accompany a referral).

Referral mechanics

Pursuant to section 122 of the Act, the Regulations may prescribe a class of development to be referred to a prescribed body, including the period of time for the referral and nature of the referral (i.e. direction or concurrence). Regulations have already been made to support referrals for the Phase One 'Outback' Code which is currently in operation.

The regulations allow the Code to set out the 'class of development' that should be referred to a prescribed body, and the purpose of that referral.

Referrals are generally located in overlays and are largely associated with key state interests that are described in the SPPs. However, there are some referrals that are land-use-based and apply statewide, rather than applying to a specific location. These referrals are contained within Part 9 of the Code – Referrals to other Authorities or Agencies.

The following flow chart sets out how referrals fit within various instruments within the new planning system.

FLOW CHART

How referrals fit within various instruments in the new planning system

PDI ACT

Sets out that agency referrals on development applications are a part of the planning system

STATE PLANNING POLICY

Defines the state's interests and provides the policy framework for other planning instruments such as the Planning and Design Code.

Indicates an agency's referral role by setting out state interests up front.

PDI REGULATIONS

Provides the overarching 'framework' for referrals such as:

- listing the prescribed bodies (agencies) who are to receive referrals
- the timeframe to provide a response on a referral
- the powers to direct, concur or provide advice to the decision authority

PLANNING AND DESIGN CODE

Completes the 'referrals picture' by setting out:

- the specific details of what types of developments require referral, and where (eg via Overlays or statewide)
- the purpose of the referral (which guides what the agency should consider in its assessment)
- may also set out criteria in which all being met, exempts the need for a referral

Definitions

Land use and administrative definitions are situated in Part 7 and Part 8 of the Code and are used to provide clarity on the terms used in the Code.

A suite of definitions was included in the Phase One Code, however some additional definitions have been included as follows:

Land use definitions

- Ancillary accommodation
- Automotive collision repair
- Landfill
- Organic water processing facility
- Outbuilding
- Personal or domestic services establishment
- Place of worship
- Residential flat building
- Residential park
- Retirement facility
- Student accommodation
- Supported accommodation
- Tourist accommodation
- Workers' accommodation

Private bushfire shelter was removed from the Phase One Code land use definitions as it is already defined by the *Planning, Development and Infrastructure (General) Regulations 2017* and doesn't need to be duplicated.

Administrative definitions

- Defence aviation area
- High-rise
- Medium-rise
- Mezzanine
- Neighbourhood zone
- Non-sensitive use
- Sensitive receiver
- Sensitive use (previously 'sensitive land use')
- Standard sea flood risk level
- Tangent point
- Terrace arrangement
- Total floor area

INTRODUCING THE FRAMEWORK

The zones established in the Code are illustrated in the following table. Further information on each zone can be found in the relevant chapter of this guide.

Intensity	ZONES / ZONE CATEGORIES			
	People and Neighbourhoods (Priority Residential) Chapter 1	Productive Economy (Priority Commercial/ Industry) Chapter 2	Natural Resources and Environment Chapter 3	Integrated Movement Systems and Infrastructure Chapter 4
Capital City	City Living City Main Street	Capital City City Riverbank	City Park Lands	Commonwealth Facilities Community Facilities Deferred Urban Infrastructure Infrastructure (Airfield) Infrastructure (Ferry and Marina Facilities)
Urban Centres	Urban Corridor (Living) Urban Corridor (Business) Urban Corridor (Boulevard) Urban Corridor (Main Street) Urban Neighbourhood	Urban Activity Centre		
Suburban Areas and Townships	Suburban Business and Innovation Business Neighbourhood Innovation Home Industry		Hills Face Open Space Recreation	
	Urban Renewal Neighbourhood Housing Diversity Neighbourhood General Neighbourhood Suburban Neighbourhood Suburban Masterplanned Neighbourhood Suburban Greenfield Neighbourhood Residential Neighbourhood Residential Park Caravan and Tourist Park Township	Suburban Activity Centre Suburban Main Street Employment Employment (Bulk Handling) Suburban Employment Township Activity Centre Township Main Street Motorsport Park		
Rural Areas	Rural Living Rural Settlement Rural Shack Settlement	Rural Peri-Urban Rural Horticulture Rural Intensive Enterprise Rural Aquaculture Tourism Development Resource Extraction		
Natural Areas	Coastal Waters and Offshore Islands Conservation Remote Areas			

OVERLAYS

People and Neighbourhoods

- Affordable Housing
- Design
- Noise and Air Emissions
- Character Preservation District
- Character Area
- Historic Area
- Local Heritage Place
- State Heritage Area
- State Heritage Place



Productive Economy

- Limited Dwelling
- Limited Land Division
- Dwelling Excision
- Significant Industry Interface
- Resource Extraction Protection Area
- Environment and Food Production Areas



Integrated Movement Systems and Infrastructure

- Airport Building Heights (Aircraft Landing Area)
- Airport Building Heights (Regulated)
- Aircraft Noise Exposure
- Building Near Airfields
- Defence Aviation Area
- Strategic Infrastructure (Gas Pipelines)
- Advertising Near Signalised Intersections
- Future Road Widening
- Key Railway Crossings
- Key Outback and Rural Routes
- Major Urban Transport Routes
- Non-stop Corridor
- Traffic Generating Development
- Urban Transport Routes



Natural Resources and Environment

- Coastal Areas
- Hazards (Acid Sulfate Soils)
- Hazards (Bushfire - Outback)
- Hazards (Bushfire - General Risk)
- Hazards (Bushfire - Medium Risk)
- Hazards (Bushfire - High Risk)
- Hazards (Bushfire - Regional)
- Hazards (Bushfire - Urban Interface)
- Hazards (Flooding)
- Historic Shipwrecks
- Marine Parks (Managed Use)
- Marine Parks (Restricted Use)
- Mount Lofty Ranges Catchment (Area 1)
- Mount Lofty Ranges Catchment (Area 2)
- Murray Darling Basin
- Native Vegetation
- State Significant Native Vegetation
- Prescribed Surface Water Area
- Prescribed
- Prescribed Watercourses
- Prescribed Water Resource Area
- Prescribed Wells Area
- RAMSAR Wetlands
- Regulated and Significant Trees
- River Murray Flood Plain
- River Murray Tributaries
- Significant Landscape Protection
- Sloping Land
- Water Protection Area
- Water Resources



GENERAL DEVELOPMENT POLICIES

Integrated Movement Systems and Infrastructure	Natural Resources and Environment	Productive Economy	People and Neighbourhoods
<p>Marinas and On Water Structures</p> <p>Clearance from Overhead Power Lines</p>	<p>Site Contamination</p>	<p>Advertisements</p> <p>Bulk Handling and Storage Facilities</p> <p>Workers Accommodation and Settlements</p> <p>Beverage Production in Rural Areas</p>	<p>Open Space and Recreation</p> <p>Housing Renewal</p>
	<p>Forestry</p> <p>Aquaculture</p> <p>Resource Extraction</p> <p>Animal Keeping and Horse Keeping</p> <p>Intensive Animal Husbandry and Dairies</p>		
<p>Infrastructure and Renewable Energy Facilities</p>		<p>Tourism Development</p>	
<p>Design in Urban Areas</p> <p>Design in Rural Areas</p> <p>Interface Between Land Uses</p> <p>Land Division in Urban Areas</p> <p>Land Division in Rural Areas</p>		<p>Waste Treatment and Management Facilities</p> <p>Transport, Access and Parking</p>	





Chapter 1:

People and Neighbourhoods



INTRODUCTION

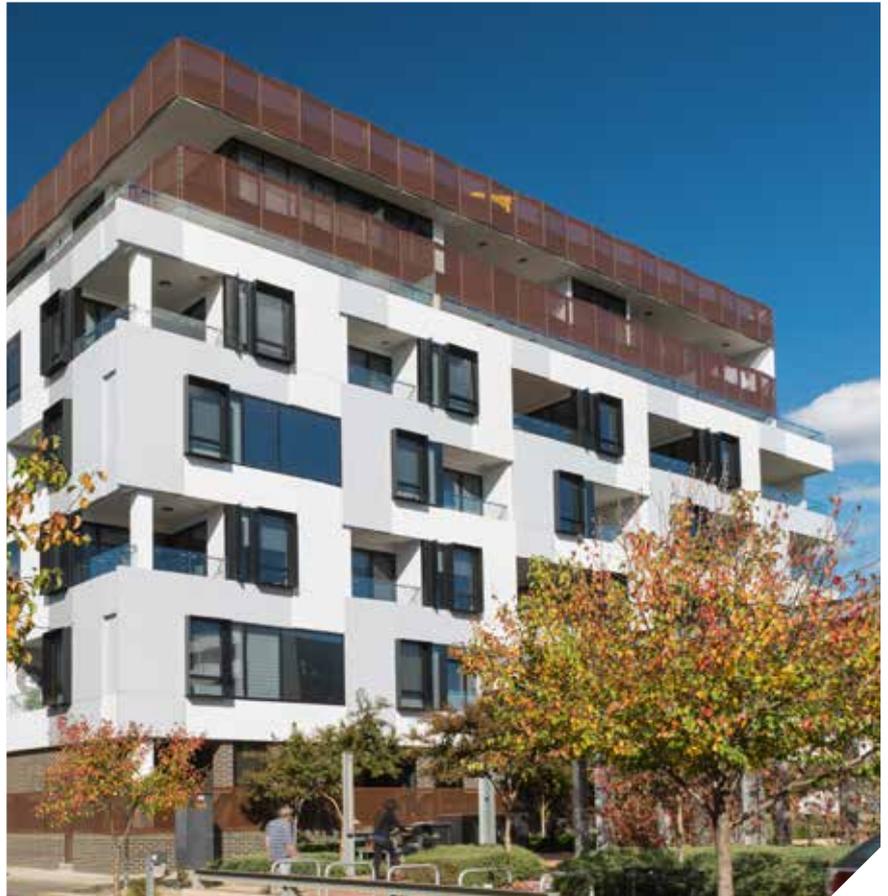


South Australia's 1.7 million people live across a diverse landscape of cities, suburbs, townships and rural communities. What we need from the homes we choose to live in evolves over time, and is based on our individual and family needs, as well as the lifestyle we want to achieve.

Our settlement pattern is currently shifting away from detached, single-storey buildings on large allotments to more diverse houses on smaller blocks, typically in the inner and middle-ring suburbs located within 10 km of the Adelaide CBD. To meet this and the other needs of our population, the new planning system offers a range of block sizes and promotes a variety of building forms and tenures, especially low-rise, medium density housing.

The prioritisation of high quality design is vital to ensure our neighbourhoods are places that people want to live. The new system therefore encourages the delivery of well-designed homes, places and spaces across the state in accordance with the Principles of Good Design which address context, value, inclusivity, performance, durability and sustainability.

The Code also provides guidance on on-street car parking; privacy; overshadowing; local amenity; heritage and character; site coverage when existing buildings are replaced with more dense building forms; and retention (or expansion) of the tree canopy, particularly for residents in infill areas.



Refer to the recently released **People and Neighbourhoods** Discussion Paper for further detail about the policies within this chapter.

AFFORDABLE AND SOCIAL HOUSING

Context

Zoning that encourages the provision of affordable housing has been operating in South Australia for over a decade. These policies stipulate that 15% of housing in large-scale broad hectare and urban infill projects be provided to low- to moderate- income households. This has generally been encouraged where value is created through 'zoning uplift' and is proposed to continue to be implemented via the new Affordable Housing Overlay.

To further address the need for affordable housing, the SA Housing Authority is preparing a long-term housing 'Housing and Homelessness Strategy for South Australia' which will include methods to boost the supply of affordable rental housing through community housing providers.

The current affordable housing policies, particularly those related to government-sponsored projects and where land has been rezoned, will be included in the Code and applied through the Affordable Housing Overlay. In later generations of the Code, further consideration will be given to how its policies could better complement the efforts and aspirations of the Housing and Homelessness Strategy.

By 2020, the State Government will, under its Renewing Our Streets and Suburbs (ROSAS) program, have updated all pre-1968 SA Housing Trust homes within 10km of the Adelaide CBD; and more renewal is scheduled for the broader metropolitan area. This program involves modernising dwellings to create better quality social housing, increase housing choice and affordability, and enhance the liveability of our suburbs. The Code will provide pathways and criteria that facilitate high quality design outcomes and the orderly and timely assessment of ROSAS developments.

Strategic Setting

State Planning Policy 6: 'Housing Supply and Diversity' sets out policies relevant to affordable and social housing:

SPP Ref.	SPP
SPP 6.1	A well-designed, diverse and affordable housing supply that responds to population growth and projections and the evolving demographic, social, cultural and lifestyle needs of our current and future communities.
SPP 6.7	Facilitate the provision of Affordable Housing through incentives such as planning policy bonuses or concessions (e.g. where major re-zonings are undertaken that increase development opportunities).
SPP 6.8	Ensure a minimum of 15% of new housing in all significant developments that meets the criteria for affordable housing.

Investigations and Engagement

The SA Housing and Homelessness Taskforce has been established to bring together stakeholders to oversee the development of a new system-wide State Housing and Homelessness Strategy, which will be used to inform future generations of the Code.

New Directions

Key Opportunities and Challenges	Policy Response in the Code
The application of affordable housing policy through development assessment is inconsistent, particularly in relation to incentives to further encourage affordable housing development in areas where it is most needed.	The Affordable Housing Overlay will be transitioned to the Code and will standardise incentives such as density, height and car parking bonuses.
Currently, ROSAS development approved by the State Coordinator General is exempt from requiring planning approval as they are assessed against stand-alone 'Assessment Criteria' that sit outside development plans.	The assessment of housing renewal applications on South Australian Housing Trust land will be brought into the Code via a Housing Renewal General Development Policies and will be subject to planning approval.

AGEING AND RETIREMENT LIVING



Context

It is forecast that by 2036, one-quarter of all South Australians will be over 65 and one-fifth will be over 85. Meeting the needs of growing demographics is one of the state's biggest challenges. While many older people live in retirement villages or supported accommodation, the majority of older South Australians choose to live independently in their own home and want to stay active, productive and engaged with their communities. The planning system will therefore provide policies that enable small-lot housing and retirement, aged care and supported accommodation that is well-designed and appropriately located.



Strategic Setting

State Planning Policy 6: 'Housing Supply and Diversity' sets out policies relevant to aged housing options:

SPP Ref.	SPP
SPP 6.1	A well-designed, diverse and affordable housing supply that responds to population growth and projections and the evolving demographic, social, cultural and lifestyle needs of our current and future communities.
SPP 6.6	A diverse range of housing types within residential areas that provide choice for different household types, life stages and lifestyle choices.

Investigations and Engagement

In August 2018, the Commission hosted an event called 'Planning for a New Retirement Future', which brought key stakeholders together to discuss the issues facing retirement living in SA. The attendees identified a number of opportunities and challenges relevant to the Code, including housing affordability, diversity and choice; and the design requirements of retirement housing, particularly higher-density apartment style housing in established areas.

New Directions

Key Opportunities and Challenges	Policy Response in the Code
Clear definitions for aged care and retirement living developments are needed.	Land use definitions have been reviewed and a new definition established for retirement facilities.
Policy across development plans is inconsistent.	The Code provides greater consistency in policy.
Current options are not sufficient to enable housing flexibility to meet the needs and aspirations of our older residents.	The Code will create an enabling environment for a range of housing types in established areas.
More performance-based policy is needed to allow for flexibility and to ensure policy is reviewed regularly to keep pace with changing needs and demand.	Policy specific to retirement, aged care and supported accommodation has been reviewed and transitioned to the Code in the Design in Urban Areas and Design in Rural Areas General Development Policies. The Code provides for a performance-based assessment of these developments.
The application of policy for ancillary accommodation such as 'granny flats' through development assessment is inconsistent. Restrictions relating to proposals for more than one home on an allotment, including self-contained units, need to be removed.	A new definition of ancillary accommodation and a deemed-to-satisfy pathway have been introduced to facilitate small, self-contained units on allotments shared with an existing dwelling.

HERITAGE AND CHARACTER

Context

There are currently 17 State Heritage Areas, around 2300 State Heritage Places and more than 7000 Local Heritage Places identified in SA. There are also hundreds of different zones and policy areas which conserve and protect character, plus about 12,000 items identified as ‘contributing’ to this character. The way these items are treated varies across the state and the results are inconsistent: some work well, others don’t. This was also identified in the State Parliament’s recent heritage inquiry.

The introduction of the new Code provides an opportunity to ensure best practice regarding heritage and character conservation. For the first time we will be able to map all these places accurately and thoroughly and treat the same types of places consistently, while still allowing for unique differences based on local context.



Strategic Setting

State Planning Policy 7: ‘Cultural Heritage’ sets out policies relevant to protecting and conserving heritage places and areas:

SPP Ref.	SPP
SPP 7.1	The sensitive and respectful use of our culturally and historically significant places.
SPP 7.2	Recognise and protect Indigenous cultural heritage sites and areas of significance.
SPP 7.3	Recognise and protect places and areas of acknowledged heritage value for future generations.
SPP 7.4	The appropriate conservation, continuing use, and as appropriate, adaptive reuse of our heritage places and heritage areas of value to the community.
SPP 7.5	Maintain the context of a place or area of heritage value through appropriate design guidelines that encourage compatible design solutions.
SPP 7.6	The interpretation potential of heritage places and areas is enhanced to contribute to the economic and cultural sustainability of the state.
SPP7.7	Provide certainty to landowners and the community about the planning processes for heritage identification, conservation and protection.

Investigations and Engagement

In May this year the Commission released a document titled, [Practitioner overview to heritage and character in the new planning system](#) which outlines an approach for transitioning current heritage and character provisions in local development plans to the Code. In the months since, the Commission and DPTI have been working with local government and industry to test and refine these proposals, which has led to a range of amendments including the introduction of:

- **Historic Area and Character Area Statements:** Provisions within the draft Overlays were considered too generic and a mechanism is required to better identify elements of local importance. This has been resolved through the introduction of Historic Area Statements and Character Area Statements.
- **Historic Area Overlay:** The Local Heritage Area Overlay has been renamed the Historic Area Overlay. This creates a distinction between Local Heritage Places that have been listed against criteria under the Development Act 1993, and those that have not.
- **Demolition tests in Historic Area Overlays:** The Code shifts away from including thematic analysis and replacement dwelling as tests for demolition in areas covered by a Historic Area Overlay.



New Directions

Key Opportunities and Challenges	Policy Response in the Code
<p>Heritage and character considerations appear in many different zones, creating policy inconsistency and duplication. This results in inconsistent policy interpretation and inequitable outcomes during development assessment.</p>	<p>To avoid duplication and inconsistency, the Code introduces specific overlays which can apply to many zones, a single zone, part of a zone or a particular property.</p>
<p>A proliferation of policies and assessment processes guide development within State Heritage Areas.</p>	<p>The Code contains a single, universal policy for State Heritage Areas.</p>
<p>Currently, proposals to alter or demolish a State Heritage Place must be referred to the Heritage Minister, however the Minister is only empowered to provide advice, not a final direction.</p>	<p>Proposals regarding State Heritage Places will continue to be referred to the Heritage Minister, however the Minister will now have greater authority to direct decision-making (i.e. if the Minister recommends that an application be refused, the application cannot progress). Importantly, the Minister cannot direct approval of demolition.</p>
<p>Councils use different policies and assessment processes to determine what kind of development can occur within a Local Heritage Place and whether these places can be demolished.</p>	<p>The Code will contain a single, universal policy for Local Heritage Places.</p> <p>Demolition of a Local Heritage Place will be considered only if the place in question has little heritage value, is structurally unsound or a public safety risk, and/or beyond repair.</p>
<p>Councils use different policies and assessment processes to determine what kind of development can occur within a Historic Conservation Zone and whether buildings within the zone can be demolished.</p>	<p>The Code will contain a single, universal policy for Historic Conservation Zones, which will become Historic Area Overlays.</p> <p>Any proposal to alter or demolish a building within these areas will be assessed using criteria that consider the building's historic attributes, structural integrity/condition and its potential to be repaired economically.</p> <p>Historic Area Statements will provide nuanced guidance for specific areas of value.</p>
<p>Contributory Items typically exist within Historic Conservation Zones but they have no set criteria and are not recognised in the <i>Development Act 1993</i>. As such, no new Contributory Items have been listed in development plans since 2012.</p> <p>Any proposal to alter or demolish a Contributory Item is currently assessed by local councils and their conservation is entirely at their discretion.</p>	<p>Contributory Items will no longer exist as there is no legislative bases or criteria for them. The vast majority of current Contributory Items will be afforded a level of protection under the new state-wide Historic Area Overlay policy. Prior to the new planning system being introduced, some Contributory Items may be eligible to become Local Heritage Places, however they will have to undergo an appropriate assessment.</p> <p>Any proposal to alter or demolish a former Contributory Item will be assessed according to the new Historic Area Overlay policy.</p>
<p>Currently there is no legislated criteria for the creation of a Character Area and councils determine their own Character Areas and accompanying policy. Different councils use different assessment processes to determine what kind of new development can occur within a Character Area.</p>	<p>The Code will contain a single, universal policy for Character Areas.</p> <p>Character Area Statements will provide nuanced guidance for specific areas of value.</p>

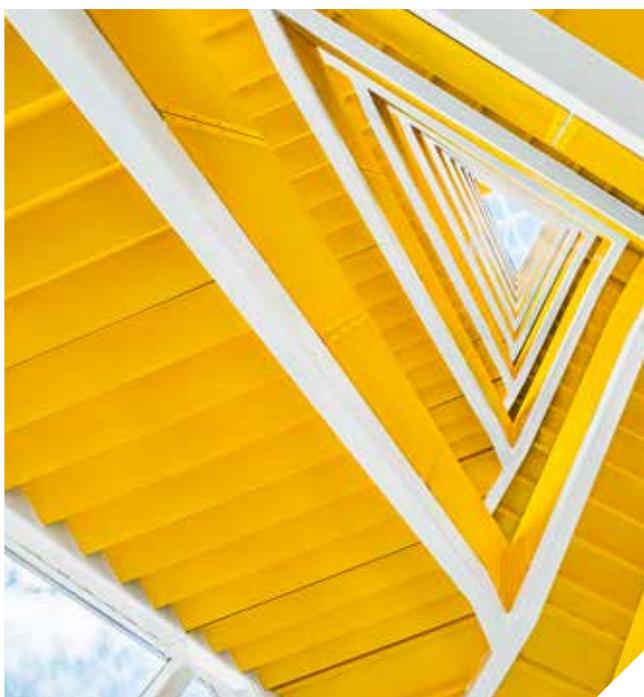
DESIGN

Context

Design quality of the built environment not only relates to the 'look and feel' of buildings and places, but how successfully they meet the needs of the people who use and experience them. High-quality design positively contributes to the liveability, sustainability and prosperity of our communities, towns and cities.

Pursuing high-quality design is a requirement in all aspects of our new planning system and is set out in the PDI Act, SPPs, the Code and the Design Review process.

Placing greater emphasis on achieving high-quality design will support positive responses to the complex demographic, social and environmental changes that are behind the need for new and diverse types of housing, businesses and services in existing and new suburbs.



Strategic Setting

State Planning Policy 2: 'Design Quality' includes the following policies relevant to design:

SPP Ref.	SPP
SPP 2.1	Promote best practice in the design of buildings, places and the public realm by applying the Principles of Good Design
SPP 2.2	Promote best practice in access and inclusion planning in the design of buildings and places by applying the principles of Universal Design, Crime Prevention Through Environmental Design and Access and Inclusion.
SPP 2.3	The development of environmentally sustainable buildings and places by applying Water Sensitive Urban Design and energy efficiency design solutions.
SPP 2.4	Design advice should be obtained early in the planning process for complex developments, and utilise consistent and credible processes (such as Design Review) to ensure improved outcomes.
SPP 2.5	Prioritise performance-based design quality outcomes in Adelaide City, heritage and character areas, places where medium-rise buildings interface with lower-rise development, mixed-use renewal precincts, transit corridors, and iconic locations that attract high levels of pedestrian activity and/or tourism.
SPP 2.6	Maximise opportunities for the Principles of Good Design and community engagement to inform future policy creation and improve design outcomes.
SPP 2.7	Promote a culture of good design to foster creative thinking, innovation and effective design processes within the planning industry, built environment professions and general public.
SPP 2.8	Recognise the unique character of areas by identifying their valued physical attributes in consultation with communities.
SPP 2.9	Respect the characteristics and identities of different neighbourhoods, suburbs and precincts by ensuring development considers existing and desired future context of a place.



SPP Ref.	SPP
SPP 2.10	Facilitate development that positively contributes to the public realm by providing active interfaces with streets and public open spaces.
SPP 2.11	Manage the interface between modern built form of different scales with more traditional dwelling forms, including through the management of streetscape character, access to natural light, visual and acoustic privacy, massing and proportions.
SPP 2.12	Create design solutions for infill development that improves the relationship between buildings and public spaces, and the interface with neighbours.
SPP 2.13	Provide a diverse range of high quality green public open spaces and streetscapes, particularly in areas of growth and renewal.
SPP 2.14	Provide public open space that accommodates a range of passive, active and formal sporting opportunities at the state, regional and/or local level.



New Directions

Key Opportunities and Challenges	Policy Response in the Code
Design policy varies across development plans. Some have policy that provides guidance toward achieving good design outcomes while others do not.	The Code introduces the Design in Urban Areas and Design in Rural Areas General Development Provisions modules, which establish design-focused policies specific to a range of common development types (e.g. low-rise residential, retail development, and developments of 4 storeys or more).
The Government Architect is a referral body in the current planning system and contributes to the development assessment process by providing design advice to the State Commission Assessment Panel (SCAP).	It is proposed that referrals to the Government Architect continue in the new planning system for similar classes of development where SCAP is the relevant authority and will be identified in the new Design Overlay.
Currently, design review is available only to proposals where the lodged application will be referred to the Government Architect.	Design review will continue to operate as a non-mandatory process. Development of a Local Design Review Scheme will be explored during the public consultation period for the Code.

Investigations and Engagement

In May 2019, the Commission released a document titled [Community Guide to Design in our New Planning System](#). The guide was prepared in consultation with the Office for Design and Architecture South Australia (ODASA) and a panel of independent design, planning and project delivery experts. It includes proposals to support high-quality design in the planning system such as embedding design principles, improving policy development, and enabling access to independent design expertise and advice early in the process.

The guide prescribes that:

- For simple developments with predictable outcomes, the Code should contain planning policy that reflects local setting, context and desired future character
- For more complex developments with less predictable outcomes, the Code should offer alternative pathways that allow greater consideration of design quality.

HOUSING DIVERSITY



Context

Households are generally getting smaller which, along with affordability pressures and locational trade-offs, is increasing demand for a range of lot sizes and a variety of building forms and tenures, especially low-rise medium-density housing.

This has resulted in a diverse range of policies that guide allotment patterns and housing types. However, there is significant variation in minimum frontage widths and allotment sizes prescribed even though many of these areas share similar characteristics.

Notably, some practitioners and commentators refer to the lack of low-rise, medium-density housing in our cities as the ‘missing middle’ of housing diversity, referring to dual occupancy homes, terrace houses, multi-dwelling houses and manor houses

Strategic Setting

State Planning Policies 1 ‘Integrated Planning’ and 6 ‘Housing Supply and Diversity’ provide strategic direction on housing diversity:

SPP Ref.	SPP
SPP 1.7	Regenerate neighbourhoods to improve the quality and diversity of housing in appropriate locations supported by infrastructure, services and facilities.
SPP 6.1	A well-designed, diverse and affordable housing supply that responds to population growth and projections and the evolving demographic, social, cultural and lifestyle needs of our current and future communities
SPP 6.6	A diverse range of housing types within residential areas that provide choice for different household types, life stages and lifestyle choices.

Investigations and Engagement

The community has expressed significant concerns about infill development, particularly relating to on-street car parking, lack of gardens/trees, and general design quality.



New Directions

Key Opportunities and Challenges	Policy Response in the Code
<p>There is a need to facilitate the supply of well-designed housing in established areas, particularly low-rise (1-3 storeys) and low- and medium- density housing.</p>	<p>The Code establishes deemed-to-satisfy pathways for low-rise ‘missing middle’ housing, including small-lot detached, semi-detached and row dwellings. The design of such housing is covered under the residential infill Improvements section of this document below.</p> <p>More complex dwelling types (such as those at higher densities) or dwellings that do not meet the criteria will be performance-assessed.</p>
<p>Current definitions create barriers to establishing small-scale accommodation on allotments shared with an existing dwelling.</p>	<p>A new definition for ancillary accommodation has been developed and will be coupled with a deemed-to-satisfy pathway to support small-scale affordable housing opportunities.</p>
<p>Policy in some development plans actively discourages certain housing types either directly (i.e. through Desired Character Statements or listing them as non-complying development) or indirectly (i.e. by applying minimum site area and frontage widths that cannot be achieved).</p>	<p>A General Neighbourhood Zone will apply to approximately 80% of residential areas. It establishes minimum frontages and allotment sizes to accommodate a range of housing types compatible with the suburban context.</p>

RESIDENTIAL INFILL IMPROVEMENTS

Context

Minor infill is currently the biggest contributor of new housing stock in the state, helping to address the demand for housing in established areas and contain the spread of development within the Greater Adelaide Region. These developments refresh and revitalise our streets and neighbourhoods by replenishing and upgrading our housing stock.

The Code establishes policies that facilitate opportunities for infill housing while considering the interface with neighbouring properties and ensuring developments make a positive contribution to established neighbourhoods.

Strategic Setting

State Planning Policies 1 'Integrated Planning', 2 'Design Quality' and 6 'Housing Supply and Diversity' provide strategic direction on the design of infill development:

SPP Ref.	SPP
SPP 1.7	Regenerate neighbourhoods to improve the quality and diversity of housing in appropriate locations supported by infrastructure, services and facilities.
SPP 2.12	Create design solutions for infill development that improves the relationship between buildings and public spaces, and the interface with neighbours.
SPP 6.1	A well-designed, diverse and affordable housing supply that responds to population growth and projections and the evolving demographic, social, cultural and lifestyle needs of our current and future communities.



Investigations and Engagement

There is a recognition that policy improvements are required to be introduced in relation to infill housing to better manage the planning challenges that come with growth and change in our established neighbourhoods. The community has identified concerns regarding the impact of some new housing on existing neighbourhoods, particularly in relation to:

- traffic
- loss of vegetation and tree canopy
- site coverage when existing buildings are replaced with denser building forms
- overshadowing
- loss of privacy.

Concerns were also raised in relation to the use of the Residential Code in the assessment of infill development, specifically its lack of influence on landscaping and streetscape appeal. This, coupled with inconsistent policy in development plans (which have had varying success in addressing these issues), indicates the Code must better align development outcomes with community expectations.



New Directions

Key Opportunities and Challenges	Policy Response in the Code
Tree canopy on private land is decreasing across Greater Adelaide.	The Code introduces policy to provide greater consistency and clarity in relation to tree planting and landscaping for infill development to assist in providing greener streets and contribute to tree canopy targets.
Street-facing facades should make a positive contribution to existing streetscapes while maintaining flexibility to respond to a broad range of styles, tastes and trends.	The Code introduces policy relating to street-facing facades to incorporate key elements that provide depth, variation in light and shadow, and elements that provide interest and animation along streetscapes.
High levels of stormwater run-off associated with infill development can result in increased flood risk, public infrastructure costs, loss of water to green our suburbs, and pollution in waterways.	Simple water sensitive urban design (WSUD) measures for small-scale infill have been introduced as a deemed-to-satisfy criteria.
An appropriate balance needs to be struck between providing sufficient parking for occupants without creating an oversupply.	Car parking rates for small-scale infill development have been reviewed and standardised to align with typical parking demand.
Some forms of infill development significantly reduce the amount of on-street parking available.	The Code introduces policies to preserve on-street parking (where appropriate).
When the internal dimensions of garages are narrow they can be inconvenient to use due to difficulty opening doors, loading and unloading shopping or having sufficient space to walk around a vehicle.	The Code introduces minimum garage widths to ensure they: <ul style="list-style-type: none"> • allow car doors to open to a second stop for loading and unloading • provide space to move around the vehicle • provide space for a small work bench or cupboard.
Wide driveways on narrow allotments can reduce street appeal and space for bin collection, parking, gardens and tree planting.	The Code introduces maximum driveway widths for narrow allotments.



RURAL LIVING

Context

Rural living — also referred to as country living, rural retreats and rural residential developments — refers to development in rural areas that is used primarily for residential purposes. Although this type of living often involves some level of rural activity such as horse keeping, hobby farms or horticulture, the primary activity is residential rather than primary production.

Rural living is a lifestyle preferred by many but where not appropriately managed it does remove or fragment primary production land, raise land values, and can lead to conflict between sensitive residential use and more intense farming operations. To protect our primary production and separate incompatible land uses, rural living development should occur in areas that are contiguous with existing urban, township or rural living areas.

Rural Living Zones or Country Living Zones are located throughout both regional and Greater Adelaide and are commonly used as an interface between urban areas/ townships and primary production areas. Often there is a desire to expand these zones around rural townships as a strategy to increase the vibrancy and economic activity in regional communities. The challenge is to find the balance between supporting this goal while minimising impacts on primary production activities.



Strategic Setting

State Planning Policies 1 ‘Integrated Planning’ and 6 ‘Housing Supply and Diversity’ provide strategic direction on rural living environments:

SPP Ref.	SPP
SPP 1.2	Provide an orderly sequence of land development that enables the cost-effective and timely delivery of infrastructure investment commensurate with the rate of future population growth.
SPP 1.4	Protect areas of rural, landscape character, environmental importance, mining or food production significance from the expansion of urban areas, towns and settlements.
SPP 6.6	A diverse range of housing types within residential areas that provide choice for different household types, life stages and lifestyle choices
SPP 6.4	The growth of regional centres and towns within the existing footprint or outside towns where there is demonstrated demand and the land is serviced with infrastructure.
SPP 6.10	Limit the establishment of rural living allotments in areas that impact on the future expansion of townships and result in the inefficient delivery of infrastructure and social services.
SPP 6.11	Residential development that does not fragment valuable primary production land, create land use conflicts or encroaches on sensitive environmental assets and places of high landscape value.



Investigations and Engagement

Development plan reviews undertaken with relevant councils identified a range of challenges relating to residential development in rural areas, including:

- expanding the number of rural living properties using new technology such as solar power to help overcome issues associated with providing infrastructure to these areas
- improving the management of the interface with primary production areas, for example spray drift
- removing variations in allotment sizes in rural zones
- including policy relating to rural activities such as animal keeping and rural structures such as large sheds.



New Directions

Key Opportunities and Challenges	Policy Response in the Code
<p>Non-complying triggers are commonly used to control land division in rural living areas.</p>	<p>The Rural Living Zone will incorporate policies that clearly define anticipated allotment sizes and will be performance-assessed rather than restricted.</p> <p>Some areas will have a Limited Land Division Overlay.</p>
<p>Under the current system, minimum allotment sizes in Rural Living Zones range from 1200m² to 20ha.</p>	<p>A new Residential Neighbourhood Zone will help bridge the gap between the Suburban Neighbourhood Zone and the Rural Living Zone to reduce the variation in minimum allotment size and provide greater clarity about envisaged land uses.</p> <p>Rural Living Zones with allotment sizes less than 4000sqm/0.4ha will generally transition to the Residential Neighbourhood Zone.</p> <p>A rationalisation of allotment sizes has occurred in the Rural Living Zone which range from 4000sqm (0.4ha) to 10ha.</p>

GREENFIELD AND MASTER-PLANNED DEVELOPMENT

Context

Greenfield and master-planned communities are an important contributor to the state’s supply of new housing. In these areas, there is less emphasis on fitting in with an existing character – the emphasis is establishing new character and establishing supporting public infrastructure.

The development of new infrastructure presents an opportunity to address a number of urban design considerations in the public realm. For example, water sensitive urban design (WSUD) could be considered at the precinct level by establishing wetlands and detention basins rather than using rainwater tanks on individual allotments.

In some cases, large-scale, non-residential uses are also developed within master-planned communities to provide convenient access to shops and services such as schools, medical facilities and recreation facilities.

Extensive tree planting in public streets and parks can be undertaken in these new communities. This improves the appeal for purchasers and ensures the trees can be integrated into the design of the development with consideration for future driveway locations and infrastructure. Retaining these in public ownership ensures that they can be preserved and managed appropriately over time.

Often these large development projects are at the forefront of innovation, industry trends and market preferences. The scale of these projects, combined with development experience, expertise and access to resources, provides the ability to innovate, test and deliver new housing products and infrastructure solutions which, if successful, are often adopted more broadly.

Strategic Setting

State Planning Policies 1 ‘Integrated Planning’ and 6 ‘Housing Supply and Diversity’ provide strategic guidance on master planned and greenfield development, specifically:

SPP Ref.	SPP
SPP 1.1	An adequate supply of land (well serviced by infrastructure) is available that can accommodate housing and employment growth over the relevant forecast period.
SPP 1.3	Provide an orderly sequence of land development that enables the cost-effective and timely delivery of infrastructure investment commensurate with the rate of future population growth.
SPP 6.1	A well-designed, diverse and affordable housing supply that responds to population growth and projections and the evolving demographic, social, cultural and lifestyle needs of our current and future communities.
SPP 6.2	The timely supply of land for housing that is integrated with, and connected to, the range of services, facilities, public transport and infrastructure needed to support liveable and walkable neighbourhoods.
SPP 6.3	Develop healthy neighbourhoods that include diverse housing options; enable access to local shops, community facilities and infrastructure; promote active travel and public transport use; and provide quality open space, recreation and sporting facilities.
SPP 6.4	The growth of regional centres and towns within the existing footprint or outside towns where there is demonstrated demand and the land is serviced with infrastructure.
SPP 6.6	A diverse range of housing types within residential areas that provide choice for different household types, life stages and lifestyle choices.



New Directions

A more flexible policy environment is required in greenfield and master-planned developments. The Code therefore facilitates greater choice in relation to the design of new housing and, in some cases, facilitates the development of large-scale, non-residential uses.

In these areas, the Code shifts its emphasis from design at an individual allotment scale to design at the street, neighbourhood and suburb level.

The Code will be supported by a range of new tools such as Infrastructure Schemes and Design Standards which can facilitate good design outcomes in the public realm.

Key Opportunities and Challenges	Policy Response in the Code
<p>The Residential Code generally applies to greenfield and master-planned areas.</p>	<p>The new Code will update and transition the current Residential Code to a deemed-to-satisfy pathway for new dwellings within greenfield and master-planned areas.</p>
<p>A more enabling environment for new diverse housing types and products is needed in greenfield and master-planned areas.</p>	<p>The Code will provide flexibility to develop a range of housing types to respond to demographic and market trends in greenfield and master-planned areas.</p>
<p>WSUD, landscaping and tree planting can be considered at the street, neighbourhood and suburb level in greenfield and master-planned areas.</p>	<p>The draft Code establishes policies that promote access to open space, increased tree canopy and WSUD treatments at the precinct level rather than in individual allotments in greenfield and master-planned areas.</p>



THE CITY AND URBAN AREAS

Context

The city¹ is the state's premier economic, civic, service, cultural and tourism centre, and contains some of our most important historic buildings and institutions. In recent years, more people have been attracted to city living and there has been an influx of new apartment buildings. The city has also seen significant institutional investment including the new Royal Adelaide Hospital; university, science and research buildings; and the Adelaide Oval.

The urban areas immediately adjacent to the city are typically mixed use, inner-metropolitan areas that capitalise on their proximity to the city and its services and facilities. Larger nodal sites have also been developed in middle suburbs around transport nodes. These locations feature a mix of environments – traditional main street strips, mixed commercial areas, older light industrial areas, and residential neighbourhoods.

In 2012, a suite of higher density, mixed use zones was introduced in the planning system which has been applied across a number of urban areas adjacent to key transport corridors and centres.

The Code will transition the policy intent of current zones that promote improved integration of land use with major transport corridors (including the Urban Corridor Zone, Urban Core Zone, Residential High Density Zone and Mixed Use Zone). The further application of these zones along underutilised transport corridors will be considered once the Code is in place.

Strategic Setting

State Planning Policies 1 'Integrated Planning', 6 'Housing Supply and Diversity' and 11 'Strategic Transport Infrastructure' are particularly relevant to the strategic context of the provision of housing in city and urban areas:

SPP Ref.	SPP
SPP 1.8	Mixed-use development around activity centres, public transport nodes and strategic transit corridors to encourage greater use of active transport options such as walking, cycling and public transport.
SPP 6.5	Locate higher density residential and mixed-use development in strategic centres and transport corridor catchments to achieve the densities required to support the economic viability of these locations and the public transport services.
SPP 11.2	Development that maximises the use of current and planned investment in transport infrastructure, corridors, nodes and services.
SPP 11.11	Encourage housing in metropolitan Adelaide in proximity to current and proposed fixed line (rail, tram, O-Bahn) and high frequency bus routes.

Investigations and Engagement

Respondents raised several opportunities and challenges, the most relevant being that higher density nodes should continue to be established where they are able to be supported by existing or planned infrastructure and service upgrades. Other feedback included:

- Mixed views about the use of minimum residential densities in urban areas such as corridors
- The role of the Code in promoting high quality design including occupant amenity, vehicle access and car parking, and its integration with the public realm.

¹Adelaide square mile, North Adelaide, and the Park Lands



New Directions

Key Opportunities and Challenges	Policy Response in the Code
<p>The Urban Corridor Zone applies a ‘transition’ building envelope at Zone interface (45-degree envelope) except along southern boundaries where a 30-degree envelope applies to address winter overshadowing. Some development plans adopt this policy, whereas others have adopted the 30-degree envelope in relation to all boundaries.</p>	<p>The Code will standardise interface policy in these Zones, applying a 45-degree envelope at the Zone interface, except where 30 degrees applies at a southern boundary.</p>
<p>Within the Capital City Zone, the criteria relating to excess building height are applied too widely, can detract from prevailing building heights and are not clearly linked to a demonstrated public benefit / public realm outcome.</p>	<p>The Code will focus on strengthening the over-height provisions by encouraging higher standards of design, sustainability and contribution to the public realm. The Code removes ambiguity and improves policy expression in relation to expectations for over-height development. The code will provide for equitable and practical application of design and sustainability measures such the reuse of a heritage place, passive heating and cooling design elements, and the integration of solar panels or roof top gardens.</p>

In focus: North Adelaide Large Institutions and Colleges

What the policy changes do

On 30 May 2017, the Minister for Planning approved a series of changes to the Adelaide (City) Development Plan which were designed to support the operation of several large institutions and colleges in North Adelaide, while maintaining the amenity and cultural heritage of surrounding residential areas.

These large institutions and colleges support the health and education sectors through the provision of services including medical, aged care and student accommodation.

The 2017 policy changes allow for the limited redevelopment of ageing buildings or facilities which are of a height, scale and built form which is compatible with neighbouring land uses.

How the Code reflects the changes

The relevant Code modules for these areas retain the overall intent of the 2017 policy changes and also address community concern that institutions can expand their boundaries, including on sites not contiguous with current operations.

In response, it is proposed that the Code will list such land uses as restricted development types on land not directly abutting these sites.

It is also proposed that development types listed as performance-assessed or restricted within the subject zone will be able to be commented on by nearby landowners (subject to some exclusions).



Figure 2: An excerpt of the concept plan for St Marks College, Adelaide (City) Development Plan - Consolidated 25 July 2019



In focus: Building envelopes

A number of higher-density mixed use zones in the Code incorporate building height interface policies. These policies are based on current policies typically applied in Urban Corridor Zones, which seek to minimise the visual and overshadowing impacts arising from higher density buildings constructed adjacent to lower density land uses.

The Code adopts a consistent approach to the terminology and application of these policies to ensure that new buildings are designed and constructed in a way that achieves appropriate separation from nearby dwellings to minimise overshadowing and building scale.

Overshadowing

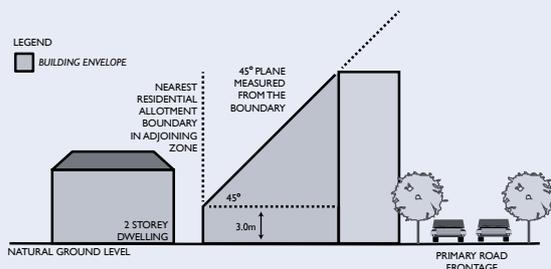
A proposed 30 degree 'building envelope' policy matches the sun angle at the winter solstice, which means that adjoining properties to the south (which are most sensitive to shadow impacts) are protected from loss of direct sunlight. Where housing is located north, east or west of the development site, a 45 degree building envelope will apply.

Building Scale

The building envelope also operates to ensure new development at the interface with lower density zones is low and that taller building elements are sited towards the front of an allotment.

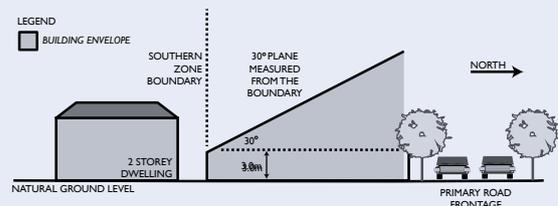
Policy applying where a development site's side or rear boundary (with a north, east or west orientation) adjoins a lower density residential zone

Buildings constructed within a defined building envelope provided by a 45 degree plane, measured from a height of 3m above natural ground level at the allotment boundary of a allotment within the Suburban Neighbourhood Zone, General Neighbourhood Zone, or Housing Diversity Neighbourhood Zone (except if this boundary is a southern boundary or the Primary Road Corridor), as shown on the following diagram:



Policy applying where a development site's side or rear boundary (with a southern orientation) adjoins a lower density residential zone

Buildings constructed within a defined building envelope provided by a 30 degree plane, measured from a height of 3m above natural ground level at the southern zone boundary with the Suburban Neighbourhood Zone, General Neighbourhood Zone, or Housing Diversity Neighbourhood Zone, as shown on the following diagram:



PEOPLE AND NEIGHBOURHOODS ZONE FRAMEWORK



City

City Living Zone

This zone applies to the primary living / residential areas of the southern square mile and North Adelaide. The current City Living Zone will be applied to the North Adelaide Zone and the Adelaide Historic Conservation Zone (both of which will follow the approach to managing heritage and character as other similarly zoned areas across the state – i.e. application of a heritage overlay).

Subzones: The Medium-High Intensity Subzone applies to small areas of a this zone where there is capacity for well-designed, higher intensity infill development on large sites.

The North Adelaide Low Intensity Subzone will apply in appropriate parts of North Adelaide.

Where it will apply: Residential areas in the CBD and North Adelaide

City Main Street Zone

This new zone supports an innovative mix of medium and high density urban development along main road corridors within the City of Adelaide which display main street qualities (typified by highly activated, fine-grain, narrow building frontages with frequent pedestrian entry points) and provide both day-time and night-time activation.

Subzones: Rundle Street Subzone, Rundle Mall Subzone, Hindley Street Subzone, Gouger and Grote Street Subzone

Where it might apply: Key active shopping/restaurant streets in the Adelaide CBD



Urban Areas

Urban Corridor (Boulevard) Zone

This zone supports a mix of medium and high density urban development framing strategic main road corridors and areas of significant open space. The primary aim of the zone is to create a uniform streetscape edge set back from the main road boundary to allow for generous landscaping and to frame the corridor with tall, articulated building facades and highly activated frontages.

A greater variety and mix of land uses is sought in this zone, in particular mixed use buildings that contain offices, small-scale shops, and mixed use business development at lower floors with dwellings above.

Subzones: The Hard-edged Built Form Subzone and Soft Landscaped Subzone have been created to reflect a difference in primary road setbacks in the City of West Torrens, City of Prospect and City of Norwood Payneham and St Peters where the typical 6 metre setback does not apply.

Where it might apply: Areas where the Urban Corridor Zone, Boulevard Policy Area' currently apply e.g. Greenhill Road, Anzac Highway, Hackney Road and Churchill Road.

Urban Corridor (Business) Zone

This zone supports a mix of medium and high density urban development along established strategic or mixed use road corridors. The primary aim of the zone is to provide for a large range of non-residential development typical of existing Mixed Use Zones on main road corridors. Non-residential development will be located at ground level in mixed use or individual buildings and will be supported by a diverse range of dwellings at ground or upper floor levels (in either mixed use or stand-alone buildings).

The key difference between this zone and the other Urban Corridor Zones is the larger range of non-residential land uses envisaged (including petrol stations, light / service industries, service trade premises and warehouses).

Where it might apply: Areas where the Urban Corridor Zone, Business Policy Area currently applies e.g. Main North Road, Lower North East Road, adjacent Port Road – Thebarton and Anzac Highway - Keswick.

Urban Corridor (Main Street) Zone

This zone supports a mix of medium and high density urban development along main road corridors which display main street qualities (typified by highly activated, fine-grain, narrow building frontages with frequent pedestrian entry points) and provide both day-time and night-time activation.

Where it might apply: Areas where the Urban Corridor Zone, High Street Policy Area currently applies e.g. Unley, Prospect, Henley Beach and Magill roads.

Urban Corridor (Living) Zone

This zone supports the development of high-intensity, vibrant, mixed use corridors which include a variety of new housing choices along with a range of complementary retail and commercial activities. Development will generally have a greater proportion of housing than retail or commercial activities. Non-residential forms of development will typically be located on ground and lower building levels.

Where it might apply: Areas where the Urban Corridor Zone, Transit Living Policy Area currently applies e.g. Fullarton Road, Anzac Highway, Henley Beach Road, Prospect Road and Lower North East Road.

Urban and Suburban Areas

Urban Neighbourhood Zone

This zone supports a combination of major land use types such as residential, retail, office, commercial and civic in compact and higher-density growth or regeneration areas. These are the highest density of land uses in the state (with the exception of the Adelaide CBD) and may apply to locations where there is significant opportunity to increase the density of development around a major public transit node or corridor or a significant place of interest.

Some existing Urban Core Zones and / or Suburban Activity Node Zones will transition to other zones under the Code which provide a better fit e.g. Urban Activity Centre Zone.

Subzones: The Main Street Subzone captures streets where a main street character is desired.

Where it might apply: Areas where the Urban Core Zone and / or Suburban Activity Node Zone currently apply e.g. West Lakes, Bowden, Seaton, Tonsley, Bedford Park and the Paradise Interchange.

Urban Renewal Neighbourhood Zone

This zone supports the renewal of sites with medium- to high- density housing in precincts where the housing stock is being replaced as it no longer meets market and community needs. This zone seeks to establish a new character and actively encourages a new urban form, urban renewal and new housing.

Subzones: The Mixed Use Transition Subzone provides for a lower scale of development in areas adjacent to lower density zones.

Where it might apply: Areas where the current Urban Renewal Zone applies e.g. Kilburn

Suburban Greenfield Neighbourhood Zone

This zone primarily supports low-rise greenfield development in areas that will not include an activity centre. The focus of this zone will be to address the majority of planning, design and infrastructure matters through the land division stage, with a more flexible deemed-to-satisfy pathway applied for dwellings at the individual allotment scale.

Where it might apply: Existing residential zones, where broad hectare development is occurring e.g. Hart Road, Aldinga.



Suburban Master-planned Neighbourhood Zone

This zone supports greenfield residential developments which include larger scale, non-residential uses (such as an activity centre). The focus of this zone is to address the majority of planning, design and infrastructure matters through a master-planned approach, with a more flexible deemed-to-satisfy pathway applied for dwellings at the individual allotment scale.

Where it might apply: Existing Suburban Neighbourhood Zones involving large-scale greenfield sites in suburban areas and fringe locations.



Suburban Areas

General Neighbourhood Zone

This zone encourages a range of dwelling types to increase housing diversity and supply. Other non-residential uses, including small-scale office and consulting rooms, and a range of community facilities, including education, recreation and community centres, will also be encouraged.

Development will generally retain a suburban character and scale of 1 or 2 building levels.

Where it might apply: Most of the residential land in Greater Adelaide, replacing the Residential Zone.



Housing Diversity Neighbourhood Zone

Development in this zone will generally retain a low-rise residential character and will involve replacing existing dwellings with medium density housing, primarily in the form of terrace housing, group dwellings or residential flat buildings.

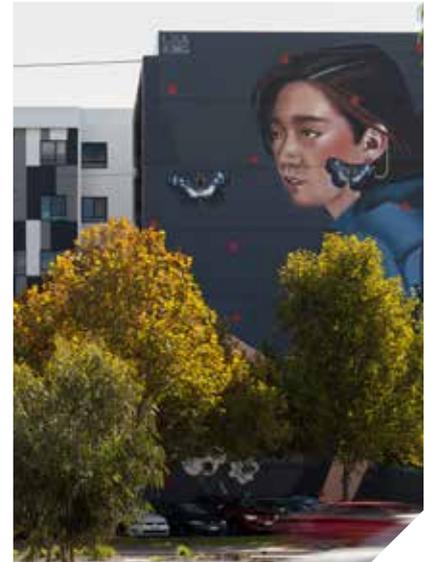
Where it might apply: Existing medium-density policy areas within the Residential Zone.

Suburban Neighbourhood Zone

This zone adopts current development plan guidelines relating to building heights and allotment sizes. It will be applied where there is justification to vary site areas, setbacks and building heights due to local context / issues.

Subzones: The Underground Subzone will be applied to the residential area within Coober Pedy where underground houses are located.

Where it might apply: Very low density areas; heritage and character areas; and foothills locations with larger allotments on sloping land.



Residential Neighbourhood Zone

This new zone provides for very low density housing within low rise buildings, often with large outbuildings, easy access and parking for cars. Considerable space for trees and other vegetation around buildings, as well as on-site wastewater treatment, will be encouraged where necessary. Limited goods, services and facilities that enhance rather than compromise rural residential amenity. Site areas will vary between 1200m² and 4000m².

Where it might apply: Residential land in regional areas, such as outside Murray Bridge.

Rural Areas and Townships

Township Zone

This zone provides for a range of residential, community, retail, business, commercial and light industry uses and facilities to serve the local community, businesses and visitors. Development will contribute to and enhance existing streetscapes and settlement patterns found in the township.

Subzones: The Nairne Redevelopment Subzone aims to achieve a mix of retail and medium density housing while maintaining the valued heritage and streetscape characteristics of a specific redevelopment site within the township of Nairne.

Where it might apply: Country townships such as Wellington or Lipson.

Rural Living Zone

This zone provides for low density residential living consisting of detached dwellings on large allotments and associated small-scale, non-intensive rural activities that do not adversely impact the amenity of the locality. Ancillary land uses, such as small-scale animal keeping, will be of a scale and type that will not interfere with the residential function of the land or adjoining land, or the semi-rural character desired for the zone. Allotments will be of a size capable of supporting hobby rural activities such as horse keeping, small-scale horticulture and small-scale businesses. Site areas will vary between 4000m² and 4 hectares.

Subzones: The Intensive Horse Establishments Subzone applies to locations where commercial horse-related activities such as agistment, breeding, stabling, and training of horses are encouraged in association with residential development.

The Animal Husbandry Subzone applies to locations where large-scale horse keeping and dog kennelling occur in association with residential development.

Where it might apply: Rural areas where dwellings are anticipated along with farming, such as outside Kapunda.

Rural Settlement Zone

This zone provides for small mixed-use settlement supporting a limited range of residential development, tourist, recreation and community facilities grouped together to serve the local community and visitors. Development will contribute to and enhance the local context and development pattern of the settlement.

Where it might apply: Settlements such as Corny Point on Yorke Peninsula.

Rural Shack Settlement Zone

This zone replaces the existing Coastal Settlement, Shack Settlement Zones or similar zones/policy areas in development plans which are generally in the nature of residential/holiday home areas; typically, in coastal and river locations (as opposed to other types of settlements in which there are a mix of uses such as shops and other services etc.).

Where it might apply: Environments subject to the effects of natural processes. As such, the zone has limited envisaged uses, including low scale, low-density dwellings and coast protection works.



Historic Area Overlay

This overlay will apply over existing Historic Conservation Zones / Areas / Policy Areas and Precincts to ensure the ongoing protection of areas of local heritage importance.

This overlay captures the current General Development Policies relating to historic conservation areas.

Alterations, additions and demolition control will be performance-assessed against relevant criteria.

Demolition assessment will include consideration of a building's contribution to the historic character of the streetscape.

Contributory Items, which will not be identified in the Code, will be addressed within this overlay.

Referrals: None

Local Heritage Place Overlay

This overlay will apply to existing Local Heritage Places to ensure their ongoing protection and conservation, including their continued use / adaptive re-use.

Alterations, additions and demolition control will be performance-assessed against relevant criteria. Deemed-to-satisfy policies will be available for development that does not affect heritage values.

Demolition assessment will include consideration of a building's contribution to the heritage values of the place, as well as the structural integrity or condition of the building.

Referrals: None

Character Area Overlay

This overlay seeks to transition the intent of current zones, policy areas and precincts with the words 'character' or 'streetscape' in their title. The overlay will include Character Area Statements defining key/unique character elements in particular areas.

The overlay seeks to reinforce valued streetscape characteristics through contextually responsive development, design and adaptive reuse that respects the attributes expressed in the relevant Character Area Statement.

Referrals: None

State Heritage Area Overlay

This overlay captures the current General Development Policies relating to heritage places.

The overlay will transition the identification of State Heritage Areas (proposed to be included in an overlay map) and relevant policies.

Referrals: This overlay and the State Heritage Places Overlay trigger a referral to the Minister administering the *Heritage Places Act 1993*.

State Heritage Place Overlay

This overlay captures the current General Development Policies relating to State Heritage Places.

The intent is to transition the identification of State Heritage Places (proposed to be included in an overlay map) and policies.

Referrals: This overlay and the State Heritage Areas Overlay trigger a referral to the Minister administering the *Heritage Places Act 1993*.

Design Overlay

This new overlay transitions a referral trigger from Schedule 8 of the Development Regulations 2008, and relates to development under the following circumstances:

- within the Corporation of the City of Adelaide's area of the overlay where the total amount to be applied to any work, when all stages of the development are completed, exceeds \$10,000,000
- within the City of Port Adelaide's area of the overlay where the total amount to be applied to any work, when all stages of the development are completed, exceeds \$3,000,000
- within all other areas of the overlay that involve the construction of a building that exceeds 4 buildings levels in height.

Referrals: This overlay will trigger a referral to the Government Architect for advice (to the State Commission Assessment Panel) on how a particular development contributes to meeting the Office of Design and Architecture South Australia's Principles of Good Design.

Noise and Air Emissions Overlay

This overlay provides policy guidance to protect sensitive development from noise and air emissions generated from major transport corridors (road and rail) and mixed land use.

The overlay is also used as the trigger for application of Minister's Specification 78B for the *Construction requirements for the control of external sound*, which is proposed to be updated and transitioned to a new Ministerial Building Standard under the PDI Act.

Referrals: None

Affordable Housing Overlay

This new overlay defines the areas of the state where 15% affordable housing must be provided as a part of development applications for 20 or more dwellings or residential allotments.

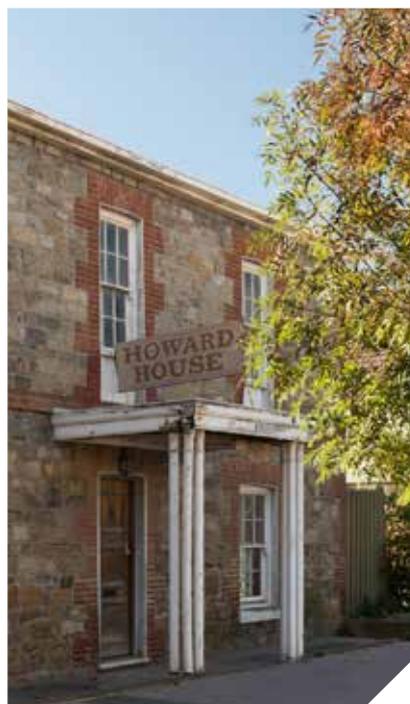
The overlay also contains policies allowing dispensations for typical planning requirements such as minimum site areas, car parking or building heights where affordable housing is being included.

Referrals: Development for the purposes of the provision of affordable housing will be referred to the Minister responsible for administering the *South Australian Housing Trust Act 1995*.

Character Preservation District Overlay

This overlay applies to the Barossa Valley and McLaren Vale to recognise, protect and enhance the special character of these areas, while at the same time providing for the economic, social and physical wellbeing of the community.

Referrals: None



PEOPLE AND NEIGHBOURHOODS

GENERAL DEVELOPMENT POLICIES



Design in Urban Areas and Design in Rural Areas

These general policies reflect the [principles of good design](#) and may apply across a large number of development scenarios (not just residential).

The modules are comprised of current design-related policies derived from a range of SAPPL General Development Policies – including Design and Appearance; Residential Development; Siting and Visibility; Crime Prevention; Landscaping; Fences and Walls; Natural Resources (Water Sensitive Design); Orderly and Economic Development; and Medium High Rise Development (3 or more storeys).

The policies included in these new modules concern the design of buildings, structures and spaces for aesthetic and/or sustainable purposes. They also provide guidance for residential development with regard to amenity, private and communal open space, dwelling additions, and ancillary buildings and structures.

New best practice policy (e.g. relating WSUD, environmental sustainability and overall design and performance of new urban infill) is included.

Both modules include several policy sub-headings that target design policy to specifically apply to a number of development scenarios.

When it might apply: Most applications for new buildings



Interface Between Land Uses

This General Development Policy consolidates policy from a number of different sections of the SAPPL and is one of four considered to be ‘universal’ in its applicability.

The policy seeks to ensure that development is located and designed to minimise adverse effects on neighbouring land uses, reduce conflict, and address interface issues such as land use separation, overshadowing, noise and vibration, and air quality.

When it might apply: Development with the potential to impact on sensitive (i.e. residential) land uses, e.g. shops or factories.

Housing Renewal

This module lists the policies and rules that will be applied to dwellings developed by the South Australian Housing Trust or registered Community Housing providers. These policies are generally reflective of the current checklists used by the State Coordinator-General in the assessment of community/public housing undertaken through the Renewing Our Streets and Suburbs (ROSAS) Stimulus Program.

Land Division in Urban Areas and Land Division in Rural Areas

These general policies are comprised of policy from the existing SAPPL Land Division general policy with duplicate content removed where it is addressed in other general development policies. The policies seek to ensure the pattern of land division is suitable for future uses in order to anticipate and achieve built form outcomes.

When it might apply: Any application to subdivide an allotment.

Workers Accommodation and Settlements

These provisions retain the intent of the existing ‘Short-Term Workers Accommodation’ general policy as largely unchanged.

When it might apply: Where workers’ accommodation is proposed, commonly in areas to support mining operations.

Chapter 2:

Productive Economy



INTRODUCTION



Planning plays an important role in ensuring the right signals are sent to industries and businesses to attract interest and investment in our state.

To achieve this, our new planning system will be efficient, transparent, predictable and simple to navigate. Policies will support innovation and growth in our already productive businesses and focus on industries with significant growth potential, including emerging industries.

The system will also have the capacity to respond to opportunities to enhance the prosperity of our cities and regions while protecting those valuable aspects that make SA a unique place.

The Code will introduce policies that plan for and maintain sufficient land supply to take full advantage of our existing and future infrastructure investments. Employment areas will be located close to housing and activity centres and be supported by appropriate infrastructure and transport services.

The zone framework to support our productive economy is located at the end of this chapter. The framework includes a summary of policy relating to:

- The Capital City
- Activity Centres and Main Streets
- Employment Lands (industry, manufacturing, commercial)
- Home Based Businesses
- Primary Industries
- Tourism Developments
- Mining and Exploration Activities.



CAPITAL CITY

Context

The City of Adelaide is the heart of SA's civic, cultural and commercial life and home to key economic drivers such as our health, education, tourism, and creative industries.

The Adelaide Riverbank is one of the state's premier destinations for recreation, sporting activities, learning, entertainment and culture. This area is currently undergoing revitalisation to become home to world-class facilities supported by improved public transport, pedestrian and cycle connections to better integrate it with the city and its surrounds.

Strategic Setting

State Planning Policies 2 'Design Quality', 3 'Adaptive Reuse' and 9 'Employment Lands' include the following policies relevant to the City of Adelaide:

SPP Ref.	SPP
SPP 2.1	Promote best practice in the design of buildings, places and the public realm by applying the principles of Good Design.
SPP 2.5	Prioritise performance-based design quality outcomes in Adelaide City, heritage and character areas, places where medium-rise buildings interface with lower-rise development, mixed-use renewal precincts, transit corridors, and iconic locations that attract high levels of pedestrian activity and/or tourism.
SPP 3.5	Facilitate the conversion and adaptation of existing commercial office and industrial buildings to new uses that contribute to the local area.
SPP 9.10	Strengthen the primacy of the Adelaide city centre as the cultural, entertainment, tourism and economic focus of South Australia.



Investigations and Engagement

The Capital City Zone, City Living Zone, Adelaide Main Street Zone, and Riverbank Zone have all been the subject of recent policy investigations and amendments and, unlikely many other zone modules, are considered to be sufficiently up to date to transition to the new Code.

That being said, there is opportunity to reduce repetition in these zones by addressing the following issues:

- Encouraging active ground floors / lower levels in non-residential zones
- Improving form and structure through desired outcomes and policy relating to boulevards, terraces, grid pattern etc. Including the City Frame as a Subzone in the Capital City Zone will allow for more cohesive structure around this issue.
- Mapping of pedestrian links and core pedestrian areas policy, with related policy (exclusion of multi-level car parks, crossover positioning etc.). Other zones have similar policy, including the Riverbank Zone and some main streets.



New Directions

Key Opportunities and Challenges	Policy Response in the Code
<p>Duplication within the Adelaide City Development Plan should be removed</p>	<p>The Riverbank Zone has been expanded to cover land bound by the River Torrens, North Terrace, the Adelaide Botanic Gardens and the old Adelaide Gaol. This zone provides more consistent design guidance for this precinct which is the premier boulevard within the city.</p>
<p>Much of the policy in the Adelaide Park Lands Zone is duplicated and inconsistent, and in many instances relates to matters that are not 'controlled' under the planning system.</p>	<p>The number of policy areas within the Adelaide Park Lands Zone has been reduced to reduce duplication and provide greater policy consistency.</p>
<p>The individual character of city main streets should be reflected in policy</p>	<p>A new City Main Street Zone has been introduced to recognise the special main streets within the city such as Rundle, Hindley and Gouger streets.</p>

Note: There are two Minister-initiated Development Plan Amendments currently affecting the City of Adelaide Development Plan (refer to SA Planning Portal for more information):



- The City of Adelaide’s Minor Amendments Development Plan Amendment strengthens the over-height policies within the Capital City Zone. The Code includes these revised policies for consultation.
- Lot 14 Ministerial Development Plan Amendment seeks to rezone Lot 14 at the old Royal Adelaide Hospital site to enable its transformation into an innovation precinct, supporting business, education, science, technology and research activities, together with a focus on the public realm. The Code includes these revised policies for consultation.

ACTIVITY CENTRES AND MAIN STREETS

Context

Activity centres and main streets have played a key role in SA's growth and development. The challenge in realising the potential of centres policy is to strike the right balance between achieving the desired urban form and maintaining healthy competition and investment in the retail sector. A further challenge is the changing structure of retailing which increasingly requires a range of different formats and methods of distribution of goods and services; land to accommodate large-format outlets; and the revitalisation of main streets and mixed-use precincts.



There has been a long-standing practice in Australian cities for land use regulation and policy to favour activity centres through establishing a hierarchy of centres based on the size of population the centre is expected to serve. These centres have been supported by land use controls that curtail out-of-centre development, specifically retail activities. Over the past couple of decades however, some industries and critics have argued that this approach shuts out new competitors and new formats in the retail sector, thereby denying customers choice and price savings.

Strategic Setting

State Planning Policy 9 'Employment Lands' sets out the following principles of retail planning:

Existing centres – recognise existing activity centres, main streets and mixed-use areas as the primary place for commercial and retail activity.

Expansion – allow for expansion of designated centres at 'edge-of-centre' locations.

New activity centres – allow new activity centres to be established to support equitable and convenient access to services while supporting productive settlement patterns.

Hierarchy – protect higher-order centres that support a productive settlement pattern while allowing for smaller-scale activity centres to emerge and diversify.

Urban design – reinforce the role of land use policies to guide urban form and place-making in mixed-use activity centres.

SPP 9 also identifies the following policies relevant to retail and activity centres:

SPP Ref.	SPP
SPP 9.7	Encourage appropriate retail development through the implementation of best practice retail planning guidelines.
SPP 9.8	Allow for competition within the retail sector by providing an appropriate supply of land for all retail formats in areas that are easily accessible to communities.
SPP 9.11	Encourage the development of integrated employment and residential mixed-use precincts where conflicts between uses can be managed.
SPP 9.12	Plan for employment and industrial precincts in strategic locations that improve economic productivity; are protected from encroachment; connect to efficient supply chains; and are located to provide transport access and connectivity.



Investigations and Engagement

The largest number of responses to the *Productive Economy Discussion Paper* concerned issues around centres and retail and mixed use activities, which were also subject to extensive review by retailers and council planners. These responses included the following key points:

- Groups representing established retail interests strongly advocated for the retention of the centres/ retail hierarchy.
- Groups representing emerging retail and commercial interests (including recent market entrants) supported a review of the centres policy framework to allow for greater flexibility.
- Support was generally received for a greater degree of policy support for mixed use developments in centre zones, particularly those incorporating a residential component ancillary to active retail street frontages, however some opposition was also received.
- A number of strong views were received against out-of-centre developments for large format retail, due to concerns they may compete with the retail offerings of higher-order (large) centres and may impact nearby light industry/employment zones.
- A small number of submissions suggested the inclusion of a separate Bulky Goods Zone within the Code and retail hierarchy, requesting further consideration and policy guidance be given to assess the potential impacts of large-format retailing on centre zones.
- Responses were divided on whether policy should provide support for transition areas at the edges of centre zones: some respondents argued for greater flexibility while others strongly supported clearly defined boundaries.
- Many respondents argued that smaller-scale business and community uses should be allowed in areas outside of centres provided they do not result in unhealthy competition with the traditional main street.

A Retail Round Table with local and national retailers was also conducted by the Commission in August 2019 where the following issues were generally supported:

- Transitioning the policy intent of the 2016 Activity Centres Development Plan Amendment into the Code, which requires the application of standardised car parking rates and removal of retail floor area caps within activity centres
- Condensing the activity centres hierarchy but making it more flexible to meet the changing requirements of the retail sector
- Not allowing dwellings in main streets as they diminish the street's vibrancy and, once established, are extremely hard to remove
- Applying net community benefit tests to out of centre retail activities
- Consideration being given to car parking being used for different purposes at different times of the day, e.g. for Uber drop-offs and patrons of restaurants and venues who require car parking at night
- Introducing deemed-to-satisfy pathways for common development in centres such as solar panels, advertising and community uses.
- Out-of-centre retail development was considered inappropriate in rural/regional areas as it has been proven to take the focus away from main streets.

Out-of-centre retail development was considered inappropriate in rural/regional areas as it has been proven to take the focus away from main streets.

New Directions

Key Opportunities and Challenges	Policy Response in the Code										
<p>There is an opportunity to consolidate the range of centre type zones (including regional centre zones) in the Code.</p>	<p>Three new activity centre zones will replace the five existing activity centre zones: Urban Activity Centre Zone, Suburban Activity Centre Zone and Township Activity Centre Zone.</p> <p>Activity centres focussed along a main street with street framing and activation policies will be transitioned to either an Urban Corridor (Main Street) Zone, Suburban Main Street Zone or Township Main Street Zone.</p>										
<p>Policy must be sufficiently flexible to support innovation, growth and diversity to meet changing business and market needs in the right locations.</p>	<p>Greater flexibility will be included in the new Activity Centre and Main Street zones by removing numerical floor area limits and broadening the types of land uses envisaged.</p> <p>In other zones, guidelines will be set for maximum retail floor areas to ensure activity centres continue to be the primary place for commercial and retail activity. Restricted assessment pathways for shops over a certain floor area will apply in certain out-of-centre areas and require a Commission-led assessment of impact.</p> <p>The below table summarises the criteria that will apply to shops in other zones:</p> <table border="1" data-bbox="799 1144 1417 1675"> <thead> <tr> <th data-bbox="799 1144 997 1238">Zone type</th> <th data-bbox="997 1144 1417 1238">Policy guidance on scale of shops</th> </tr> </thead> <tbody> <tr> <td data-bbox="799 1238 997 1373">Urban Corridor</td> <td data-bbox="997 1238 1417 1373">Shops envisaged in Urban Corridor (Main Street) Zone, but with floor area limits of 500-2000m² in other Urban Corridor zones</td> </tr> <tr> <td data-bbox="799 1373 997 1485">Employment</td> <td data-bbox="997 1373 1417 1485">Shops should be limited to 500m² floor area, unless it is a bulky goods outlet or ancillary to industry</td> </tr> <tr> <td data-bbox="799 1485 997 1574">Innovation/ Business</td> <td data-bbox="997 1485 1417 1574">Shops should be limited to 250-500m² floor area</td> </tr> <tr> <td data-bbox="799 1574 997 1675">Neighbourhood</td> <td data-bbox="997 1574 1417 1675">Shops should be limited to 100m² floor area, unless adjacent to an arterial/ collector road or activity centre</td> </tr> </tbody> </table>	Zone type	Policy guidance on scale of shops	Urban Corridor	Shops envisaged in Urban Corridor (Main Street) Zone, but with floor area limits of 500-2000m ² in other Urban Corridor zones	Employment	Shops should be limited to 500m ² floor area, unless it is a bulky goods outlet or ancillary to industry	Innovation/ Business	Shops should be limited to 250-500m ² floor area	Neighbourhood	Shops should be limited to 100m ² floor area, unless adjacent to an arterial/ collector road or activity centre
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Neighbourhood	Shops should be limited to 100m ² floor area, unless adjacent to an arterial/ collector road or activity centre										
<p>Town centres could allow for a ‘softening of edges’ between business and residential activities and mixed use developments.</p>	<p>Concerns around ‘out-of-centre’ and ‘edge-of-centre’ retail development are noted, due to their potential to fragment and decentralise activity centres. Activity centre expansion may be considered in a future Code amendment based on evidence of need.</p> <p>Neighbourhood zones will permit larger shop floor areas on sites adjacent to Activity Centre and Main Street zones to enable limited growth in key strategic areas.</p>										



Key Opportunities and Challenges	Policy Response in the Code
<p>The 2016 Activity Centres Policy Review DPA introduced a number of policy changes to activity centres in the metropolitan area to improve their economic efficiencies and increase competitiveness. These changes should be considered for application in regional areas where appropriate.</p>	<p>The key changes introduced through the 2016 Activity Centres Policy Review DPA have been incorporated into the zone modules for all Activity Centre and Main Street Zones, which includes regional areas. This means that:</p> <ul style="list-style-type: none"> • A change of use to a shop/office/consulting room within these areas will be guaranteed consent through a deemed-to-satisfy pathway (subject to meeting the relevant criteria) • Numerical floor area thresholds will no longer be used to determine the application category/classification • Consistent car parking rates will be applied.
<p>Many regional centre zones are out of date. The Code should consider ways to reactivate these zones, especially if a centre is showing signs of decline.</p>	<p>The Code will provide greater flexibility in the range of land uses envisaged in these zones, thereby enhancing their chances of re-activation.</p>
<p>Most new development within activity centres requires a planning assessment and complying pathways are limited.</p>	<p>The Code includes a number of additional deemed-to-satisfy pathways in activity centre zones for development that is generally expected and will have a low impact in these areas (e.g. a change of use within a building).</p>
<p>Consideration must be given to the night time economy to increase security and activation of strategic areas.</p>	<p>The Code supports out of hours uses by promoting a variety of entertainment offerings in activity centres and main street zones, such as cinemas and restaurants.</p>
<p>Concept plans are insufficiently flexible to adapt to the evolving roles of centres, and do not have the same weighting as zone policy.</p>	<p>Where concept plans provide for clear outcomes (land use, building heights, etc.), the relevant outcomes have been translated into suitable zoning and policies, such as:</p> <ul style="list-style-type: none"> • prescribing building heights through the Technical and Numerical Variations Overlay • zoning areas targeted for community/education facilities in the Community Facilities Zone • zoning areas targeted for open space or recreation in Open Space or Recreation Zones. <p>Where the zoning/policy captures the key intent of the concept plan, the concept plan has been deleted.</p>
<p>Development within a centre zone located adjacent to another zone currently requires public notification under the <i>Development Regulations 2008</i>, irrespective of the proposal's scale or the adjacent uses.</p>	<p>New public notification exemptions will generally be limited to whether a proposed building is adjacent to a dwelling (or sensitive land use) and the suitability of its height and scale.</p>
<p>Bulky goods outlets are permitted in some activity centres but not others.</p>	<p>A new definition of a 'shop' in the Code includes 'bulky goods outlet', which makes bulky goods outlets appropriate in all activity centres. However, policy guides the location of large bulky goods outlets toward the centre's periphery to maintain vibrant and interesting shopfronts in the central activity area.</p>

EMPLOYMENT LANDS (INDUSTRY, MANUFACTURING AND COMMERCIAL)

Context

Manufacturing in SA accounts for approximately 8 per cent of jobs, one-third of which are involved in food and beverage industries. Defence manufacturing is also strong, with a quarter of the nation's specialist defence businesses located here.

Uncertainty about the future of manufacturing as a result of economic instability and rising power, transport and labour costs provides a basis to review the role of land use planning in facilitating more innovative and competitive industrial and commercial sectors.

A key question is whether the existing zoning tools for industrial and commercial development adequately recognise the blurring of manufacturing, production, supply and distribution, service delivery and office and administrative functions in a modern economy. The historic separation of these functions may in many cases no longer be appropriate in land use controls.

Strategic Setting

State Planning Policy 9 'Employment Lands' seeks to provide sufficient land supply for employment-generating uses that support economic growth and productivity. Relevant policies include:

SPP Ref.	SPP
SPP 9.1	Support the expansion and clustering of key economic growth areas including health; education; tourism; energy and resources; primary industry; defence; and knowledge and creative industries.
SPP 9.3	Support state-significant operations and industries and protect them from encroachment by incompatible and/or more sensitive land uses.
SPP 9.4	Adaptable policies that allow commercial and industrial-focused employment lands to support local economies and evolve in response to changing business and community needs.
SPP 9.5	Promote new, latent and alternative employment types and attract new business investment by enabling a diverse range of flexible land use opportunities.

SPP Ref.	SPP
SPP 9.6	Protect prime industrial land for employment use where it provides connectivity to freight networks; enables a critical mass or cluster of activity; has the potential for expansion; is connected to skilled labour; is well serviced; and is not constrained by abutting land uses.
SPP 9.12	Plan for employment and industrial precincts in strategic locations that improve economic productivity; are protected from encroachment; connect to efficient supply chains; and are located to provide transport access and connectivity.

Investigations and Engagement

Respondents to the *Productive Economy Discussion Paper* broadly supported a wide range of land uses and building forms to be permitted in core employment zones. These land uses and buildings must however be subject to appropriate performance criteria to ensure their impacts are managed and land use conflicts are minimised at their interface with other zones and uses. This was considered particularly important for employment and industry zones in outer metropolitan and regional areas as they often exist in close proximity to residential and other sensitive land uses.

Some industry groups called for the greater protection of state-significant industry clusters from incompatible development, with a broader, more flexible approach for certain employment zones to be considered in this context.

Other submissions urged caution on the implementation of a more flexible policy approach, noting that a significant rise in mixed use developments in employment zones could jeopardise or curtail growth opportunities for more traditional or established industries.



New Directions

There has been a desire over many years to collapse the multitude of different industrial zones into a simplified framework to support more flexible business opportunities and innovation.

The current Urban Employment Zone is the most recent attempt to streamline land use requirements relating to employment lands (outside centres), although the

take-up to date has been limited to a few metropolitan Adelaide councils. This zone supports fine-grain land use arrangements in policy areas and precincts (e.g. bulky goods, home business, and infrastructure) and the use of other tools like Concept Plans to guide development outcomes.

The Code provides the opportunity for a simpler, more consistent zoning framework which supports business development and growth and can respond to market dynamics.

Key Opportunities and Challenges	Policy Response in the Code
<p>Flexible policy is needed to enable a diversity of industry and commercial activities in designated employment lands.</p>	<p>Three new industry-related zones will be included in the Code, primarily based on industry zoning in current development plans:</p> <ul style="list-style-type: none"> • Employment Zone • Employment (Bulk Handling) Zone • Suburban Employment Zone <p>The Employment Zone is the primary zone for large industrial activities such as production, logistics, warehousing, storage, research and training.</p> <p>The Employment (Bulk Handling) Zone provides for the receipt, storage and dispatch of agricultural and other commodities in bulk.</p> <p>The Suburban Employment Zone supports a diverse range of low-impact industries which do not produce objectionable emissions, e.g. commercial and business activities, bulky goods outlets, service trade premises and stores.</p>
<p>The increased pressure on industrial lands and the economic viability of industries through encroachment by sensitive uses must be addressed.</p>	<p>The Employment and Suburban Employment Zones seek to distinguish key locations of industry and employment-generating activity.</p> <p>The established areas of industry, including ports and transport distribution, generally fit within the Employment Zone, which provides the focus for high-impact industrial uses and transport logistics.</p> <p>The Suburban Employment Zone, containing low-impact, light industrial uses, is generally applicable where adjacent to sensitive land uses.</p> <p>The policy framework allows high-impact land uses to occur within the Employment Zone, however, where they are adjacent to a residential zone, the policies encourage developments that are of lower impact (similar to those envisaged in the Suburban Employment Zone) and will provide an interface between high-impact industry and sensitive uses.</p> <p>To protect industrial activities of state significance, a Significant Industry Interface Overlay may be applied.</p>
<p>Consideration needs to be given to residential development that is ancillary to business/industrial activities on land in employment land zones.</p>	<p>Within the Employment Zone, limited residential development is provided to support the efficient management and operation of an associated use, e.g. caretaker residences.</p>
<p>The Bulky Goods Zone is not consistent with the general zone structure and intent as it lacks fundamental policy differentiation to warrant separate zoning / policy identification.</p>	<p>The Bulky Goods Zone will be replaced with a Suburban Employment Zone which enables bulky goods outlets to continue.</p>

HOME-BASED BUSINESSES

Context

The operation of low-impact industry and home-based businesses has long been addressed by planning policy in SA. These businesses are now becoming more prevalent as flexible workplace practices enable a greater capacity for home-based work.

Home industry zones and policies have had a mixed rate of success across councils. Of particular concern is the prevalence of residential development rather than areas featuring a sustainable mix of residential dwellings with integrated home industry activities.

A review is required of these zones and policies to determine the overall demand for low-impact, home-industry activities and how policy could be better structured to ensure that amenity is retained and developments are consistent with the intent of the zone.



Strategic Setting

State Planning Policy 9 'Employment Lands' seeks to provide sufficient land supply for employment-generating uses that support economic growth and productivity.

It also identifies that the Code should provide a range of zones that support existing and future employment activities and planning controls that allow new technologies and industries to emerge and increase competition within different markets. The level of regulation should be commensurate with the scale and complexity of projects: over-regulation should be avoided.

SPP Ref.	SPP
SPP 9.1	Support the expansion and clustering of key economic growth areas including health; education; tourism; energy and resources; primary industry; defence; and knowledge and creative industries.
SPP 9.3	Support state-significant operations and industries and protect them from encroachment by incompatible and/or more sensitive land uses.
SPP 9.4	Adaptable policies that allow commercial and industrial-focused employment lands to support local economies and evolve in response to changing business and community needs.
SPP 9.5	Promote new, latent and alternative employment types and attract new business investment by enabling a diverse range of flexible land use opportunities.
SPP 9.6	Protect prime industrial land for employment use where it provides connectivity to freight networks; enables a critical mass or cluster of activity; has the potential for expansion; is connected to skilled labour; is well serviced; and is not constrained by abutting land uses.
SPP 9.12	Plan for employment and industrial precincts in strategic locations that improve economic productivity; are protected from encroachment; connect to efficient supply chains; and are located to provide transport access and connectivity.



Investigations and Engagement

Most respondents to the *Productive Economy Discussion Paper* supported the ongoing facilitation of home-based business land uses and requested a review of definitions for ‘home business’, ‘home industry’ and ‘home activity’ to ensure they remain contemporary.

Some respondents advocated that the Code should also contain policy that better considers mobile or temporary businesses which are not fixed to a particular site (pop-up shops, food trucks, dog washers, events, etc.).

It was also suggested that the Code should allow for greater floor areas for home activities, businesses or industries in rural areas where appropriate.



New Directions

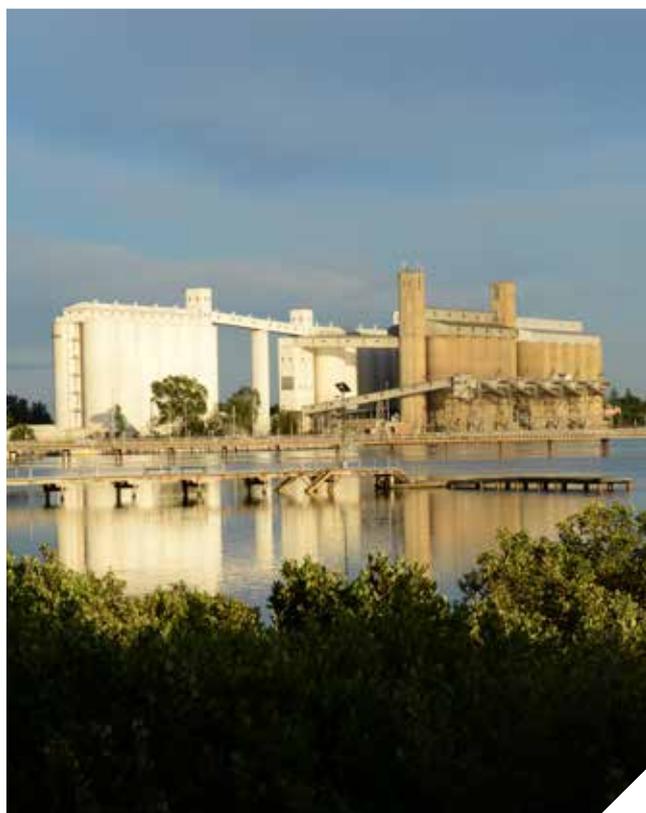
Key Opportunities and Challenges	Policy Response in the Code
<p>The Code provides an opportunity to review home industry policy.</p>	<p>A new Home Industry Zone will support small-scale and low-impact home-based business enterprises.</p> <p>Two new zones will replace existing mixed use zoning: a Suburban Business and Innovation Zone (a mixture of shops, industry, commerce and houses) and a Business Neighbourhood Zone (with low-impact shops and uses compatible with a residential environment).</p> <p>In addition, most residential neighbourhood zones will allow small-scale, home-based businesses through performance-assessed or deemed-to-satisfy pathways.</p>
<p>Opportunity for greater floor areas for home activities, businesses or industries in appropriate rural areas is needed.</p>	<p>The new Rural Zone (to replace the current Primary Production Zones) will enable greater flexibility for home- or farm- based value-adding activities which are complementary and ancillary to the main primary production use of the land, such as the following:</p> <ul style="list-style-type: none"> • sale or consumption of produce or goods • tourist accommodation • offices • industry (including beverage production) and washing, processing, bottling and packaging activities.

PRIMARY INDUSTRIES

Context

Approximately one in five working South Australians rely on agriculture, food production and ancillary sectors such as regional tourism and transport for their livelihood. Rural land zoning accounts for more than 80% of SA's total land mass (not including coastal waters and pastoral lands) and supports a wide range of activities. Agriculture, food and wine generated approximately \$20 billion in revenue for South Australia and 50% of the state's total merchandise exports in 2016-17.

Our new planning system will create conditions that support primary production, value adding and related agri-business investment and development. It will also be sufficiently flexible to support the diversification of rural production and encourage innovative land use and value-adding enterprises.



Strategic Setting

State Planning Policies 3 'Adaptive Reuse', 4 'Biodiversity' and 8 'Primary Industry' seek to establish a diverse and dynamic primary industry sector.

The policies also identify that the Code should 'develop assessment pathways and policies that create supportive local conditions for primary industry investment, avoid land use conflict and biosecurity threats and enable businesses to grow, adapt and evolve. Where appropriate, state interest overlays should be included to protect key assets and critical industry requirements'.

SPP Ref.	SPP
SPP 3.1	Remove barriers and encourage innovative and adaptive reuse of underutilised buildings and places to inspire urban regeneration, stimulate our economy and unlock latent investment opportunities.
SPP 4.1	Minimise impacts of development on areas with recognised natural character and values, such as native vegetation and critical habitat so that critical life-supporting functions to our state can be maintained.
SPP 8.1	Identify and protect key primary production assets and secure strategic opportunities for future primary industry development.
SPP 8.2	Create local conditions that support new and continuing investment in primary industry while seeking to promote co-existence with adjoining primary industries and avoid land use conflicts.
SPP 8.3	Enable primary industry businesses to grow, adapt and evolve through technology adoption, intensification of production systems, business diversification, workforce attraction and restructuring.
SPP 8.4	Equitably manage the interface between primary production and other land use types, especially at the edge of urban areas.



Investigations and Engagement

Feedback on the *Productive Economy Discussion Paper* included the following issues regarding primary industries in SA:

- Fragmentation of rural lands is reducing the operational viability of some agricultural businesses
- A review of minimum allotment sizes across the state is needed, including how best to manage interfaces between land uses
- Policy must increase value-adding and job creation opportunities
- Tourist accommodation must better complement (rather than inhibit) surrounding land uses
- State-significant industry clusters need better protection from incompatible development
- Policy should enable the adaptive reuse of buildings and unused farm houses for value-adding activities.

Various workshops and engagement with rural councils during 2018 and early 2019 also identified the following challenges:

- Value-adding, ageing in place, food industry and tourist accommodation policy improvements need to be supported where associated with rural activities.
- Winery and cellar door provisions should be widened to include all other forms of beverage production (e.g. breweries).
- Dwellings built adjacent to agricultural areas must have a demonstrated connection to primary production as they can lead to significant interface problems and long-term reduction of productivity.
- A policy position is required to deal with the excision of dwellings on agricultural land.
- There is a need to manage 'paper towns', which are subject to high development pressures, and to manage areas of highly productive agricultural land that face pressure for rezoning for dwellings and rural living subdivision.
- There is a lack of policies on intensive animal keeping industries and their additional requirements (separation distances, interfaces and biosecurity issues).

New Directions

The Code will seek to protect primary production land from ongoing fragmentation, however land division may be used to manage different land uses and enable farm holdings to expand.

The minimum allotment sizes for land division vary throughout the state. To ensure a smoother transition, most site areas in development plans are to be retained and located within the Technical and Numeric Variations Overlay.

The majority of the primary production-zoned areas will be incorporated in the Rural Zone. This zone encourages a wide range of land uses and focuses on the establishment and continuation of economically sustainable primary production activities protected from encroachment by incompatible land uses (e.g. rural living).

A number of other zones, subzones and overlays will recognise the desire for differing land uses and outcomes. These may encourage more intensive forms of agriculture including horticulture, intensive animal keeping, feedlots, piggeries and poultry farms.

Key Opportunities and Challenges	Policy Response in the Code
<p>Farming, investment, value-adding, diversification and job growth in rural areas need continuing support.</p>	<p>A suite of rural-based zones will ensure continued productivity of primary industry activities such as agriculture, horticulture, viticulture and resource extraction.</p> <p>The Code will introduce deemed-to-satisfy pathways for a variety of envisaged rural land uses to a certain scale. Where exceeding the deemed-to-satisfy threshold, clear policy direction and outcomes will be available to enable a proposed land use of a larger scale to be assessed on its merits (rather than triggering a non-complying pathway as can be the case in the current system).</p> <p>Most of the rural zones will allow for a wide variety of value-adding activities, including a deemed-to-satisfy pathway for tourism accommodation.</p> <p>New Beverage Production in Rural Areas General Development Policies will provide guiding policy for wineries, breweries, distilleries and similar industries.</p> <p>New overlays will be applied in appropriate locations to restrict land division and/or new dwellings to protect viable farming operations. Conversely, an overlay will be applied to enable the excision of existing dwellings in certain areas and situations.</p>
<p>Natural environments, biodiversity and agricultural lands need to be protected.</p>	<p>Various environmental overlays will ensure natural environments, biodiversity and agricultural lands are protected, including native vegetation, significant landscapes and water.</p>
<p>Storage, transport and logistics in rural locations with logistical advantage must be supported.</p>	<p>Currently a number of development plans include non-complying triggers for warehousing and storage in areas supporting industries that require these facilities e.g. barrel storage for wineries. Many of the rural-based zones will now have deemed-to-satisfy pathways for storage, transport distribution and warehousing. Where exceeding the deemed-to-satisfy thresholds, clear policy direction and will be available to enable assessment on merit.</p>
<p>Better policy criteria/guidelines for new and emerging infrastructure is needed, including frost fans, solar farms and telecommunications.</p>	<p>The Code seeks to accommodate the emerging renewable energy sector by introducing policy for the appropriate assessment of wind farms and solar farms to ensure urbanised areas and areas of landscape significance are appropriately considered and protected. This is achieved by new setback distances for windfarms based on height to address the significant increases in turbine heights over the last decade.</p> <p>Windfarms will be a restricted form of development within environmentally sensitive areas such as the Peri-Urban Zone, Hills Face Zone, Significant Landscape Protection Overlay and Character Preservation Districts. Solar farms will be a restricted form of development in the latter two areas.</p> <p>The remainder of the state's rural and remote areas will enable renewable energy developments and other emerging types of infrastructure to be performance-assessed.</p> <p>Rural bases zones will ensure Frost Fans are performance assessed and not restricted</p>



Key Opportunities and Challenges	Policy Response in the Code
<p>Definitions and policies have not kept up with modern farming practices, requirements or directions and need to be updated.</p>	<p>The Code will include an updated list of definitions to provide clearer guidance on agricultural and related activities and land uses.</p>
<p>Clearer policy is needed regarding urban interface for buffers, spray drift, separation distances, desired mix of land uses and township boundaries.</p>	<p>The Code's new rural-based zones will contain policies about rural interface management. There is also an Interface with Rural Activities section within the Interface Between Land Uses General Development Policies. This includes policies which require sensitive land uses to be appropriately designed to mitigate impacts from existing primary production uses and ancillary activities.</p>
<p>Buffers and interface policy for intensive animal keeping and stock rates need improvement.</p>	<p>The new Rural Intensive Enterprise Zone will accommodate large, intensive rural enterprises such as piggeries and poultry farms and preclude land uses that would be incompatible with these activities.</p> <p>The Code includes Intensive Animal Husbandry and Dairies and Animal Keeping and Horse Keeping General Development Policies which guide the appropriate development of these activities, including interface management.</p>
<p>Aquaculture policy must address the need for associated infrastructure and services.</p>	<p>The Aquaculture Zone will contain specific policies around land-based aquaculture development and supporting activities such as on-site processing, storage and related infrastructure.</p>
<p>There needs to be better support for primary industry to adopt new technology, intensify their production systems, diversify and /or restructure their business and attract workers.</p>	<p>The Code assists in achieving these requirements through a range of measures, notably the provision of deemed-to-satisfy pathways for certain types of uses generally expected to occur within rural-based zones.</p> <p>As an example, the Peri-Urban Zone is to replace nine 'watershed' related zones within the Mounty Lofty Ranges area where currently most forms of development are non-complying unless they meet certain criteria. The replacement zone 'flips' this policy regime by enabling the majority of such uses to be assessed on their merits through performance-assessment or be guaranteed consent through deemed-to-satisfy pathways. Only select high-impact activities will be restricted.</p> <p>The Code also enables significant value-adding opportunities for primary industry activities such as farm gate sales and tourist accommodation.</p>

TOURISM



Context

South Australia's visitor economy is one of our key economic pillars, employing 36,000 people across 18,000 businesses and generating \$7.2 billion in visitor expenditure (year ending March 2019).

South Australia has a comparative advantage in the tourism sector and was identified as the one of the top five must-see regions in the world in Lonely Planet's Best Travel of 2017. With our festivals, wine regions and areas like Kangaroo Island, the sector has significant growth potential.

Continued development of this sector will depend on the provision of infrastructure such as accommodation, particularly in Adelaide but also in regional areas. Nature-based tourism is also a significant growth area.

Strategic Setting

The following State Planning Policies relate to planning for tourism development across South Australia:

SPP Ref.	SPP
SPP 1.4	Protect areas of rural, landscape character, environmental importance, mining or food production significance from the expansion of urban areas, towns and settlements.
SPP 2.1	Promote best practice in the design of buildings, places and the public realm by applying the principles of Good Design.
SPP 3.1	Remove barriers and encourage innovative and adaptive reuse of underutilised buildings and places to inspire urban regeneration, stimulate our economy and unlock latent investment opportunities.
SPP 4.1	Minimise impacts of development on areas with recognised natural character and values, such as native vegetation and critical habitat so that critical life-supporting functions to our state can be maintained.
SPP 4.6	Encourage nature-based tourism and recreation that is compatible with, and at an appropriate scale for, conserving the natural values of that landscape.
SPP 9.9	Support sustainable tourism where the social, cultural and natural assets underpinning the tourism developments are protected in line with sustainability principles.
SPP 13.5	Facilitate sustainable development that requires a coastal site, including eco-tourism, aquaculture, marinas and ports, in areas adjoining the foreshore where environmental impacts can be avoided or mitigated.



Investigations and Engagement New Directions

Feedback from the *Productive Economy Discussion Paper* and engagement with council planners provided the following comments on the issues around tourism development in SA:

- Broad support for the provision of a wide range of tourist accommodation is needed.
- Particular focus should be given to the minimisation and management of impacts on sensitive environments.
- Ancillary tourist accommodation uses on primary production land or in residential areas should be guided by policy designed to minimise impacts wherever possible.
- The unique history and character of South Australian towns and suburbs should be better recognised and supported.
- A review of signage and wayfinding policy should be undertaken to facilitate navigation and advertise regionally specific services and products. Restrictions in signage to prevent its proliferation is also needed.
- A new definition for short-term accommodation is required, including clarification of when this accommodation constitutes a change in use from residential (e.g. homes operating as an Airbnb).
- The planning system should not be solely responsible for managing new industries (such as Airbnb and Uber), and other regulatory processes should take greater accountability in monitoring and managing these new industries. The Code should focus on the implications/effects of the activity rather than the activity itself.

Key Opportunities and Challenges	Policy Response in the Code
<p>Tourism activities need to be encouraged and supported.</p> <p>Tourism must be supported by appropriate infrastructure, especially accommodation, in the right locations.</p> <p>Allowing tourism development in a range of zones will encourage flexible site selection for these developments and avoid pre-selection through specific zoning.</p>	<p>Performance-assessed pathways will be available in a variety of zones (Rural, Retail, Urban, Residential) to provide flexibility about where tourist accommodation and associated facilities are able to be developed.</p> <p>A Tourism Development Zone will be maintained in locations that currently have tourism-specific zoning, providing for a range of tourist accommodation and associated services and facilities (unless a more appropriate zone can be applied).</p> <p>A Caravan and Tourist Park Zone will continue to ensure the protection of these assets.</p>
<p>More opportunities to value-add to rural activities (e.g. cellar doors, shops, restaurants, events, accommodation) must be created.</p>	<p>Greater opportunities for value-adding enterprises and tourism accommodation will be enabled in most rural-based zones.</p>
<p>More opportunities for nature-based tourism are needed.</p>	<p>The Code will include a Visitor Experience Subzone in the Conservation Zone where tourism accommodation is envisaged, subject to minimisation of detrimental impacts.</p>
<p>Critical infrastructure which provides access to tourist destinations and facilities must be protected.</p>	<p>Zoning and overlays will continue to protect the operation of air and sea ports.</p>
<p>Tourism definitions must provide certainty and consistency for the purpose of assessment.</p>	<p>The Land Use Definitions module of the Code will introduce a definition of tourist accommodation and a caravan and tourist park.</p>

MINING AND EXPLORATION

Context

South Australia’s energy and resource industries are vital to the delivery of energy, employment, infrastructure, skills and prosperity to the state. Land use planning must accommodate and protect the development and exploration of these resources while also being mindful of environmental concerns. The Code must also consider interactions with other regulatory levers such as environmental impact statements.

Strategic Setting

State Planning Policy 10 ‘Mineral and Energy Resources’ seeks to protect key resources that contribute to our state’s economy and provide valuable employment opportunities.

It also identifies that the Code should identify key mineral and energy resource areas, including processing and separation areas, transport routes, and pipelines used for energy transportation. Policies should also prioritise the protection of land for extractive industry and ensure that potentially incompatible land use applications are addressed.



SPP Ref.	SPP
SPP 10.1	Define and protect mineral resources operations, associated infrastructure and undeveloped mineral resources from encroachment by incompatible land uses.
SPP 10.2	Plan for and encourage the development of energy resources, energy resources operations, and associated infrastructure to ensure their ongoing safe and efficient operation.
SPP 10.3	Identify and maintain key infrastructure that supports mineral and energy resource activities and supply chains, including strategic transport corridors and pipelines used for energy transportation.
SPP 10.4	Consider the impacts of mining and exploration on the growth of towns and settlements, and ensure an appropriate form of housing for workers and their families.
SPP 10.5	Promote decision making that maximises the long term benefits of different land uses to the economy, communities and the environment.



Investigations and Engagement

Feedback from the *Productive Economy Discussion Paper* observed the following issues regarding mining and exploration in SA:

- The importance of buffer zones/separation distances and design treatments to manage impacts of mining activities must be reinforced (with care not to adopt a ‘blanket’ approach and inadvertently limit the emergence of complementary industries).
- Differing views were given on the need to protect areas with untapped mineral resources: some urged that other land uses should be prevented while others argued for greater land use flexibility until the resource areas are mined.
- Natural resources should be given the same level of protection as that applying to strategic mineral resources. There was also some argument that natural resources should take precedence over the exploration of a strategic mineral resource.
- The refinement and transition of the Mineral Extraction Zone to the Code (taking care with the legislative requirements under the *Mining Act 1971*) was supported.
- Site remediation and adaptive reuse following mine site decommissioning were seen as important.

New Directions

Key Opportunities and Challenges	Policy Response in the Code
<p>More flexibility for industry/light industry is needed in Mineral Extraction Zones.</p>	<p>A new Resource Extraction Zone will apply to strategic mining tenement sites identified by the Department for Energy and Mining. These sites, which form the boundaries of the new zone, are considered to warrant this zoning for a range of reasons, including being more at risk of pressure from urban development.</p> <p>Mineral Extraction/Extractive Industry Zones in current development plans will be transitioned into the new zone.</p> <p>Most land uses in the zone will be subject to a performance-assessed pathway, allowing greater flexibility to consider suitable developments on their merits. Where shown to be compatible with the key intent of the zone and context of the particular site, industrial type uses may be granted consent.</p> <p>A new Resource Extraction Protection Area Overlay will protect the current and future extraction of key mineral and other resources by ensuring sensitive forms of development are subject to a referral to the Minister for Mining and have regard to potential environmental and amenity impacts generated by their operations. This should enable activities reasonably envisaged to occur within the Resource Extraction Zone to proceed unhindered by nearby uses at odds to the intent of the zone.</p>
<p>Operational intensities in mining and exploration vary over time due to changing market forces and consideration needs to be given to accommodate this.</p>	<p>New performance-assessed pathways will provide flexibility for the industry and allow for differing intensities and requirements over time where shown to warrant consent.</p>
<p>Natural resources should be afforded the same level of protection as that given to strategic mineral resources.</p>	<p>The Code introduces a range of environmental protection overlays which seek to protect and manage key natural resources.</p>

PRODUCTIVE ECONOMY ZONE FRAMEWORK



City

Capital City Zone

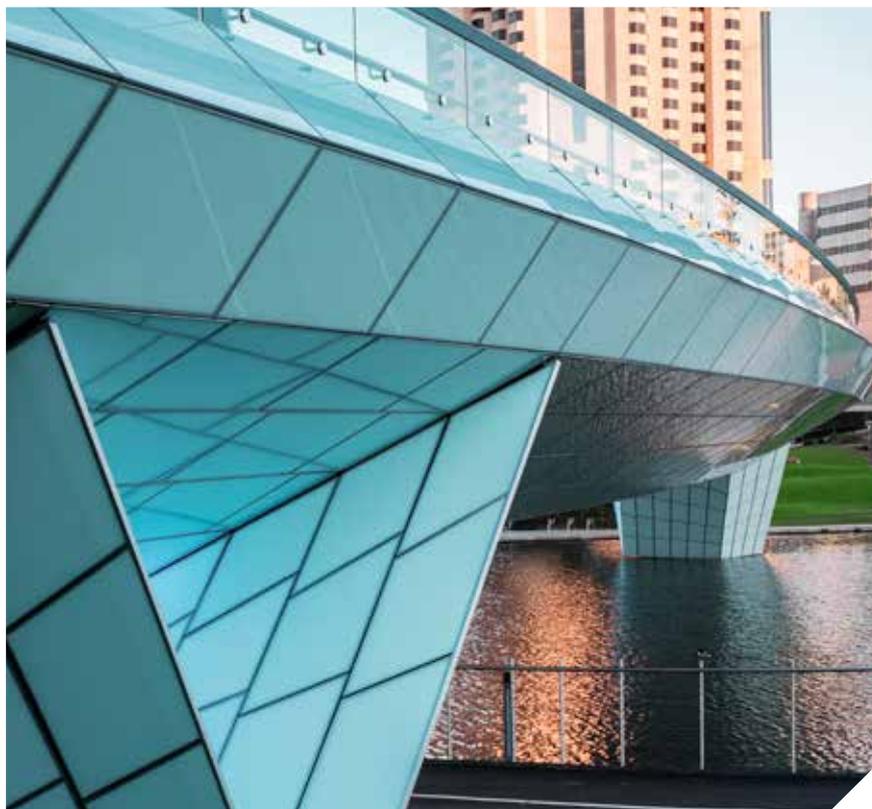
The Capital City Zone is the commercial and business core of the Adelaide square mile and the economic and cultural focus of the state. It includes a mix of residential, employment, community, educational, recreational, tourism and entertainment land uses.

The zone has been transitioned to the Code largely as is except for the following changes:

- The Main Street Policy Area (covering Rundle Mall and Rundle, Hindley, Grote and Gouger streets) has transitioned to the new City Main Street Zone
- The Central Business Area Policy Area has been removed and transitioned into the Capital City Zone.

Subzones: The City Frame Zone has been made a subzone within the Capital City Zone due to their policy similarities and shared focus on high-intensity residential uses fronting the southern Park Lands and city squares.

Where it will apply: Majority of the CBD



City Riverbank Zone

The new City Riverbank Zone updates the existing Riverbank Zone and transitions the current Health and Entertainment Policy Areas as the Health Subzone and the Entertainment Subzone.

Subzones: The Health Subzone focuses on the new Royal Adelaide Hospital and the Entertainment Subzone focuses on the Convention Centre, Adelaide Casino and Festival Centre precinct.

A new Innovation Subzone will provide a flexible policy framework for the development of an innovation precinct (including commercial, educational and research activities supported by a mix of compatible employment-generating land uses) on Lot 14 (site of the old Royal Adelaide Hospital).

A new Cultural Institutions Subzone will focus on the culturally important institutions along the state's premier boulevard (North Terrace). These include Government House, the Art Gallery of SA, University of SA and University of Adelaide.

Where it will apply: North Terrace and riverbank areas along the River Torrens containing a large number of important state institutions and entertainment facilities, as well as the new health and biomedical precinct around the old Royal Adelaide Hospital (referred to as Lot 14).



Activity Centres and Main Streets

Urban Activity Centre Zone

This zone supports the full range of services and facilities required to cater for regional and district scale populations and lifestyle needs. The zone comprises retail, office, community, civic, entertainment, educational, tourist and recreational land uses and activities. Buildings will be of a medium rise (principally up to 6 storeys).

Medium- to high- density housing will be accommodated only on the upper floors of mixed use buildings to ensure a high level of activity and interaction at street level.

Subzones: The new Port Adelaide Centre Subzone will accommodate the development of tourism, cultural and recreational facilities related to Port Adelaide's unique maritime history and commercial heritage and character, and promotion of the zone as a major state tourism destination. Residential development will be appropriate in designated areas.

Where it might apply: Existing Regional Centre or District Centre Zones where the zone provides for a range of regional facilities integrated with public transport networks (e.g. Westfield Marion), and large regional centres servicing a broad area (e.g. Mount Gambier).



Suburban Activity Centre Zone

This zone accommodates small- to medium- sized activity centres servicing a local or neighbourhood area. Development will primarily comprise shops, offices and consulting rooms. Residential development will be appropriate only in conjunction with non-residential development.

Building heights up to 4 storeys may be appropriate subject to appropriate interface with adjoining zones.

Where it might apply: Existing Neighbourhood and Local Centres, including shopping centres and shopping strips.

Township Activity Centre Zone

This zone accommodates small- to medium- sized activity centres in regional areas that are the focus of activity in the district.

The zone accommodates a range of retail, office, entertainment and recreational land uses. Housing may be appropriate where it will not prejudice the operation of envisaged non-residential uses.

Building heights up to 4 storeys may be appropriate, subject to appropriate interface with adjoining zones.

Where it might apply: Existing regional Town Centres that are not focused along a main street (where the Township Main Street Zone may apply instead), e.g. Mallala.



City Main Street Zone

This zone supports an innovative mix of medium and high density urban development along main road corridors within the City of Adelaide which display main street qualities (typified by highly activated, fine grain, narrow building frontages with frequent pedestrian entry points) and provide both day time and night time activation.

Subzones: The existing Main Street Policy Area of the Capital City Zone (applying to Rundle Mall and Rundle, Hindley, Gouger and Grote streets) have been transitioned to create the following subzones:

- Rundle Street Subzone
- Rundle Mall Subzone
- Hindley Street Subzone
- Gouger and Grote Street Subzone.

Where it might apply: Rundle Mall and Rundle, Hindley, Gouger and Grote streets.



Suburban Main Street Zone

This zone accommodates small-to medium- sized activity centres servicing a local or neighbourhood area. Development will primarily comprise shops, offices and consulting rooms. Residential development is appropriate only in conjunction with non-residential development.

Buildings will be oriented toward the main street to create active frontages and reinforce the main street character.

Building heights up to 4 storeys are anticipated where the building reinforces the main street edge. Buildings will decrease in height to provide an appropriate interface with adjoining low- to medium- density residential development.

Where it might apply: Existing suburban activity centres where a main street character is desired (e.g. Beach Road (Christies Beach) and Semaphore Road.

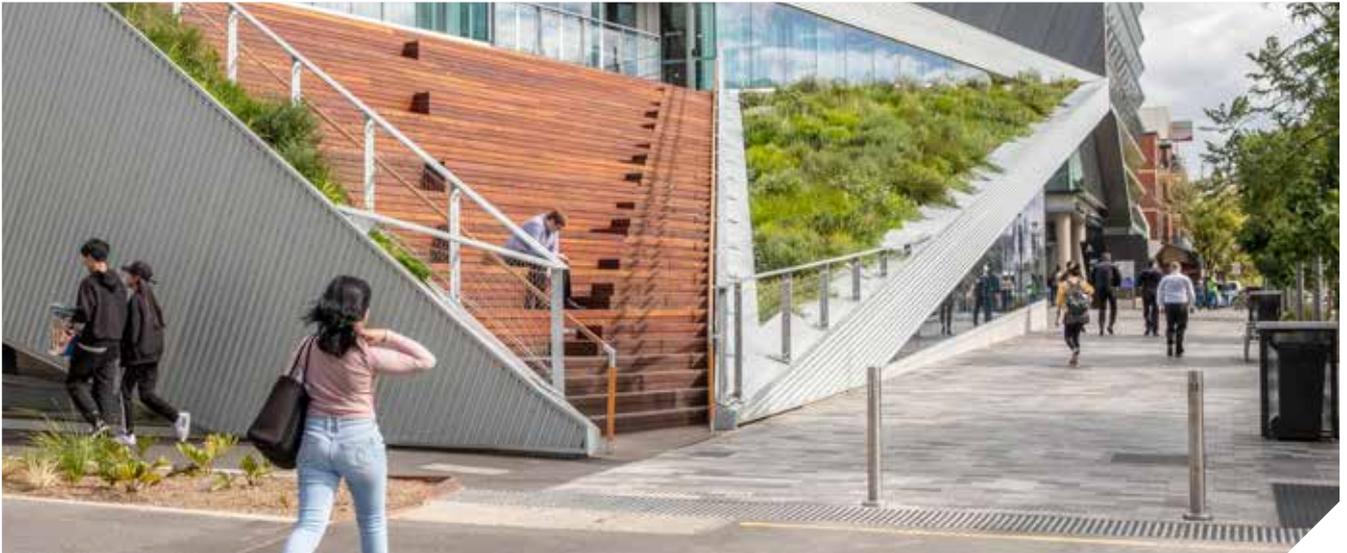
Township Main Street Zone

This zone provides a focus for regional main streets that service the local community and visitors. Development will primarily comprise retail, office, entertainment and recreational land uses and activities.

Housing may be accommodated in conjunction with non-residential uses, ideally sited above or behind non-residential uses to ensure shopfronts on the main street are preserved.

Buildings up to 3 storeys in height and designed to complement the traditional low-scale main street character with ground floor uses that contribute to an active and vibrant street may be appropriate.

Where it might apply: Town centres that are focussed around a traditional main street, e.g. Clare.



Employment Areas

Innovation Zone

This zone accommodates key education, research and innovation facilities supported by a mix of compatible land uses including tourism, hospitality, cultural, health, entertainment, recreation and small-scale retail activities to meet the needs of residents and visitors.

Medium- to high- rise built form is envisaged with ground floor uses that promote vibrant streets and night-time activity. The zone focuses on fixed transit stops, high quality public open space or education/health facilities, and is connected by pedestrian/cyclist networks.

Subzones: Rehabilitation Subzone to apply to the Repatriation Hospital site and Glenside.

Where it might apply: Flinders University and Tonsley Innovation Precinct

Suburban Business and Innovation Zone

This zone provides for a range of commercial, light industrial, shop and residential land uses.

Development will be designed and sited to minimise impacts on adjoining land uses.

Where it might apply: Mixed use area west of Newton Road, Campbelltown

Business Neighbourhood Zone

This zone envisages a mixed use environment of a lower scale and more residential-focused than the Suburban Business and Innovation Zone. Only low impact, non-residential uses are envisaged in the form of small-scale shops, offices and consulting rooms.

Where it might apply: Mixed use areas along Glen Osmond Road

Home Industry Zone

The Home Industry Zone supports small-scale and low-impacting, home-based business enterprises which are not anticipated to produce objectionable emissions.

Where it might apply: Existing home industry policy areas, such as Broderick Terrace in Victor Harbor

Employment Zone

This zone supports a range of industrial, high-impact activities including general industry, logistical, warehousing, storage, research and training land uses.

Where it might apply: Wingfield/
Cavan industrial area

Employment (Bulk Handling) Zone

This zone accommodates agriculture and other commodities received, stored and dispatched in bulk.

Where it might apply: Bulk handling activities on Eyre Peninsula

Suburban Employment Zone

This zone supports a diverse range of low-impact, light industrial, commercial (including bulky goods) and business activities that complement the role of other zones with significant industrial, shopping and business activities.

Where it might apply: Industrial area around Hardys Road, Torrensville



Mining

Resource Extraction Zone

This zone supports the provision and protection of land for the extraction, production and/or processing of a mineral, extractive or petroleum resource and ensures that development does not inhibit the future extraction of such resources.

Where it might apply: Mining site south of Ardrossan



Tourism Areas

Caravan and Tourist Park Zone

This zone supports caravan and camping sites, cabins, transportable dwellings and their associated services and facilities. It primarily caters for short-term residents and visitors.

Where it might apply: Caravan Parks

Tourism Development Zone

This zone provides for a range of tourist accommodation and associated services and facilities.

Where it might apply: Esplanade, Victor Harbor

Motorsport Park Zone

This zone accommodates a motorsport facility comprising sealed and non-sealed racing and other motor vehicle-related circuits/strips, spectator facilities and services.

A range of development types can be accommodated including associated industries, commercial uses, a retail service precinct, small-scale shops and tourist accommodation and facilities.

Where it might apply: The Bend Motorsport Park in Tailem Bend

Primary Industry Areas

Rural Zone

This zone covers the majority of the incorporated areas of the state. It supports a wide range of primary production activities and provides opportunities for value-adding and the use of renewable energy sources, including updated windfarm/solar farm provisions.

Where it might apply: Vast areas of land between rural towns

Peri-Urban Zone

This zone supports a complex and diverse range of land uses at the appropriate scale and intensity needed to conserve and enhance the zone's natural character, biodiversity, identity and scenic qualities. The zone promotes horticulture; value-adding opportunities; farm-gate businesses; the sale and consumption of agricultural based products; and tourist development and accommodation. No further division of allotments will be allowed.

Where it might apply: Majority of the Mount Lofty Ranges

Rural Intensive Enterprise Zone

This zone provides for the large-scale commercial production of animal and animal products (intensive animal keeping, broiler sheds, feedlots and piggeries), and their associated processing facilities and industries. The zone generally contains larger allotment sizes to deal with significant external impacts (noise, odour, waste) and large buffers.

Where it might apply: Food industries in Murray Bridge

Rural Horticulture Zone

This zone provides for intensive agriculture in the form of growing and processing of produce while supporting a wide range of low-impact rural activities. Value-adding opportunities are envisaged and less emphasis is given to tourist accommodation.

Where it might apply: Virginia, Riverland

Rural Aquaculture Zone

This zone supports marine- and land- based aquaculture including facilities, infrastructure, ancillary development and value-adding opportunities.

Where it might apply: Land-based aquaculture on the Eyre Peninsula (Note: water-based aquaculture will be zoned Coastal Waters)

PRODUCTIVE ECONOMY GENERAL DEVELOPMENT POLICIES

Advertisements

This module is comprised of policy derived from the SAPPL without fundamental changes.

The provisions seek to ensure advertisements are appropriate to their context, efficient and effective in communicating, limited in number to avoid clutter, and do not create hazard.

Where it might apply: A shop proposing a new advertising sign

Animal Keeping and Horse Keeping

This module is comprised of policy from the existing SAPPL Animal Keeping General Development Policies.

Policy review and feedback from practitioners indicated that low-intensity animal keeping policies should have their own module and that policy relating to more intensive animal keeping, including dairies and aquaculture, be placed in another General Development Policy: See Intensive Animal Husbandry and Dairies.

Where it might apply: Where an applicant proposes to use land for horse keeping or dog kennels

Aquaculture

This module is comprised of policy from the existing SAPPL Animal Keeping module, relating to land-based and marine aquaculture.

Where it might apply: Where an applicant proposes to use water for seafood farming



Beverage Production in Rural Areas

This new module is based on existing development plan policies associated with wineries.

Policy review and feedback from practitioners and government agencies indicated a need to review and update the policy to include a broader range of beverage production such as breweries, distilleries and cideries.

Previously, policies were contained in various Primary Production zones. The placement of these policies in a General Development Policy enables their application across a wider range of zones where this form of development is encouraged.

Where it might apply: An application for a new craft brewery

Bulk Handling and Storage Facilities

This module retains the intent of existing SAPPL policy, largely unchanged. Improvements include the addition of separation buffers from sensitive land uses through deemed-to-satisfy requirements for specific bulk handling and storage facilities, such as coal or bulk petroleum storage.

Where it might apply: Where a new petroleum storage facility is proposed



Forestry

This module contains policy from SAPPL with much of the module being retained, including minimum horizontal clearances from plantations for power poles and towers operating at a range of voltages. One change is the use of commercial forestry plantations for carbon sequestration.

Where it might apply: Where a commercial forestry is proposed

Intensive Animal Husbandry and Dairies

This module is comprised of policy from the existing SAPPL Animal Keeping general policy relating to more intense activities (e.g. poultry sheds, piggeries and dairies) without fundamental change to scope or intent.

Feedback from a range of practitioners indicated that it is appropriate to contain these high-intensity animal keeping policies in a distinct module, separate from policy relating to less intensive animal keeping such as kennels and horse keeping.

Where it might apply: Where a new piggery is proposed

Interface Between Land Uses

This module consolidates policy from a number of different sections of the SAPPL and is one of seven considered to be universal in its applicability.

The policy generally seeks to ensure that development is located and designed to minimise adverse effects on neighbouring land uses, reduce conflict and protect health by addressing interface issues such as land use separation, overshadowing, noise and vibration, and air quality.

Where it might apply: Where a commercial or industrial land use is proposed adjacent to residential areas

Resource Extraction

This module retains the policy intent of the existing SAPPL Mineral Extraction general policy, largely unchanged. As much of the existing general policy is regulated under the *Mining Act 1971*, SAPPL provisions relating to access, environmental protection, site closure, reclamation and stormwater management have been excluded.

Where it might apply: Where new or increased mining activities are proposed



Tourism Development

This module retains the intent of the existing SAPPL Tourism Development general policy, largely unchanged.

SAPPL provisions relating to issues including advertising associated with tourism development, heritage and separation buffers from rural industry or agriculture have been excluded as these provisions are addressed in other parts of the Code.

Where it might apply: Where an application proposes to build tourist accommodation units

PRODUCTIVE ECONOMY OVERLAYS

Dwelling Excision Overlay

This new overlay seeks to allow dwellings located on large rural allotments to be excised into a smaller allotment, leaving the balance of the land for primary production uses.

Referrals: None

Environment and Food Production Areas Overlay

This new overlay applies to the Environment and Food Production Areas as prescribed under Section 7 of the Planning, *Development and Infrastructure Act 2016* and ensures these areas continue to be protected from urban encroachment. Land division that creates one or more additional allotments for residential purposes is prohibited.

Referrals: None

Limited Dwelling Overlay

This new overlay seeks to prevent new dwellings being constructed in rural areas where such development may restrict primary production activities. This is evident in various 'paper towns' throughout the state (or adjoining key regional towns/cities) where there is pressure for rural living on existing smaller allotments and a desire to retain productive primary production lands.

Referrals: None





Limited Land Division Overlay

This new overlay seeks to protect land from ongoing fragmentation by limiting land divisions. This is intended to apply to key rural areas of South Australia where there is a desire to retain larger allotment sizes and minimise the potential for small allotments and the associated risks of rural living.

This overlay can also apply to townships and settlements where further land division is not encouraged and may result in the existing character being impacted upon or where infrastructure constraints limit growth opportunities.

Referrals: None

Significant Industry Interface Overlay

This new overlay seeks to protect the operations of significant industries by ensuring further sensitive development is precluded due to their potential environmental and/or amenity impacts. It does this by ensuring that land division creating one or more additional allotments for residential purposes is a restricted form of development, and includes policies to guide other sensitive forms of development.

This overlay is initially intended to transition policy from the following existing zones/policy areas which have similar policy regimes:

- Port Adelaide Enfield Restricted Residential Policy Area 65
- Whyalla Industry Buffer Zone
- Whyalla Rural (Industry Buffer) Zone
- Port Pirie Residential Policy Area 10.

Referrals: None

Resource Extraction Protection Area Overlay

This new overlay seeks to protect the current and future extraction of key mineral and other resources by ensuring development has regard to potential environmental and amenity impacts generated by the operation of strategic mines or quarries.

Referrals: The overlay includes referral triggers to the Minister responsible for administering the Mining Acts, for certain forms of sensitive development.

Chapter 3:

Natural Resources and Environment



INTRODUCTION



As the climate changes, we are becoming more vulnerable to the risks associated with extreme weather patterns which will significantly impact where we live and the infrastructure we will need to sustain our way of life. What we build now and into the future must respond to these anticipated impacts to avoid loss of life and reduce the destruction of our built environment, particularly in coastal settlements and areas near bushfire hazard zones.

It is also vital that we protect our natural resources, enhance our environment and biodiversity, manage constraints and mitigate against hazards. Ensuring we find ways to remain connected to nature in urbanised areas, particularly through green infrastructure networks, will become increasingly important for our health, happiness and wellbeing. We recognise that past decisions have changed our natural environment and now more than ever we need to protect it. The planning system has a key role to play in this.

In particular, it will be important to:

- mitigate and adapt to climate change
- facilitate green infrastructure and water sensitive urban design
- protect and secure our water resources
- value and enhance biodiversity
- build resilience to hazards.

In August 2018, the Commission released a discussion paper titled *Natural Resources and Environment* to encourage stakeholders and the community to give feedback and ideas on ways to address these challenges.

This chapter discusses how strategic objectives and engagement feedback on natural resources and the environment have been translated into the Code.



SUSTAINABLE AND LIVEABLE URBAN ENVIRONMENTS

Context

Enabling the delivery of urban environments that are more liveable and adaptable to a changing climate is critical to a sustainable future. This includes planning for Green infrastructure (GI), Water sensitive urban design (WSUD), energy efficient design, the mitigation of hazards, and effective waste management.

There is increasing awareness of the importance of, and opportunities to better facilitate, GI and WSUD to assist with urban cooling, reduce building energy use and improve biodiversity. Energy efficient design is also vitally important and includes building orientation and design, window placement, eave width, solar access and infrastructure, and materials selection. Waste management has shifted from reliance on landfill as the primary method of disposal to a focus on avoidance and reuse.

Strategic Setting

A number of State Planning Policies emphasise the importance of GI, WSUD and energy efficiency in delivering sustainable and liveable urban environments.

SPP 2: 'Design Quality': *The Code must... include performance outcomes and design solutions that are based on the Principles of Good Design for all development types.*

SPP 4: 'Biodiversity': *Policies should enhance the biodiversity of urban areas and townships through a connected and diverse network of green infrastructure systems along streetscapes, major watercourses, linear parks, open space, the coast and other strategic locations.*

SPP 5: 'Climate Change': Policies should allow for innovative adaptation technologies; promote climate-resilient buildings; improve the public realm; and identify areas suitable for green industries and carbon storage.

SPP 14: 'Water Security and Quality': The Planning and Design Code should ... promote water-sensitive urban design and effective stormwater management.

SPP 15: 'Natural Hazards': Policies should mitigate the impact of extreme heat events by designing public spaces and developments to create cooler microclimates through the use of green infrastructure and water sensitive urban design.

SPP Ref.	SPP
SPP 2.3	The development of environmentally sustainable buildings and places by applying Water Sensitive Urban Design and energy efficiency design solutions.
SPP 4.4	Enhance the biodiversity of urban areas and townships through a connected and diverse network of green infrastructure systems along streetscapes, major watercourses, linear parks, open space, the coast and other strategic locations.
SPP 5.4	Mitigate the impacts of rising temperatures by encouraging water sensitive urban design, green infrastructure and other design responses.
SPP 5.11	Regional Plans should include performance targets for urban greening and tree canopy enhancement in Greater Adelaide and regional townships.
SPP 14.5	Development should incorporate water sensitive urban design principles that contribute to the management of risks to water quality and other risks (including flooding) to help protect people, property and the environment and enhance urban amenity and liveability.
SPP 14.6	Improve the alignment between urban water management and planning by adopting an integrated water management approach.
SPP 15.4	Mitigate the impact of extreme heat events by designing public spaces and developments to create cooler microclimates through the use of green infrastructure and water sensitive urban design.



Investigations and Engagement

Feedback on the *Natural Resources and Environment Discussion Paper* included the following key points:

- The current energy efficiency principles and standards are tokenistic.
- Energy efficiency standards should not be unreasonably forced on the development industry as they may threaten their commercial viability.
- There is a need to fast-track simple and easy to understand WSUD measures for small-scale residential infill.
- Policy regarding WSUD and GI needs to be fit-for-purpose and able to be applied at different urban scales.
- The design quality policies in the Zero Waste (SA) better practice guidelines could be translated to the Code.
- The Code should be supported by guidelines that address different scales of development (greenfield/master-planned, multi-unit buildings, high-rise and small-scale infill).

New Directions

Key Opportunities and Challenges	Policy Response in the Code
<p>There is increasing recognition of the value of GI in creating cooler, more liveable and economically viable neighbourhoods.</p> <p>GI policies introduced in 2017 to some higher density, mixed use zones in metropolitan Adelaide should transition over to the Code, where appropriate.</p>	<p>GI policies are incorporated in the Design in Urban Areas General Development Policies to be called up where appropriate and enable wider application e.g. deep soil zones for trees.</p> <p>See the breakout box below for further information.</p>
<p>Inconsistent policy exists across some development plans to manage stormwater volume. For example, the application of WSUD policy is often applicable only to master planned/large scale developments and not to small-scale infill, which is an increasing percentage of new development.</p>	<p>Improved WSUD policies are incorporated into the Design in Urban & Rural Areas and Land Division in Urban & Rural Areas General Development Policies, enabling them to be applied to a broader scope of development types. Simple WSUD measures for small-scale infill have been introduced as a deemed-to-satisfy criteria.</p> <p>See the breakout box for further information.</p>
<p>Energy efficiency policies should apply to non-residential buildings such as consulting rooms, offices, educational establishments, retail and community, where there is a high level of human use.</p>	<p>Environmental performance policies contained in the Design in Urban Areas General Development Policies apply to non-residential uses, where appropriate.</p>
<p>Better consideration needs to be given to overshadowing of solar panels and solar hot water services.</p>	<p>Overshadowing of solar panels is considered in the Interface Between Land Uses General Development Policies.</p>
<p>Some buildings (particularly high-rise) have inadequate space to store and/or sort their refuse and recycling. This needs to be considered as part of the development from the beginning. Policy also needs to provide enough flexibility to respond to new waste management technologies.</p>	<p>Policy regarding waste storage areas has been refined and is included in the Design in Urban Areas General Development Policies.</p> <p>These policies will be reassessed as new waste management technologies emerge.</p>

In focus: Water-Sensitive Urban Design and Green Infrastructure in the planning system

The WSUD and GI framework transitions the current SAPPL and contemporary development plan policy into the Code, with particular emphasis on providing simple deemed-to-satisfy provisions for small-scale residential development.

Refer to the ***People and Neighbourhoods Discussion Paper*** for further detail.

Proposed WSUD and GI framework

Broad hectare land division
(master planned brownfield
or greenfield > 20
allotments)



Transition current SAPPL

Medium and high rise
mixed use and residential
development



Transition current SAPPL

Small scale residential in
established suburbs



Policy Improvement
Opportunity

Commercial, industrial
and institutional
development



Policy Improvement
Opportunity

In focus: The Adelaide Park Lands

A treasured public asset

The Adelaide Park Lands are the largest inner-urban park system in Australia and are listed on the national heritage register. The area features urban biodiversity and open space and is a cultural asset to all South Australians.

The more than 760 hectares of interconnected parks and reserves welcome more than 9 million visitors each year, serving as important gathering places for festivals, sporting events, leisure activities and large community gatherings.

The Park Lands are administered by the Adelaide Park Lands Authority under the *Adelaide Park Lands Act 2005*, with the Adelaide City Council and the state government having significant roles.



Transitioning policies into the Code

Represented by two distinct zones and thirteen separate policy areas in the current Adelaide (City) Development Plan, the planning outcomes sought for the Park Lands are expressed in an appropriately nuanced but unnecessarily complex manner.

Through the process of policy transition to the Code, it is considered especially important that the Park Lands continue to be supported by planning policy which protects their form, amenity and character, while allowing for greater public utilisation and accessibility opportunities into the future.

The Code zoning framework designed to apply to the Adelaide Park Lands consists of the following zones and subzones.

Enhancing our Park Lands will support the envisioned increased population and higher density living in the city by providing greater diversity in recreational, cultural and social activities. The Park Lands will also function as a key connection for walking and cycling routes.

The 30-Year Plan for Greater Adelaide – 2017 Update

Adelaide Park Lands zones and subzones

<p>City Riverbank Zone <i>Cultural Institutions Subzone</i> <i>Entertainment Subzone</i> <i>Health Subzone</i> <i>Innovation Subzone</i></p>	<p>Updates the existing Riverbank Zone and transitions over the current Health and Entertainment Policy Areas as the Health Sub-zone and the Entertainment Sub-zone. The Health Subzone focuses on the new Royal Adelaide Hospital and the Entertainment Subzone focuses on the Convention Centre, Adelaide Casino and Festival Centre precinct.</p>
<p>City Park Lands Zone <i>Adelaide Oval Subzone</i> <i>Eastern Park Lands Subzone</i></p>	<p>The City Park Lands Zone comprises a distinctive and culturally significant landscaped park and open space setting (for passive and active recreational uses) which is integral to the form and setting of the City of Adelaide.</p> <p>The current zone has been transitioned to the Code after the removal of outdated policy and creation of two Subzones to replace the 11 Policy Areas. The policy intent of the zone remains the same.</p>

WATER SECURITY AND QUALITY

Context

Water quality and security are fundamental to the sustainability of our settlements, industry and primary production and are vital to protect the character, amenity and spiritual and recreational values of our natural environment.

On average, the Greater Adelaide Region sources about 60% of its domestic water from the Mount Lofty Ranges Watershed via 10 reservoirs. Unlike other states of Australia, where water catchment areas are almost entirely publicly owned, the Mount Lofty Ranges Watershed Protection Area (MLRWPA) has a high level of private ownership.

Metropolitan Adelaide and many regional communities rely on water from the River Murray for their domestic and industrial needs and to irrigate their agricultural and horticultural production. Other regional areas rely on water provided by surface water systems, catchments and underground aquifers.

Strategic Setting

State Planning Policy 14 'Water Security and Quality' sets out the key strategic directions for this topic:

The Planning and Design Code should include an overlay that ensures development mitigates adverse impacts on our water supply. The Code should also promote water-sensitive urban design and effective stormwater management.

SPP Ref.	SPP
SPP 14.1	Protect the state's water supply to support a healthy environment, vibrant communities and a strong economy
SPP 14.2	Protect and recognise water supply catchments, including: <ul style="list-style-type: none"> • Water Protection Areas under the <i>Environment Protection Act 1993</i> (including those located in the Mount Lofty Ranges, South East and River Murray) • The River Murray Protection Areas under the <i>River Murray Act 2003</i> • Prescribed water resources and wells under the <i>Natural Resources Management Act 2004</i>.
SPP 14.3	Safeguard our water supply and supporting infrastructure to meet the needs of a growing population and economy while maintaining a healthy environment and enabling safe access to alternative water sources for 'fit-for-purpose' use.
SPP 14.5	Support development that does not adversely impact on water quality.
SPP 14.6	Improve the alignment between urban water management and planning by adopting an integrated water management approach.



Investigations and Engagement

Feedback on the *Natural Resources and Environment Discussion Paper* included the following key points:

- Referral triggers are difficult to interpret and need to be improved to ensure that water is not inappropriately diverted from watercourses.
- There is a need for improved integration between the planning system and Department of Environment and Water (DEW) approval processes in Water Protection Areas.
- The proposed policy recommendations set out for other Watershed Protection Areas are supported, subject to further detail about the proposed overlay for this theme and clear objectives being set out to support the ecological health of rivers.
- Consistent development policy is needed in the River Murray council areas, including the use of overlays to delineate between areas where different policies and/or referrals apply (e.g. tributaries).

New Directions

Key Opportunities and Challenges	Policy Response in the Code
<p>Current development plan policy in the Mount Lofty Ranges Watershed Protection Area includes:</p> <ul style="list-style-type: none"> • inconsistent referrals due to changes to non-complying forms of development • emerging land uses with similar impacts not being subject to the same requirements (e.g. breweries and cideries versus wineries) • lack of policy guidance for other emerging land uses, including value-adding activities • some high-impact land uses being unrestricted whilst other low-impact uses are restricted. 	<p>The Mount Lofty Ranges Water Protection (Area 1) Overlay and the Mount Lofty Ranges Water Protection Area (Area 2) Overlay will apply across the Mount Lofty ranges Water Protection Area. Issues with policy inconsistency between councils have been addressed through the new overlays and underlying zone. Additional policy has been created to assess other beverage production such as distilleries, & cideries in the General Policy Modules and value adding policies in the zone.</p>
<p>To ensure the sustainable use of non-prescribed water resources, the recent Rural City of Murray Bridge Regional Integrated Water Management DPA could inform the development of an overlay for all Prescribed Water Resources Areas under the <i>Natural Resources Management Act 2004</i>.</p>	<p>A number of water protection area overlays have been developed which apply to certain declared protected areas across the state.</p> <p>Each prescribed water resource has a corresponding overlay which triggers a referral to ensure its sustainable use.</p>
<p>A regional approach to deal with policy inconsistencies between River Murray council areas is needed. This includes retaining and consolidating key policies and zones relating to the protection of important natural environments, water bodies, biodiversity and conservation areas.</p>	<p>A single River Murray Flood Plain Overlay is proposed as a more efficient mechanism for setting out floodplain policies.</p> <p>A new River Murray Tributaries Overlay and a new Murray-Darling Basin Overlay will also enable expert assessment and direction where development may impact on the health of the River Murray system.</p>

BIODIVERSITY

Context

South Australia’s natural environment includes some of the most biologically diverse ecosystems in the world. However, our patterns of land clearance, consumption and development have fragmented and disrupted these systems, resulting in a significant loss of biodiversity and natural character. This has led to reduced primary production yields; reduced liveability; increased public costs associated with remedial actions; increased nuisance from over-abundant native species (such as corellas, lorikeets, kangaroos and flying foxes); land degradation; water quality issues; and loss of biodiversity.

It is important that planning policy supports the protection of areas with significant environmental values; protects landscape health; and improves development certainty and transparency. Urban biodiversity can also be supported through a connected network of green infrastructure.

Strategic Setting

State Planning Policy 4 ‘Biodiversity’ sets out the key strategic directions for this topic:

The Planning and Design Code should provide a suite of zones that support the protection of areas of biodiversity value and guide the types of land uses envisaged in these areas. Compatible eco-tourism and recreational land uses should be supported with policies about how their impacts can be best managed.



SPP Ref.	SPP
SPP 4.1	Minimise impacts of development on areas with recognised natural character and values, such as native vegetation and critical habitat so that critical life-supporting functions to our state can be maintained.
SPP 4.2	Recognise the value of modified landscapes and allow appropriately scaled development that can co-exist with and safeguard biodiversity values and critical functions.
SPP 4.3	Encourage the re-introduction of biodiversity or its components in development areas to provide life-supporting functions at low cost.
SPP 4.4	Enhance the biodiversity of urban areas and townships through a connected and diverse network of green infrastructure systems along streetscapes, major watercourses, linear parks, open space, the coast and other strategic locations.
SPP 4.5	Where impacts to biodiversity cannot be avoided, these impacts should be minimised and where possible, offset.
SPP 4.6	Encourage nature-based tourism and recreation that is compatible with, and at an appropriate scale for, conserving the natural values of that landscape.
SPP 4.7	Assess and manage risk posed by known or potential biosecurity threats to enable the sustainable development and use of terrestrial and marine environments.
SPP 4.8	Development in, or affecting, marine environments is ecologically sustainable.



Investigations and Engagement

Feedback on the *Natural Resources and Environment Discussion Paper* highlighted the following issues:

- SA needs a state-wide strategy related to biodiversity protection.
- Interim mapping of areas of biodiversity value could be undertaken as part of the first generation of the Code using existing council resources such as Integrated Biodiversity Management Plans
- The value of trees should be given greater emphasis.
- Methodology is needed to:
 - determine biodiversity benchmarks
 - identify significant biodiversity areas
 - measure the cumulative impacts of small-scale development.

Ideas to enhance the state's natural environment and biodiversity included:

- retaining established zones of a low-density character (e.g. Historic Conservation Areas and Residential Character Zones, which often feature large blocks with more trees)
- developing a green cover 'score' which could be applied to the calculation of public space (e.g. use of native plants)
- establishing state-led initiatives such as a backyard biodiversity program
- meeting canopy infill targets at the state government level
- improving the integration between the planning system and Acts pertaining to native vegetation, environment protection and biodiversity conservation
- placing a greater emphasis on wildlife in planning policies.

New Directions

Key Opportunities and Challenges	Policy Response in the Code
Provide a greater focus on maintaining and improving current urban biodiversity (where appropriate) whilst retaining our biodiversity in conservation areas.	<p>The Code includes a single Conservation Zone with spatial overlays relating to native vegetation protection.</p> <p>The Land Division General Module seeks to support a pattern of allotments that retains environmental features of value including vegetation.</p>
The impact of adjacent land uses on biodiversity can be substantial. The Code should require adjacent impacts to be considered at a consistent and appropriate level.	<p>Policy has been spatially applied (via the Native Vegetation Overlays) in a consistent manner to protect areas of high biodiversity value.</p>
Development assessment and native vegetation approval processes need to be integrated to achieve more efficient and better outcomes.	<p>To provide a clearer and more streamlined assessment process, Native Vegetation Overlays will ensure development avoids and minimises the clearance of native vegetation and, in certain circumstances, will trigger a referral to the Native Vegetation Council.</p> <p>Refer to the breakout box below for further information.</p>

In focus: Native vegetation in the planning system

Current System

Approval for native vegetation clearance currently requires a separate approval process under the *Native Vegetation Act 1991* and usually occurs after the planning approval process (under the *Development Act 1993*), resulting in the following:

- **Inconsistent decision making** - approval may be granted under one Act but refused under the other.
- **Confusion and uncertainty** - applicants are often not aware of the requirements under both Acts. This can result in breaches of legislation or unexpected time delays and additional costs late in the assessment process.
- **Inconsistent information requirements** - ecological information provided through the development application is often not fit-for-purpose for native vegetation applications, leading to additional expense for applicants.
- **Uncertain decision making by relevant authority** - the planning authority may defer to the Native Vegetation Council to make decisions relating to native vegetation as the relevant expert, however such matters are often more appropriately considered earlier in the development application process, particularly to give the applicant more certainty about their proposal.



New system

To achieve more efficient and better outcomes, the planning and native vegetation approval processes will be integrated through the introduction of:

- **State Significant Native Vegetation Overlay** – to apply to national parks, wilderness reserves, areas subject to heritage agreements, and conservation parks.
- **Native Vegetation Overlay** – to apply to areas of the state where the Native Vegetation Act applies (apart from where the State Significant Native Vegetation Overlay applies).

The proposed new approach will:

- Provide a **clearer** and a **more streamlined** assessment process
- Enact the intent of the **current referral** and associated native vegetation legislation
- Ensure **greater certainty** for applicants
- Enable **consistent assessment** of native vegetation impacts under both planning and native vegetation legislation using the same information
- ensure that any **costs or constraints** relating to native vegetation are **considered**
- accommodate **decision making early** in the development application process
- **standardise requirements**
- **ensure fewer applications** are referred to the Native Vegetation Council, resulting in **faster assessments**.

Refer to the Native Vegetation information sheet on the SA Planning Portal for further detail.



COASTAL ENVIRONMENTS

Context

The South Australian coastal and marine environment has high intrinsic, aesthetic, social, environmental and economic values. It includes beaches, oceans, dune systems, tidal waters, wetlands and cliffs. The natural features of the coastal environment provide vital habitat, contribute to our biodiversity and play an important role in protecting development and human occupation from flooding and erosion. Coastal areas also play a key role in the state's economy through aquaculture, recreation and tourism, transport and industry facilities.

The interface between sea and land is subject to coastal hazards such as flooding, erosion, sand dune drift and acid sulfate soils. Climate change and sea level rise have increased the risk for coastal developments and threaten the viability of tide-dependent ecosystems and primary industry. Planning policies are needed to protect:

- habitats that are highly sensitive to the direct impacts of development
- important geological and/ or natural features of scientific, educational or cultural importance
- landscapes of very high scenic quality.

The Code also provides an opportunity to consolidate existing policy to create more consistency and ease of use.

Strategic Setting

State Planning Policy 13 'Coastal Environment' includes a number of directions to guide development policies regarding the coast:

The Planning and Design Code should implement zoning and overlays that clearly identify coastal hazards, areas of conservation value, recreation reserves and locations for coast-dependent industries.

SPP Ref.	SPP
SPP 13.1	Protect and enhance the natural coastal environment and its resilience to a changing climate, including environmentally important features, such as mangroves; wetlands; estuaries; marine-protected areas; sand dunes; cliff tops; beaches; native vegetation; living creatures; and other important habitats.
SPP 13.2	Development that is not at risk from current and future coastal hazards (including sea-level rise, coastal flooding, erosion, inundation, dune drift and acid sulfate soils) consistent with the hierarchy of 'avoid', 'accommodate' and 'adapt'.
SPP 13.3	Balance social and economic development outcomes in coastal areas with the protection of the environment.
SPP 13.4	Locate development and infrastructure in areas that are not subject to coastal hazards unless the development requires a coastal location and appropriate hazard mitigation strategies are in place, taking into account projected sea-level rise and coastal retreat.
SPP 13.5	Facilitate sustainable development that requires a coastal site, including eco-tourism, aquaculture, marinas and ports, in areas adjoining the foreshore where environmental impacts can be avoided or mitigated.
SPP 13.6	Maintain or enhance the scenic amenity of important natural coastal landscapes, views and vistas.
SPP 13.7	Development that enables and enhances public access to coastal areas with minimal impact on the environment and amenity.
SPP 13.8	Locate low intensity recreational uses where environmental impacts on the coast will be minimal and can be managed.
SPP 13.9	Recognise and protect the high carbon storage values of areas such as mangroves and salt marshes.
SPP 13.10	Support development that does not contribute to sediment, nutrients and contaminants entering the coast and marine environment.



Investigations and Engagement

The key themes arising from feedback on the *Natural Resources and Environment Discussion Paper* included the following:

- The Code should consolidate existing policy related to coastal environments and introduce better spatial information about, and a consistent approach to, sea level rise and storm surges.
- An evidence-based suite of planning policies that take account of climate change impacts for coastal settlements is needed.
- Improved referral triggers to the Coast Protection Board with associated clear overlay mapping are needed (according to some respondents).

New Directions

Key Opportunities and Challenges	Policy Response in the Code
The overlap between the 'High Water Mark' and 'Low Water Mark' in development plans needs to be addressed.	A single Coastal Waters and Offshore Islands Zone applies, which prescribes the water mark in a consistent manner.
There is an opportunity to make coastal policies more consistent by consolidating existing policies. This could be achieved by developing an overlay(s).	The Code consolidates coastal policy from the Coastal Areas, Coastal Conservation, Coastal Open Space and Coastal Settlement SAPPL General and Zone modules into a single Coastal Areas Overlay. Referrals to the Coast Protection Board will be triggered through this Coastal Areas Overlay, when required
The increasing impacts of climate change are reinforcing the need for policies to better protect, preserve and provide space for the migration of coastal features and habitats adapting to sea level rise (e.g. the migration of dune systems and mangroves).	Policy considers climate change risks, including provision of space for migration of coastal features such as beaches, dunes and mangroves where appropriate.
With rising sea levels, the risk of inundation increases. The spatial application of where this risk applies needs reviewing and updating.	Site and floor level requirements are included in a Technical and Numeric Variations layer for the Yorke Peninsula council area. This will be a pilot for including individual Australian Height Datum (AHD) levels in a Technical And Numeric Variations Layer in other locations. The pilot will be expanded in time and will include updated risk data as it becomes available.

NATURAL HAZARDS

Context

Natural hazards are an integral part of the South Australian landscape and have the potential to impact on people, property, infrastructure, our economy and the environment. As we continue to grow and develop we need to plan for, and mitigate risks from, these hazards.

The costs to community, business and government in responding to and recovering from natural hazard events is significant. Land use planning has an important role to play in guiding development to reduce the impact of natural hazards, rather than relying solely on ‘response and recovery’.

Climate change is expected to increase the severity and frequency of extreme weather events throughout the world. Higher temperatures will increase the frequency of extreme heat events and the intensity and frequency of bushfires. Likewise, storm events will increase and result in heavier and more sustained rainfall, high winds and coastal flooding and erosion.

The Code provides an opportunity to better understand the spatial application of natural hazards and consolidate existing policy.

Strategic Setting

State Planning Policy 15 ‘Natural Hazards’ sets out a number of relevant policies:

The Planning and Design Code should include policy that mitigates the adverse impacts from natural hazards, particularly flood and fire. Overlays will be used to identify risks relating to bushfire, flooding and other natural hazards.

SPP Ref.	SPP
SPP 15.1	Identify and minimise the risk to people, property and the environment from exposure to natural hazards including extreme heat events; bushfire; terrestrial and coastal flooding; soil erosion; drought; dune drift; acid sulfate soils; including taking into account the impacts of climate change.
SPP 15.2	Locate and design development in accordance with a risk hierarchy of ‘avoid’, ‘accommodate’ and ‘adapt’.
SPP 15.3	Avoid locating sensitive developments and communities in areas at high risk of hazards – namely hospitals, telecommunication towers, major transport infrastructure, energy base stations and water services – or ensure that these developments are subject to a higher level of assessment.
SPP 15.4	Mitigate the impact of extreme heat events by designing public spaces and developments to create cooler microclimates through the use of green infrastructure and water sensitive urban design.
SPP 15.5	Protect key coastal areas and critical infrastructure at risk from sea-level rise, coastal erosion and storm surges.
SPP 15.6	Avoid development in high or extreme hazard risk areas (such as bushfire risk areas) that will necessitate the removal of native vegetation.



Investigations and Engagement

Respondents to the *Natural Resources and Environment Discussion Paper* highlighted the following issues:

- Existing bushfire and coastal hazard maps are outdated and inaccurately mapped.
- Development in areas of medium bushfire risk could be referred to the Country Fire Service.
- Bushfire policies need to better address the conflicts between biodiversity protection and habitat clearance for bushfire mitigation.
- State-wide flood mapping and hydrological assessments should be provided in the first iteration of the new Code.
- Clarity on costs and funding sources associated with data collection and modelling is needed.
- Hazard policy should take account of climate change projections.
- Areas affected by extreme heat as a result of climate change may warrant their own hazard overlay.

Most submissions broadly supported a risk-based approach to hazard management for assessing development on hazard-prone land.

New Directions

Key Opportunities and Challenges	Policy Response in the Code
<p>Consistency is needed in flood mapping and terminology, and the identification of acid sulfate soils. Bushfire mapping, methodology and, possibly, policy need updating with reference to recent changes to Victorian and New South Wales policy.</p>	<p>Mapping of hazards in current development plans has been refined and transitioned into new spatial overlays, including:</p> <ul style="list-style-type: none"> • flood risk • bushfire risk, incorporating distinct policy relevant to the particular environment and level of risk • coastal areas • acid sulfate soils.
<p>The Code should review current hazard policy and update it with best practices where appropriate, including nuanced policy that reflects the level of risk.</p>	<p>Flooding policy in the Hazards General Development Policies has been refined and transitioned to the Code.</p> <p>Future versions of the Code will:</p> <ul style="list-style-type: none"> • update the mapping of all flood-prone areas using a consistent methodology • update the Flood Risk Overlay • explore the opportunity to create flood risk categories that take into account flood function as well as volume and depth. <p>Refer to the break-out box for further information.</p>

In focus: Flood mapping in the new system

Flood mapping in current development plans

Significant variation exists with regard to the availability of flood hazard mapping within current development plans. Of the 68 plans outside the 'Land not within a Council Area', only 17 contain flood hazard mapping in some form. Significant variation also exists between the quality of mapping in these plans, ranging from mapping which shows extent only, to mapping which indicates extent, risk rating and approximate flood depth. Similarly, policy content often does not interact with hazard mapping completely. Even where risk rating has been allocated to hazard mapping, there is often no clear delineation of the planning response required for each risk level and only a little more content is provided than that outlined in the SAPPL (if any).

A number of councils also have flood mapping that is not included in development plans nor is it visible to the public through online tools, but it is used by the councils in their development assessment processing.

Flood hazard mapping data is available through DEW's WaterConnect. This tool consolidates council and other data that has been provided to DEW under (limited) data sharing agreements and there is also some limited spatial data available through some councils' websites.

It is clear that SA's flood mapping needs to be aggregated and amalgamated into a single spatial dataset.

Proposal for Generation 1 of the Code

Generation 1 of the Code will deliver a spatial Hazard (Flooding) Overlay covering the flood mapping in the 17 development plans. This approach effectively maintains the status quo but in a modernised spatial layer.

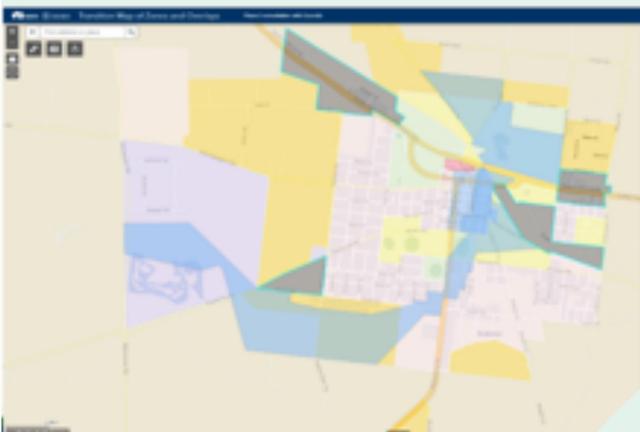
For councils without a Hazards (Flooding) Overlay, a deemed-to-satisfy provision is included for all residential development in the Design in the Urban Areas General Development Policies. This will require all dwellings to be built 300 mm above the kerb line. This is an interim policy response until further flood mapping work can be undertaken for future iterations of the Code.

Opportunity for future improvements

Opportunity exists to:

- update the mapping of all flood-prone areas using a consistent methodology
- explore the opportunity to create flood risk categories that take into account flood function as well as volume and depth.

DPTI will work with DEW and other key stakeholders to seek funding as this work will require significant time and resources.





ENVIRONMENT PROTECTION AND PUBLIC HEALTH

Context

It is essential that we effectively manage the impacts of pollution and waste created by human activities in order to sustainably maintain our population and economic activity.

As our population grows, urban densification increases and mixed-use areas become more common, an appropriate policy response to site contamination and interface issues, e.g. noise and air emissions, is needed.

People living in regional and remote areas may be exposed to a range of hazards not found in our cities and suburbs, such as those associated with intensive animal keeping facilities, mining operations, logging and timber activities, agricultural activities, landfills and sewage treatment facilities. All of these need careful management and appropriate planning policies to minimise the interface issues.

Strategic Setting

State Planning Policy 16 'Emissions and Hazardous Activities' sets out policies relevant to environment protection and health:

The Planning and Design Code should implement appropriate zoning and policy to ensure minimal exposure to emissions and hazardous activities. Known risks should be mitigated through appropriate policy responses. The Code should include remediation policies to mitigate any potential contamination of sites and to facilitate the safe use of land.

'The Code should establish a policy regime to ensure strategic industrial land and essential infrastructure are protected from encroachment by sensitive land uses. Areas where emissions or hazardous activities can be mitigated or managed to provide certainty for industrial development investment should be identified.'

SPP Ref.	SPP
SPP 16.1	<p>Protect communities and the environment from risks associated with industrial emissions and hazards (including radiation) while ensuring that industrial and infrastructure development remains strong through:</p> <ol style="list-style-type: none"> supporting a compatible land use mix through appropriate zoning controls appropriate separation distances between industrial sites that are incompatible with sensitive land uses controlling or minimising emissions at the source, or where emissions or impacts are unavoidable, at the receiver.
SPP 16.2	<p>Assess and manage risks posed by known or potential site contamination to enable the safe development and use of land.</p>



Investigations and Engagement

Respondents to the *Natural Resources and Environment Discussion Paper* highlighted the need for clear rules and procedures to be established around site contamination so there is no ambiguity about when an Environment Protection Agency (EPA) referral is required.

Feedback also highlighted that public health considerations should extend to the urban heat island effect, which can have exacerbated effects on our ageing population and the disadvantaged, especially during heat waves.

Regarding interface issues, respondents suggested that:

- Design solutions and performance outcomes are needed to address interface issues in mixed use development areas.
- the Air and Noise Emissions Overlay should be considered in the transition to the Code and cover all zones that envisage mixed use development and in locations adjacent to arterial roads and fixed public transport lines.
- The adequacy of health management concerns (exposure to particulate matter) in the Air and Noise Emissions module should be reviewed.
- Potential hazards from industrial and agricultural activities should be addressed wherever dwellings and these land uses are in proximity to each other. Policy should protect communities from industrial and agricultural impacts and prevent residential development around existing industries and operations.

New Directions

Key Opportunities and Challenges	Policy Response in the Code
Site contamination policies need to be aligned and updated to minimise different interpretations.	Current site contamination policies have been refined and transitioned to the Site Contamination General Development Policies.
There is currently a lack of policies to use in the assessment of site contamination when no referral is triggered (e.g. when it is known that there are a number of undiscovered contaminated sites and proper investigations are required).	A new Practice Direction will establish the processes expected of planning authorities when assessing development subject to site contamination considerations. Refer to the break-out box below for further information.
Interface policies need to be updated to reflect recent policy amendments towards more mixed use zoning e.g. residential areas alongside industry or commercial uses.	The Interface Between Land Uses General Development Policies deal with interface issues in mixed use areas.



In focus: Reforming site contamination assessment in the planning system

Urban renewal and community health

Urban renewal often involves the conversion of former industrial lands to mixed use residential areas. The community's safety must be protected when development is undertaken on, or near, these lands.

State Planning Policy 16: 'Emission and Hazardous Activities' recognises the critical role of the planning system in safeguarding communities and the environment from potential site contamination, particularly when a change in land use is proposed.

A partnership approach to reform

Until now, planning mechanisms that address site contamination issues have been applied inconsistently, leading to unnecessary costs, delays and legal disputes.

To address this, DPTI and the EPA have partnered with the local government sector and industry groups to reform the site contamination assessment process to simplify guidance for practitioners, safeguard community health, and ensure a clear and even playing field for developers. The updated policies are included in the Site Contamination General Development Policies for the Code.

Clearer guidance and simplified processes

The changes introduce a risk-based approach to determine site suitability. Consisting of four steps, the procedure is based around a graduated assessment of site conditions resulting from previous uses of the land, and applies only when a more sensitive use is being proposed.

In addition to policy contained within the Code, a draft Practice Direction has also been prepared to explain the application of the changes and provide clear guidance on the steps required. The draft Practice Direction will accompany the release of the Code.





NATURAL RESOURCES AND ENVIRONMENT ZONE FRAMEWORK



City Park Lands Zone

This zone comprises a distinctive and culturally significant landscaped park and open space setting (for passive and active recreational uses) which is integral to the form and setting of the City of Adelaide.

The current zone has been transitioned to the Code after the removal of outdated policy and creation of two subzones to replace the 11 Policy Areas. The policy intent of the zone remains the same.

Subzones: Eastern Park Lands Subzone and Adelaide Oval Subzone

Where it applies: Adelaide Park Lands

Coastal Waters and Offshore Islands Zone

This zone is based on the general policies in the current Land Not Within Council Areas (Coastal Waters) Development Plan.

The zone seeks to protect the state's coastal waters, including marine parks and off-shore islands, and recognises the importance of these areas for commercial, tourism, recreation and navigation activities.

**Note the Coastal Areas Overlay will apply to those areas where coastal processes occur (see overlay description).*

Where it applies: Waters adjacent to the coast

Hills Face Zone

This zone seeks to preserve, enhance and re-establish the natural character of Adelaide's landscape backdrop. The zone prevents urban areas from extending into the western slopes of the Mount Lofty Ranges; seeks to preserve biodiversity and restore locally indigenous vegetation and fauna; and contributes to the provision of areas for open space and passive recreation.

Where it might apply: Shepherds Hill, Cleland, Waterfall Gully

Conservation Zone

This zone applies to conservation parks and reserves under state and federal government ownership, and privately owned land where coastal or riverine processes occur. The zone provides for a limited mix of development/land uses, including signage related to conservation and tourist information, small-scale recreational facilities/amenities, campgrounds and structures for conservation purposes.

Subzones: Dwelling Subzone, Small Scale Settlement Subzone, Visitor Experience Subzone

Where it might apply: Aldinga Scrub, Lake Alexandrina

Remote Areas Zone

This zone provides for a wide range of activities, including grazing and farming activities; mining and petroleum (and associated settlements); tourism; renewable energy facilities; aerospace and defence-related facilities (and associated settlements); remote settlements; and Aboriginal lands.

Where it applies: Areas of outback SA not within townships

NATURAL RESOURCES AND ENVIRONMENT OVERLAY FRAMEWORK



Hazards (Flooding) Overlay

This overlay incorporates policy to minimise the impacts of flooding on people, property, infrastructure and the environment in areas covered by current flood mapping in development plans.

Referrals: None

Coastal Areas Overlay

This overlay provides hazard and conservation policy to areas where coastal processes occur:

- all land within a zone, policy area or precinct which currently has the word 'coast' or 'coastal' in the title
- developed land within 100 metres of the high water mark
- non-developed land within 500 metres of the high water mark.

Referrals: Coast Protection Board for certain types of coastal development

Hazards (Acid Sulfate Soils) Overlay

This overlay seeks to protect the environment from the release of acid water resulting from the disturbance of acid sulfate soils.

The policy content has been transitioned from the general policy in the SAPPL without fundamental change.

The mapping dataset, provided by the Department of Environment and Water (DEW), includes all areas where a proportion of the land is susceptible to acid sulfate soils, with the following profiles:

- negligible
- 1-10%
- 10-30%
- 30-60%
- greater than 60%.

Referrals: None

Hazards (Bushfire) overlays

Bushfire Prone Area maps have been transitioned into six overlays:

- Hazards (Bushfire - Outback)
- Hazards (Bushfire - General Risk)
- Hazards (Bushfire – Medium Risk)
- Hazards (Bushfire – High Risk)
- Hazards (Bushfire - Urban Interface)
- Hazards (Bushfire – Regional)

The General, Medium and High Risk Overlays reflect the spatial mapping of bushfire prone areas in current development plans. The other overlays spatially represent the current General Development Policies relating to bushfire hazards and mitigation measures in circumstances where urban areas immediately abut areas of high bushfire hazard risk.

Note: A future mapping project will provide a more accurate bushfire hazard overlay after mitigation policy measures have been determined. The mapping will then be subject to community consultation.

Referrals: South Australian Country Fire Service for certain development in High Risk areas

Historic Shipwrecks Overlay

This new overlay maps the indicative location of historic shipwrecks to protect and conserve these important artefacts and sites.

The mapping creates 500 metre buffers around unlocated shipwrecks and 150 metre buffers around located historic shipwrecks or relics, as defined in the *Historic Shipwrecks Act 1981*, where:

- such land is seaward of the limits of existing land-based settlements, zones/areas which primarily enable urban development (e.g. rural zones, conservation zones, coastal zones or other similar zones in which urban development is secondary)
- such land is within 15 metres landward of the current banks of the River Murray.

Referrals: Two referrals could be triggered by this overlay:

1. Minister administering the *Historic Shipwrecks Act 1981*
 2. Commonwealth Minister responsible for administering the *Historic Shipwrecks Act 1976* (Commonwealth).
-

Marine Parks (Restricted Use) Overlay

This new overlay captures the Sanctuary and Restricted Access Marine Park Zones as development deemed to be consistent with the objectives of these zones is identical.

The overlay will provide tighter development controls than the current Marine Parks (Managed Use) Overlay.

Performance-assessed development within the area of the overlay will include specific-purpose development identified under the terms of the applicable marine park management plan and aquaculture. All other development within the overlay will be restricted.

Referrals: None



Marine Parks (Managed Use) Overlay

This new overlay seeks to protect and conserve marine biological diversity and habitats in the 19 marine parks proclaimed in 2009 under the *Marine Parks Act 2007*. A multiple-use zoning scheme containing four Marine Park Zones provides for varying levels of conservation, recreational and commercial use.

The overlay captures marine parks currently identified in the Coastal Waters Zone.

Performance-assessed development within the area of the overlay will include marinas; jetties; pontoons; break walls; outfalls and pipelines; renewable energy infrastructure; and specific-purpose development identified under the terms of the applicable marine park management plan. All other development within the overlay area will be restricted.

Referrals: None

Regulated and Significant Trees Overlay

This overlay seeks to promote the conservation of regulated and significant trees where they provide an important aesthetic and environmental benefit, in balance with achieving appropriate development.

The overlay includes a Technical and Numerical Variations Layer which identifies trees declared 'significant' in accordance with the *Planning, Development and Infrastructure (General) Regulations 2017*.

Referrals: None



Mount Lofty Ranges Catchment (Area 1 and 2) Overlays

The new Mount Lofty Ranges Catchment (Area 1) Overlay applies to Mount Lofty Ranges Water Protection Area 1.

Potentially high-risk or high-impacting uses are restricted in this area and there are fewer opportunities for deemed-to-satisfy pathways due to its sensitive nature and importance.

The new Mount Lofty Ranges Catchment (Area 2) Overlay applies to Mount Lofty Ranges Water Protection Areas 2 and 3.

The policy safeguards Greater Adelaide's water supply within these overlays by ensuring development has a neutral or beneficial effect on the quality of water harvested.

Referrals:

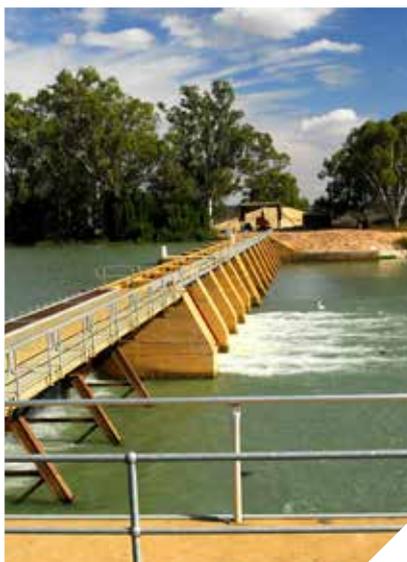
1. Referral to the Minister responsible for the administration of the *Natural Resources Management Act 2004* where development involves a dam or wall
2. Referral to the Environment Protection Authority (EPA) for various other development types

Murray–Darling Basin Overlay

This new overlay transitions a referral trigger from Schedule 8 of the *Development Regulations 2008* which relates to activities that may require water to be taken from the River Murray (within the meaning of the *River Murray Act 2003*) via a water licence granted under the *Natural Resources Management Act 2004* and is applied to land within the Murray-Darling Basin.

The overlay seeks to protect the Murray-Darling Basin by ensuring activities involving the taking of water are undertaken in a sustainable manner.

Referrals: Referral to the Minister administering the *River Murray Act 2003* for certain types of land use activities which have potential for relatively high water usage.



Native Vegetation Overlay

This new overlay maps the areas of the state which are subject to the *Native Vegetation Act 1991* (excluding those areas covered by the State Significant Native Vegetation Overlay).

Note: The overlay does not map the location of vegetation, rather it provides an assessment trigger.

The overlay seeks to enable better alignment between the land use planning system and native vegetation clearance consent process.

Where an application involves native vegetation removal it may trigger the need for expert input into the development assessment process via an accredited consultant's report and/or referral to the Native Vegetation Council.

Referrals: Native Vegetation Council, subject to a report prepared by an accredited consultant, as prescribed by the *Native Vegetation Act 1991*.



State Significant Native Vegetation Overlay

This new overlay maps the location of selected reserves, national parks and land heritage agreements which contain significant stands of native vegetation. A 50 metre buffer area is included in the overlay to capture development in close proximity to these areas.

Where an application involves native vegetation removal it may trigger the need for expert input into the development assessment process via an accredited consultant's report and/or referral to the Native Vegetation Council.

Referrals: Native Vegetation Council, subject to a report prepared by an accredited consultant, as prescribed by the *Native Vegetation Act 1991*.



Prescribed Surface Water Area Overlay

This new overlay transitions existing referral triggers from Schedule 8 of the *Development Regulations 2008* which relates to activities that may adversely impact prescribed surface water areas under the *Natural Resources Management Act 2004*.

The overlay seeks to protect such areas by ensuring activities involving the taking of water are avoided or undertaken in a sustainable manner.

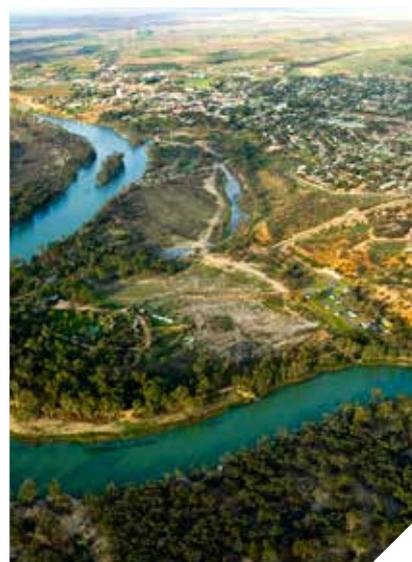
Referrals: For certain types of land use activities which have potential for relatively high water usage, the overlay will trigger referral to the Minister or Chief Executive Officer of the department responsible for the administration of the *Natural Resources Management Act 2004*.

Prescribed Watercourses Overlay

This new overlay transitions an existing referral trigger from Schedule 8 of the *Development Regulations 2008*, which relates to activities that may adversely impact prescribed watercourses under the *Natural Resources Management Act 2004*.

The overlay seeks to protect prescribed watercourses by ensuring activities involving the taking of water are avoided or undertaken in a sustainable manner.

Referrals: For certain types of land use activities which have potential for relatively high water usage, the overlay will trigger referral to the Minister or Chief Executive Officer of the department responsible for the administration of the *Natural Resources Management Act 2004*.





Prescribed Water Resources Overlay

This new overlay transitions an existing referral trigger from Schedule 8 of the *Development Regulations 2008*, which relates to activities that may adversely impact prescribed water resources areas under the *Natural Resources Management Act 2004*.

The overlay seeks to protect prescribed water resources by ensuring the taking of water in such areas is avoided or undertaken in a sustainable manner.

Referrals: For certain types of land use activities which have potential for relatively high water usage, the overlay will trigger referral to the Chief Executive Officer of the department responsible for the administration of the *Natural Resources Management Act 2004*.

Prescribed Wells Area Overlay

This new overlay transitions an existing referral trigger from Schedule 8 of the *Development Regulations 2008*, which relates to activities that may adversely impact prescribed wells under the *Natural Resources Management Act 2004*.

The overlay seeks to protect wells by ensuring activities involving the taking of water are avoided or undertaken in a sustainable manner.

Referrals: The overlay will trigger referral to the Chief Executive Officer of the department responsible for the administration of the *Natural Resources Management Act 2004*.

RAMSAR Wetlands Overlay

This new overlay is based on the RAMSAR Wetlands and Habitat general policies of Alexandrina Council's Development Plan as the SAPPL does not include a policy framework for the protection of these wetlands.

Existing development plan policy seeks to minimise impacts to the habitat and lifecycle of a wetland or a species dependent on a wetland.

The overlay will be spatially applied to all identified RAMSAR sites and retains the intent of existing development plan policy.

Referrals: None

River Murray Tributaries Overlay

This overlay transitions an existing referral trigger from Schedule 8 of the *Development Regulations 2008*.

The overlay seeks to conserve and enhance the health of the River Murray system, its natural flow regime (including floodwaters) and water quality.

Referrals: For certain activities and land uses, the overlay will trigger referral to the Minister administering the *River Murray Act 2003*.



Sloping Land Overlay

The primary purpose of the new Sloping Land Overlay is to guide development which occurs on land that contains steep slopes and/or unstable soils. It incorporates policies contained in the SAPPL Sloping Land and Natural Resources General Section policies.

The mapping dataset is based on spatial layers provided by the Department for Environment and Water.

Referrals: None

Significant Landscape Protection Overlay

This new overlay applies to most of the current Rural Landscape Protection Zones.

The overlay seeks to protect areas identified as having significant landscape character.

Wind farms and large-scale solar farms may be a restricted form of development within the area of the overlay and require a more stringent assessment of their visual impacts.

Referrals: None

Water Resources Overlay

This overlay maps the location of watercourses and other water bodies (including public water supply reservoirs) that require protection through the planning system. The mapping is based on:

- water courses – typically those identified on 1:50,000 topographic maps
- water bodies – including wetlands, dams, lakes (intermittent / mainly dry and perennial), land subject to flooding and reservoirs.

The overlay transitions current water catchment policy in the SAPPL Natural Resources General Development Policies whilst also mapping the locations where such policies are applied.

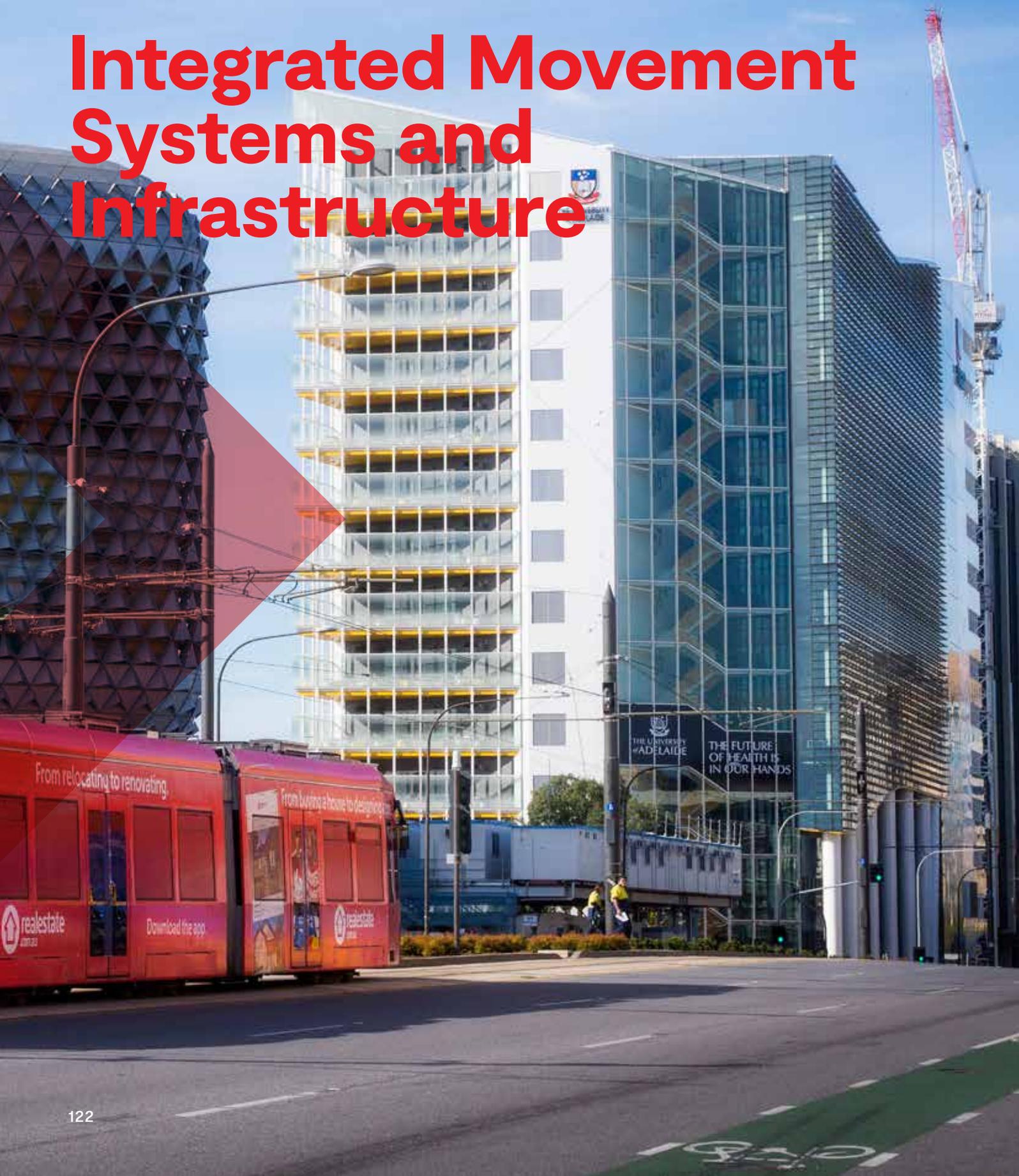
Referrals: None





Chapter 4:

Integrated Movement Systems and Infrastructure



INTRODUCTION



Movement systems encompass the diversity of methods used to move people and goods around our cities, regions and across our borders. From freight delivery to international trade, leisure travel and commuting, our movement networks directly influence the lives of most people every day.

Development that is successfully integrated with transport infrastructure helps people move safely, efficiently and to more places; allows for more sustainable and coordinated growth; and supports economic productivity.

The composition of South Australia's energy generation capacity is undergoing substantial renewal and change. With the retirement of older baseload (coal-fired) power stations from the network, there has been a significant increase in the number and size of renewable energy projects across the state.



ALIGNING SOUTH AUSTRALIA'S GROWTH WITH TRANSPORT INFRASTRUCTURE

Context

The coordination of development with the provision of efficient transport networks is fundamental to the economic viability of our state and is a vital ingredient in supporting the wellbeing of all South Australians.

Across our metropolitan and urban areas, policy is needed to encourage the development of land at higher densities for a wider mix of activities, strategically located close to a wide variety of transport options, particularly quality public transport. Areas rich in these attributes are highly valued and most commonly occur along high-frequency transport corridors and adjacent to well-serviced centres.

In regional areas, strategic policies encourage a broader mix of higher density residential and commercial land in close proximity to or within well-serviced regional centres. These locations tend to be the best serviced by a variety of transport modes, mixed uses and social services.

It is vital that our new planning system retains and transitions the policy intent of current zones that promote improved integration of land use with major transport corridors (including the Urban Corridor Zone, Urban Core Zone, Residential High Density Zones and Mixed Use Zones). The further application of these zones along underutilised transport corridors will be considered once the Code is in place.

Strategic Setting

State Planning Policy 11 'Strategic Transport Infrastructure' requires the Code to implement zoning to support the development of land uses that complement strategic transport corridors while also encouraging the mitigation of potential environmental impacts.

SPP Ref.	SPP
SPP 11.1	Facilitate an efficient, reliable and safe transport network that connects business to markets and people to places (i.e. where they live, work, visit and recreate).
SPP 11.2	Development that maximises the use of current and planned investment in transport infrastructure, corridors, nodes and services.
SPP 11.3	Equitable contributions towards the funding and provision of transport infrastructure and services to support land and property development.
SPP 11.4	Minimise negative transport-related impacts on communities and the environment.
SPP 11.6	Allow for the future expansion and intensification of strategic transport infrastructure and service provision (corridors and nodes) for passenger and freight movements.
SPP 11.7	Identify and protect the operations of key transport infrastructure, corridors and nodes (passenger and freight).
SPP 11.10	Promote the greening of strategic transport corridors to encourage carbon banking.
SPP 11.11	Encourage housing in metropolitan Adelaide in proximity to current and proposed fixed line (rail, tram, O-Bahn and high frequency bus routes).
SPP 11.12	Regional Plans (where appropriate) should identify performance targets for encouraging more development close to public transport.



Investigations and Engagement

Respondents to the *Integrated Movement Systems Discussion Paper* raised several requirements of the Code, mostly related to the need for policy to apply in higher density, mixed use zones, including:

- A definition of transport corridors, including debate as to whether higher density or mixed use areas should be located along corridors or in nodes or centres
- Transport integration with greenfield developments
- The creation of more higher density nodes where they are supported by existing or planned infrastructure and service upgrades, with particular attention being given to:
 - public and active transport accessibility
 - tensions between competing requirements.

New Directions

Key Opportunities and Challenges	Policy Response in the Code								
<p>Policy guiding the development of higher density, mixed use zones is needed.</p>	<p>Zones that promote improved integration of land use with major transport corridors have been transitioned into the Code as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #e91e63; color: white;">Existing SAPPL Zone</th> <th style="background-color: #e91e63; color: white;">Proposed Code Zone</th> </tr> </thead> <tbody> <tr> <td style="background-color: #ffe0b2;">Urban Corridor Zone and various policy areas</td> <td style="background-color: #ffe0b2;"> Urban Corridor (Living) Zone Urban Corridor (Business) Zone Urban Corridor (Main Street) Zone Urban Corridor (Boulevard) Zone </td> </tr> <tr> <td style="background-color: #ffe0b2;">Urban Core Zone</td> <td style="background-color: #ffe0b2;"> Urban Neighbourhood Zone (where policy focuses on residential) Urban Activity Centre Zone (where policy focuses on retail and centre services) Innovation Zone (where policy focuses on education and research facilities) </td> </tr> <tr> <td style="background-color: #ffe0b2;">Suburban Activity Node Zone</td> <td style="background-color: #ffe0b2;">Urban Neighbourhood Zone</td> </tr> </tbody> </table> <p>The application of these zones has not substantially changed in this initial transition but could be subject to future review.</p>	Existing SAPPL Zone	Proposed Code Zone	Urban Corridor Zone and various policy areas	Urban Corridor (Living) Zone Urban Corridor (Business) Zone Urban Corridor (Main Street) Zone Urban Corridor (Boulevard) Zone	Urban Core Zone	Urban Neighbourhood Zone (where policy focuses on residential) Urban Activity Centre Zone (where policy focuses on retail and centre services) Innovation Zone (where policy focuses on education and research facilities)	Suburban Activity Node Zone	Urban Neighbourhood Zone
Existing SAPPL Zone	Proposed Code Zone								
Urban Corridor Zone and various policy areas	Urban Corridor (Living) Zone Urban Corridor (Business) Zone Urban Corridor (Main Street) Zone Urban Corridor (Boulevard) Zone								
Urban Core Zone	Urban Neighbourhood Zone (where policy focuses on residential) Urban Activity Centre Zone (where policy focuses on retail and centre services) Innovation Zone (where policy focuses on education and research facilities)								
Suburban Activity Node Zone	Urban Neighbourhood Zone								
<p>A minimum threshold of population density needs to be identified to ensure public transport and local shops and services are viable and can be located within walking distance of where people live.</p>	<p>Minimum net residential densities will continue to be sought in Urban Corridor (Living), Urban Neighbourhood, and Urban Activity Centre zones. These zones are focussed around public transport nodes, activity centres, and employment hubs, and the use of minimum prescribed densities will assist in facilitating population growth in these strategic locations.</p>								
<p>Underutilised transport corridors should be better integrated with supporting land uses.</p>	<p>Rezoning and associated investigations have not been undertaken in this first version of the Code but will be investigated in future Code amendments.</p>								

STRATEGIC TRANSPORT FACILITIES AND CORRIDORS

Context

South Australia's strategic transport facilities and networks are critical in connecting people with places and products with markets. Strategic transport facilities and corridors provide linkages and gateways throughout SA and beyond and are vital to the wellbeing of our citizens and the viability of our businesses, industries and agriculture.

Our planning policies must protect these corridors and facilities from incompatible development to ensure their uninterrupted and efficient operation. Examples of such facilities include major airports (including flightpaths); sea ports; intermodal and bulk handling facilities; mass transit corridors; and strategic freight routes.

Many of our major corridors and facilities have been developed over a long period and this has highlighted where interfaces require more sensitive and ongoing management.

Strategic Setting

State Planning Policy 11 'Strategic Transport Infrastructure' requires the Code to implement zoning to support the development of land uses that complement strategic transport corridors while also encouraging the mitigation of potential environmental impacts.

The policy also states the Code should:

- encourage the greening of strategic transport corridors and facilities to mitigate environmental and climate change impacts and improve amenity
- identify the future location of transport corridors through an overlay to ensure they are protected
- provide guidance on the new National Airport Safeguarding Framework and ensure that, where relevant, this is reflected in the Code.

The core objective of SPP 11 is to integrate land use policies with existing and future transport infrastructure, services and functions to preserve and enhance safe, efficient and reliable connectivity for people and business.

SPP Ref.	SPP
SPP 11.1	Facilitate an efficient, reliable and safe transport network that connects business to markets and people to places (i.e. where they live, work, visit and recreate).
SPP 11.2	Development that maximises the use of current and planned investment in transport infrastructure, corridors, nodes and services.
SPP 11.3	Equitable contributions towards the funding and provision of transport infrastructure and services to support land and property development.
SPP 11.4	Minimise negative transport-related impacts on communities and the environment.
SPP 11.6	Allow for the future expansion and intensification of strategic transport infrastructure and service provision (corridors and nodes) for passenger and freight movements.
SPP 11.7	Identify and protect the operations of key transport infrastructure, corridors and nodes (passenger and freight).
SPP 11.10	Promote the greening of strategic transport corridors to encourage carbon banking.
SPP 11.11	Encourage housing in metropolitan Adelaide in proximity to current and proposed fixed line (rail, tram, O-Bahn and high frequency bus routes).
SPP 11.12	Regional Plans (where appropriate) should identify performance targets for encouraging more development close to public transport.



Investigations and Engagement

Respondents to the *Integrated Movement Systems Discussion Paper* generally agreed with the need to protect the operation of airport facilities, however submissions from some community groups placed a high priority on the need for existing communities to be afforded protection from the impacts associated with the operation of airports.

The majority of respondents agreed that land acquisition schemes for road widening should be incorporated in the Code.

Broad support was received for the transition of the Transport Routes Overlay on the understanding that its policy and mapping requires review.

Some respondents highlighted that transport corridors have different attributes and this needs to be considered (e.g. a freight movement corridor will have different efficiency, construction or access requirements to that of a commuter corridor or urban boulevard).

New Directions

Key Opportunities and Challenges	Policy Response in the Code
Policy to enable appropriate complementary development types in the Airfield Zone is needed.	The Airfield Zone will be replaced with a new Infrastructure (Airfield) Zone. A number of overlays will also apply around airfields.
There is an opportunity to review the planning policy in relation to the operation of intermodal facilities and freight transport hubs, including their potential expansion.	The Intermodal Policy Area has been incorporated into the Employment Zone in the Code, which supports a comprehensive range of industrial (including general industry), logistical, warehousing, storage, research and training land uses.
Policy that ensures consistency with Federal Government guidelines on airports is needed.	A number of overlays addressing the Federal Government's guidelines will apply around airfields. The suite of airfield overlays will bring planning policy in SA into greater alignment with the National Airports Safeguarding Framework (NASF) guidelines.
Ports require better protection from encroachment by incompatible land uses.	The new Infrastructure Zone caters for the protection, provision, maintenance and expansion of infrastructure services and facilities, supporting orderly development and vehicular movements, along with infrastructure services and facilities that manage environmental impacts of ports.
Currently, the spatial extent of land required for road widening requirements is not included in development plans.	The new Future Road Widening Overlay identifies where development should be limited in order to facilitate the widening of key state-maintained roads. The overlay includes a referral for direction to the Commissioner of Highways for any development (including the division of land) that is within or may encroach on, a future road widening area.
Land uses must be supported by efficient transport options.	The Code introduces a number of overlays to replace the current Strategic Transport Routes overlay. These include Urban Transport Routes, Major Urban Transport Routes, Non-stop Corridor, Future Road Widening and Key Outback and Rural Routes Overlays.

WALKING, CYCLING AND OTHER NON-MOTORISED TRANSPORT

Context

Enabling more people to adopt cycling, walking and other non-motorised transport for commuting and other transport purposes – as distinct from purely recreational reasons – is an important objective of integrated transport and land use planning. It is therefore important that, where possible, our new system contains policies that promote walking and cycling to ensure travel mode shift and improve community health outcomes.

As more jobs, services and community infrastructure are located close to where people live (or more people live where jobs and services already exist) the required travel distance for some purposes lessens. In view of this, it is expected that active travel will have an increased role in mobility across Greater Adelaide and in regional centres as walking and cycling become more popular, viable transport modes

It is vital that our new planning system contains policies that promote walking, cycling other non-motorised transport for commuting and other transport purposes to improve community and environmental health.

Strategic Setting

State Planning Policy 11 ‘Strategic Transport Infrastructure’ requires the Code to implement zoning to support the development of land uses that complement strategic transport corridors while also encouraging the mitigation of potential environmental impacts.



SPP Ref.	SPP
SPP 11.1	Facilitate an efficient, reliable and safe transport network that connects business to markets and people to places (i.e. where they live, work, visit and recreate).
SPP 11.2	Development that maximises the use of current and planned investment in transport infrastructure, corridors, nodes and services.
SPP 11.5	Encourage development that supports the increased use of a wider variety of transport modes, including public transport, walking and cycling, to facilitate a reduced reliance on private vehicle travel and promote beneficial community health outcomes.
SPP 11.9	Identify neighbourhoods, main streets and regional and town centres where place is given greater priority than vehicle movement by adopting a ‘Link and Place’ approach.
SPP 11.11	Encourage housing in metropolitan Adelaide in proximity to current and proposed fixed line (rail, tram, O-Bahn and high frequency bus routes).



Investigations and Engagement

Most respondents to the *Integrated Movement Systems Discussion Paper* supported the increased incentivisation of walking, cycling and public transport use while recognising that planning policy alone is not able to achieve this.

There was also recognition that planning for active travel and other non-motorised transport may be more easily achievable in greenfield/ master-planned development areas.

Higher density and mixed use developments near centres were seen to have the greatest potential to increase the adoption of active travel as they support a wider diversity of services.

Respondents also expressed significant support for improved planning policies for bicycle parking and end-of-trip facilities at interchanges and other key areas to enable efficient and convenient transfers.

New Directions

Key Opportunities and Challenges	Policy Response in the Code
<p>The current walking and cycling SAPPL policy is well placed to be transitioned into the Code.</p>	<p>The Transport, Access and Parking General Development Policies include a table which sets out minimum rates of off-street bicycle parking requirements, with an associated schedule that identifies the areas where the rates apply.</p> <p>Requirements for end-of-journey facilities (such as showers, changing facilities and clothes storage) have been included in this module, transitioned from SAPPL policy.</p> <p>The requirement to provide bicycle parking and end-of-journey facilities have been targeted in areas where zoning encourages uplift or supports high numbers of jobs and people. There is scope to review and broaden application of these requirements in future iterations of the Code.</p>
<p>Cycling routes are not universally incorporated into development plans, leading to inconsistency of application of design rules etc. relating to cycling.</p>	<p>Given that cycle route mapping is currently not consistency applied in development plans, it has not been transitioned to the Code in this initial iteration.</p> <p>This mapping may be developed in the future</p>



CAR PARKING AND MOBILITY TECHNOLOGY

Context

New and emerging transport technologies are set to have a transformative effect on cities, transport behaviour and urban life. The growing use of ride-sharing initiatives, electric vehicles and emerging technologies such as driverless cars is transforming transport behaviour throughout the world. These changes in technology have the potential to transform our transport networks and reduce private car parking requirements.

It is imperative that our new planning system responds to the changes arising from these initiatives, e.g. the reduced reliance on private vehicles which will change the requirements for, and the economics of, car parking.

Strategic Setting

State Planning Policy 11 'Strategic Transport Infrastructure' requires the Code to implement zoning to support the development of land uses that complement strategic transport corridors while also encouraging the mitigation of potential environmental impacts.

SPP Ref.	SPP
SPP 11.1	Facilitate an efficient, reliable and safe transport network that connects business to markets and people to places (i.e. where they live, work, visit and recreate).
SPP 11.5	Encourage development that supports the increased use of a wider variety of transport modes, including public transport, walking and cycling, to facilitate a reduced reliance on private vehicle travel and promote beneficial community health outcomes.
SPP 11.8	Development that takes advantage of emerging technologies that contribute to liveability, sustainability and economic productivity, including electric and alternative fuel vehicles, autonomous vehicles and on-demand transport opportunities.





Investigations and Engagement

In April 2018, the Department hosted a Car Parking Summit attended by over 60 key stakeholders from metropolitan councils and industry groups. The purpose of the summit was to explore car parking concerns, issues and solutions, particularly in inner metropolitan Adelaide.

Attendees also heard from interstate and South Australian experts across a range of areas including paid parking and the mindset of drivers, driverless vehicles and the future of automated movement and parking, as well as an overview of the practical implications on applying current parking policy to new development across metropolitan Adelaide.

The feedback and findings from this engagement were further unpacked through the *Integrated Movement Systems Discussion Paper*.

Respondents to the *Integrated Movement Systems Discussion Paper* strongly supported the need for the Code to be responsive to emerging technologies. There was some debate about how this should be achieved, particularly given emerging technologies may benefit only a few (e.g. electric cars) and that the wider impacts of some new mobility technologies are not always able to be reliably predicted.

The standardisation of car parking rates was generally supported by respondents, provided that local factors could be considered where there was a departure from minimum requirements. This includes the consideration of the availability of:

- public transport and other accessibility factors (bicycle lanes, pedestrian access, etc.)
- on-street parking and demographic factors.

Many respondents supported the reduction of parking rates in view of the increasing move away from private transport. However, some respondents felt that more locally applicable data was needed prior to a fundamental change being made to car parking policy.

New Directions

Key Opportunities and Challenges	Policy Response in the Code
It is fundamental that new buildings and structures, particularly multi-level car parks and above ground car parking within mixed use developments are adaptable for future uses.	The Code transitions the existing policy on the design of car parking structures that enables them to be adaptable for new uses in the future.
Car parking rates in current planning policy are often inflexible and do not consider innovative design or proximity to other transport options.	The Code expands the Transport, Access and Parking General Development Policies to incorporate rates for off-street car parking requirements in both zone and general policies. It is considered that parking rates for all land uses are best located within this module to reduce duplication and confusion.
There is potential for greater standardisation of car parking rates, while still allowing for different rates based on conditional and geographical contexts.	The Transport, Access and Parking General Development Policies will set standard car parking rates; however, there may be instances where it is appropriate to deviate from these rates to allow for conditional and geographical contexts.

RENEWABLE ENERGY

Context

Renewable technologies such as wind, solar and pumped-hydro play a crucial role in reducing global carbon emissions and the impacts of climate change, and help provide long-term energy security by lowering our reliance on non-renewables such as coal and gas.

South Australia is widely regarded as a national leader in the renewable energy sector, largely due to our enabling planning policy environment, natural conditions and landscape. In 2018, renewable energy generation from wind and solar sources reached 51.2% of our total electricity generation. The Australian Energy Market Operator has projected SA's renewable power could account for 73% of the state's total power consumption by 2020/21.

The Code provides an opportunity to update and improve policies to reflect these new forms of energy generation, storage and distribution and provide improved guidance regarding their intensity, location and impacts.

Strategic Setting

State Planning Policy 12 'Energy' requires the Code to support the ongoing provision of sustainable, reliable and affordable energy options that meet the needs of the community, business and industry.

The SPP also identifies that the Code should implement State Planning Policies through appropriate zoning that encourages the mitigation of environmental impacts; screens sites to improve amenity; and enables emerging energy technologies to be accommodated.

In addition, SPP 5: 'Climate Change' relates to planning for renewable energy development across South Australia.

SPP Ref.	SPP
SPP 5.6	Facilitate green technologies and industries that reduce reliance on carbon-based energy supplies and directly or indirectly reduce our greenhouse gas emissions.
SPP 12.1	Development of energy assets and infrastructure (including ancillary facilities) where the impact on surrounding land uses, regional communities and the natural and built environment can be minimised.
SPP 12.2	Facilitate renewable sources of energy supply, such as solar and wind, at the local level.
SPP 12.4	Development in the vicinity of major energy infrastructure locations and corridors (including easements) is planned and implemented to maintain the safe and efficient delivery and function of the infrastructure.
SPP 12.6	Facilitate energy technologies that support a stable energy market and continued energy supply and do not adversely affect the amenity of regional communities.



Investigations and Engagement

The Commission released a [policy discussion paper](#) in July 2019 proposing changes to renewable energy policy to:

- encourage energy facility development in appropriate areas and to restrict it in environmentally and culturally sensitive areas
- provide greater separation of windfarms and solar farms from townships, urban areas and other sensitive land uses.

New Directions

Key Opportunities and Challenges	Policy Response in the Code
<p>Policy regarding renewable energy developments needs to be updated and should include guidance regarding their operation, location and impacts.</p>	<p>The new Infrastructure and Renewable Energy Facilities General Development Policies includes expanded policy on renewable energy sources.</p> <p>New policy initiatives include:</p> <ul style="list-style-type: none"> • policy addressing large-scale wind farms, solar photovoltaic arrays, solar thermal plants, grid-scale batteries, biofuel facilities and pumped hydro systems • some tightening of policy to deal with areas of concern such as dust, noise and amenity • policy addressing decommissioning and rehabilitation of renewable energy facility sites • Increased setback requirements for wind turbines and solar farms.
<p>Car parking rates in current planning policy are often inflexible and do not consider innovative design or proximity to other transport options.</p>	<p>Wind turbines are listed as a 'restricted' form of development in the following areas:</p> <ul style="list-style-type: none"> • Character Preservation District Overlay • Significant Landscape Protection Overlay



INFRASTRUCTURE AND MOVEMENT SYSTEMS ZONE FRAMEWORK

Commonwealth Facilities Zone

This zone accommodates nationally significant aviation- and defence-related activities.

Where it might apply: Adelaide Airport, Warradale Barracks



Community Facilities Zone

This zone provides for a range of community and institutional type developments. These include social, health, welfare, educational and recreation facilities that provide a service to the local community and larger scale community facilities that provide a service to the wider community and beyond, such as schools and hospitals.

Where it might apply: Schools and hospitals



Deferred Urban Zone

This zone allows for a limited range of low-intensity land uses and activities needed to support the existing use of the land without impeding the ability of the land to be developed for alternative forms of urban development in the future.

Where it might apply: Areas reserved for future development, such as vacant land off Angle Vale Road in Evanston Gardens

Infrastructure Zone

This zone provides for the protection, provision, maintenance and expansion of infrastructure services and facilities and supports ensuring that development, vehicular movements and infrastructure services and facilities manage environmental impacts.

Where it might apply: Electricity stations, water facilities, Lonsdale Desalination Plant



Infrastructure (Airfield) Zone

This zone caters for air transport movements and associated development that will not impede aviation operations.

Subzones: *The Residential Aviation Estate Subzone allows for aviation hobbyists, enthusiasts and frequent air travellers to have a lifestyle mixed with their aviation interests. This subzone is limited in its application to defined areas near the Goolwa airstrip. The application of the subzone may be considered in other locations provided the areas for housing are well defined and would not interfere with general aviation activities or safety.*

Where it might apply: Regional airfields



Infrastructure (Ferry and Marina Facilities) Zone

This zone supports the development of marinas; on-water structures; ferry facilities; complementary uses to enhance passenger transport services; and tourism, pleasure craft activities and ancillary services.

Where it might apply: Marinas

INFRASTRUCTURE AND MOVEMENT SYSTEMS OVERLAYS

Airport Building Heights (Aircraft Landing Area) Overlay

This overlay maps the location of unregulated aircraft landing sites with no specific registration or CASA regulation, but which operate as an airfield. The overlay will ensure the appropriate height and setback of adjacent developments to ensure the long-term operational and safety requirements of the landing sites are not compromised.

Referrals: None

Airport Building Heights (Regulated) Overlay

This overlay will ensure the appropriate height and setback of development adjacent to regulated airports to ensure their long-term operational and safety requirements are not compromised. It includes areas surrounding commercial and military airfields, airports, airstrips and helicopter landing sites.

Referrals: Development of a height which would exceed the Obstacle Limitation Surface expressed for the particular site is subject to a referral to the Commonwealth Secretary for the Department of Infrastructure, Regional Development and Cities.

Aircraft Noise Exposure Overlay

This overlay seeks to ensure that sensitive land uses exposed to documented aircraft noise are design and constructed appropriately.

Referrals: None

Building Near Airfields Overlay

This overlay transitions the current Building near Airfields General Policy, largely unchanged. The inclusion of this policy within an overlay will allow for consistent spatial application and avoid issues relating to where the policy is applied (e.g. where specific buffer distances from an airfield [or other measurable criteria] are not listed).

Referrals: None

Defence Aviation Area Overlay

This overlay is required due to the Commonwealth [Defence \(RAAF Base Edinburgh Defence Aviation Area\) Declaration 2018](#) defining height restrictions for buildings surrounding the RAAF Base, Edinburgh.

Referrals: None



Strategic Infrastructure (Gas Pipelines) Overlay

This overlay seeks to provide guidance for the assessment of development within the measurement length of high-pressure gas pipelines to ensure that impacts relating to public safety, property and the environment can be managed in the event of an emergency.

In particular, it relates to development where the consequences of a pipeline failure are increased as it is used by sectors of the community who may be unable to protect themselves from the effects of a failure (e.g. schools, aged care facilities and hospitals), or where there is intensification of residential/ industrial development.

Referrals: None



Advertising Near Signalised Intersections Overlay

This new overlay maps the areas in which a referral to the Commissioner for Highways applies for certain advertisements. The overlay area represents land within 100 metres from any signalised intersections or crossings which intersect state-maintained roads.

Referrals: A Referral to the Commissioner for Highways will apply where development includes an advertisement or advertising hoarding that is within 100m of a signalised intersection/crossing and will be internally illuminated or animated.

Key Railway Crossings Overlay

This new overlay will ensure development on key roads in close proximity to a crossing does not interrupt or affect the safe operation of the crossing.

Referrals: None

Key Outback and Rural Routes Overlay

This new overlay maps the location of freight routes, tourist routes and other key outback routes. These are identified in the Department of Transport, Planning and Infrastructure's 'Functional Hierarchy for South Australia's Land Transport Network'. A 25m buffer is applied to land adjacent to the road corridor.

The overlay carries the intent of the SAPPL's general access policy on main roads which ensures development does not interfere with the safe and efficient operation of these roads.

Referrals: A referral to the Commissioner of Highways will apply in the overlay area in circumstances where certain deemed-to-satisfy requirements in the overlay aren't met.

Future Road Widening Overlay

This new overlay identifies where development should be limited in order to facilitate the widening of key state-maintained roads.

Referrals: Referral to the Commissioner for Highways for development that is within a Future Road Widening Area, other than where all deemed-to-satisfy criteria are met.

Major Urban Transport Routes Overlay

This overlay transitions the freight and major traffic routes from the 'Functional Hierarchy for South Australia's Land Transport Network'. The overlay applies to land abutting selected state-maintained roads within the Greater Adelaide Region and any intersecting local roads up to a distance of 25m from state-maintained roads.

Referrals: A referral to the Commissioner of Highways will apply for development on a Major Urban Transport Route road or within 25m of an intersection with such a road that creates a new junction, alters an existing access/junction, or changes the nature of movement that an existing access (unless all relevant deemed-to-satisfy criteria are met).

Non-stop Corridor Overlay

This new overlay is made up of all parcels abutting selected state-maintained roads of a 'non-stop' function (e.g. some major expressways and highways) and intersecting local roads up to a distance of 25m from the selected roads. It will ensure the safe and efficient operation of non-stop corridors where free-flowing traffic movement is prioritised.

Referrals: A referral to the Commissioner of Highways will apply for development on a Non-Stop Corridor (other than where all deemed-to-satisfy criteria are met) that creates (or changes the nature of) an access point or junction, or proposes an advertisement that this within 100m of an on or off ramp and will be illuminated/animated.

Traffic Generating Development Overlay

This overlay will ensure the development of large-scale commercial, industrial or educational uses and greenfield subdivision developments in close proximity to main roads is referred to the Commissioner of Highways.

The overlay mapping involves a 250m buffer around the major urban transport routes and/or urban transport routes.

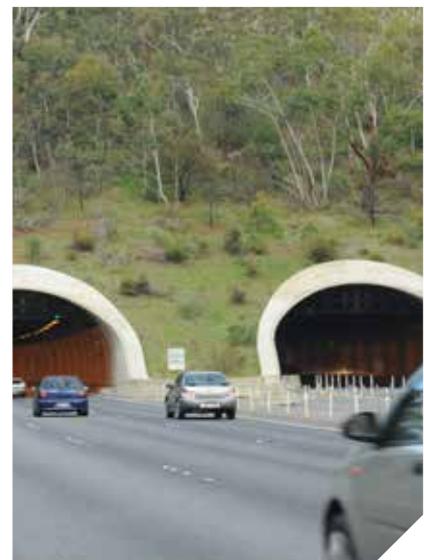
Referrals: Referral to the Commissioner of Highways for development that is on, or within 250m of, an Urban Transport Route or a Major Urban Transport Route, involving:

- land division creating 50 or more additional allotments
- commercial development with a gross floor area of 10,000m² or more
- retail development with a gross floor area of 2,000m² or more
- a warehouse or transport depot with a gross floor area of 8,000m² or more
- industry with a gross floor area of 20,000m² or more
- educational facilities with a capacity < 250 students.

Urban Transport Routes Overlay

This new overlay covers all land abutting state-maintained roads and any intersecting local roads up to a distance of 25m from the state-maintained road within the Greater Adelaide Region (excluding roads already covered by the Major Urban Transport Routes Overlay or the Key Outback and Rural Routes Overlay). This includes urban areas (i.e. townships) which have been removed from the Key Outback and Rural Routes Overlay.

Referrals: A referral to the Commissioner of Highways will be required for development on an Urban Transport Route road (or within 25m of an intersection with such a road) that creates a new access or junction, alters an existing access or public road junction, or may change the nature of vehicular movements (except where all of the relevant deemed-to-satisfy criteria are met)



INFRASTRUCTURE AND MOVEMENT SYSTEMS GENERAL DEVELOPMENT POLICIES



Marinas and On-Water Structures

This module retains the policy intent of the existing SAPPL Marinas and Maritime Structures general policy, largely unchanged. It also contains several policies from the SAPPL Aquaculture section which are considered relevant to on-water structures.

Improvements to this module include reference to 'on-water' rather than 'maritime' structures, to more clearly define these types of developments in marine, riverine and estuarine environments.

Where it might apply: When a new marina or jetty is proposed

Clearance from Overhead Powerlines

This new module seeks to reinforce established practices under the *Development Regulations 2008* to ensure development near overhead powerlines is suitably sited for safety reasons.

This module includes a Performance Outcome requiring development to be adequately separated from overhead powerlines and is accompanied by deemed-to-satisfy requirements seeking a declaration that either the development satisfies the requirements of Section 86 of the *Electricity Act 1996*, or is located where there are no above ground powerlines adjacent to the site.

Where it might apply: All applications that propose a new building or structure

Infrastructure and Renewable Energy Facilities

This new module seeks to ensure development is provided with electricity, water and gas supply, drainage, stormwater and effluent disposal systems, roads, and telecommunications services. The module combines the current general sections on Infrastructure, Renewable Energy Facilities, and Telecommunications Facilities in the SAPPL, with additions introduced in Phase One of the Code which address:

- the rehabilitation of decommissioned infrastructure sites and corridors, hazard management and new overlay policy to enable battery storage facilities
- on-site water supply and wastewater services
- temporary facilities such as borrow pits, concrete batching plants and worker amenity areas
- large-scale windfarms, solar photovoltaic arrays, solar thermal plants, grid-scale batteries, biofuels facilities and pumped hydro systems
- concerns such as dust, noise and amenity.

Where it might apply: Applications for windfarms or solar farms, as well as large-scale development requiring the provisions of new roads, electricity, water, etc.

Transport, Access and Parking

This module retains the intent of the existing SAPPL Transportation and Access general policy, largely unchanged. The module has been expanded to incorporate rates for off-street car parking requirements, which are located in both zones and general policies. It is considered that parking rates for all land uses are best located within this module to reduce duplication and confusion, and to provide for the standardisation of rates where appropriate.

Where it might apply: To most new developments, to ensure they are provided with sufficient on-site parking and vehicle access

Waste Treatment and Management Facilities

This new module combines the existing SAPPL modules on Waste and Waste Management Facilities, retaining the policy intent. The module seeks to ensure the mitigation of potential environmental and amenity impacts of waste treatment and management facilities through considerations such as siting, soil and water protection, protection of amenity, access, fencing and security.

Where it might apply: Dedicated waste treatment facilities and development proposing on-site waste storage/treatment requiring the provisions of new roads, electricity, water, etc.

Glossary



Acronym	Term	Meaning
	The Act	<i>Planning, Development and Infrastructure Act 2016</i>
	The Code	The Planning and Design Code, being a statutory instrument under the Act for the purposes of development assessment and related matters within South Australia.
AGD	Attorney General's Department	
DEM	Department for Energy and Mining	
DEW	Department of Energy and Water	
DOH	Department for Health and Wellbeing	
DPTI	DPTI	The Department of Planning, Transport and Infrastructure
DPF	Designated performance feature	A 'designated performance feature' is the same policy as a 'deemed-to-satisfy' criteria, but applied in the context of a performance-assessed development application.
DTS	Deemed-to-satisfy	Refers to either: <ol style="list-style-type: none"> 1. The development classification 'deemed-to-satisfy'; or 2. The 'deemed-to-satisfy' criteria that a development application must meet in order to be classified as 'deemed to satisfy'.
EPA	Environment Protection Authority	
GI	Green Infrastructure	Green Infrastructure is the network of green places and water systems that delivers multiple benefits to urban communities. This network includes parks and reserves, backyards and gardens, waterways and wetlands, streets and transport corridors, pathways and greenways, orchards, plazas, business and institutional green areas, roof gardens and living walls, sports fields and cemeteries.
	'Generation' of the Code	'Generation' refers to a version of the Planning and Design Code, with Generation 1 being implemented by 1 July 2020, and further generations thereafter. Not to be confused with 'phases' of the Code, which refers to the three-phase initial implementation approach from July 2019 to July 2020.
	'Phase' of the Code	A Code 'Phase' refers to the three-phase initial implementation approach of the Planning and Design Code from July 2019 to July 2020.
	ResCode	The 'Residential Code' pathway for complying dwellings under the <i>Development Act 1993</i> .
SAPPL	South Australian Planning Policy Library	The state's current planning policies are contained in the South Australian Planning Policy Library . The library encourages best practice policy application and a consistent development plan format across the state.
WSUD	Water sensitive urban design	Water sensitive urban design promotes the sustainable use, re-use and management of water in the places we live, work and play. This design approach integrates the total water cycle and water from all sources, including rainwater, storm water, groundwater, mains water and waste water, into urban development and building. WSUD can be applied to residential, commercial and industrial developments and buildings, at the scale of a single house, to a single street, to a suburb, up to a whole city for the efficient use of our scarce water resources. Techniques range from the storage, treatment and use of runoff, to water-efficient landscaping.

Attachment 1: Amendment Instructions Table



The purpose of the following table is to provide clarity regarding proposed amendments to the Code for Phases Two and Three, noting that all Code content has undergone editorial amendment to improve clarity and expression of policy. Refinements based on learnings gained from the preparation of Phase One have also been included. All parts of the Code will be available for public consultation, including those areas where the Code is currently applied (Phase One).

Part	Phase One (Outback)	Phase Two (Amendment)	Phase Three (Amendment)
Part 1 – Rules of Interpretation	No Amendment		
Part 2 – Zones and Subzones			
Coastal Waters Zone	Retitled: Coastal Waters and Offshore Islands Zone		
Conservation Zone		Replaced with updated version	
Aquaculture and Recreation Subzone		New for Phase Two	
Dwelling Subzone		New for Phase Two	
Small Scale Settlement Subzone		New for Phase Two	
Visitor Experience Subzone		New for Phase Two	
Local Infrastructure (Airfield) Zone	Retitled: Infrastructure (Airfield) Zone	Replaced with updated version	
Residential Aviation Estate Subzone			New for Phase Three
Remote Areas Zone	No Amendment		
Settlement Zone	Retitled: Rural Settlement Zone	Replaced with updated version	
Tourism Development Zone	Retitled: Tourism Development Zone	Replaced with updated version	
Township Zone		Replaced with updated version	
Nairne Redevelopment Subzone			New for Phase Three

Part	Phase One (Outback)	Phase Two (Amendment)	Phase Three (Amendment)
Part 2 – Zones and Subzones			
Business Neighbourhood Zone		New for Phase Two	
Capital City Zone			New for Phase Three
City Frame Subzone			New for Phase Three
Caravan and Tourist Park Zone		New for Phase Two	
City Living Zone			New for Phase Three
Medium-High Intensity Subzone			New for Phase Three
North Adelaide Low Intensity Subzone			New for Phase Three
City Main Street Zone			New for Phase Three
Rundle Street Subzone			New for Phase Three
Rundle Mall Subzone			New for Phase Three
Hindley Street Subzone			New for Phase Three
Gouger and Grote Street Subzone			New for Phase Three
City Park Lands Zone			New for Phase Three
Adelaide Oval Subzone			New for Phase Three
Eastern Park Lands Subzone			New for Phase Three
City Riverbank Zone			New for Phase Three
Cultural Institutions Subzone			New for Phase Three
Innovation Subzone			New for Phase Three
Entertainment Subzone			New for Phase Three
Health Subzone			New for Phase Three
Commonwealth Facilities Zone			New for Phase Three
Community Facilities Zone		New for Phase Two	
Deferred Urban Zone		New for Phase Two	
Employment Zone		New for Phase Two	

Part	Phase One (Outback)	Phase Two (Amendment)	Phase Three (Amendment)
Part 2—Zones and Subzones			
Employment (Bulk Handling) Zone		New for Phase Two	
General Neighbourhood Zone		New for Phase Two	
Greenfield Neighbourhood Zone			New for Phase Three
Hills Face Zone			New for Phase Three
Home Industry Zone		New for Phase Two	
Housing Diversity Neighbourhood Zone		New for Phase Two	
Infrastructure Zone		New for Phase Two	
Infrastructure (Ferry and Marina Facilities) Zone		New for Phase Two	
Innovation Zone			New for Phase Three
Rehabilitation Subzone			New for Phase Three
Motorsport Park Zone		New for Phase Two	
Motorsport Park Zone		New for Phase Two	
Open Space Zone		New for Phase Two	
Peri-Urban Zone		New for Phase Two	
Recreation Zone		New for Phase Two	
Residential Neighbourhood Zone		New for Phase Two	
Residential Park Zone		New for Phase Two	
Resource Extraction Zone		New for Phase Two	
Rural Zone		New for Phase Two	
Rural Aquaculture Zone		New for Phase Two	
Rural Horticulture Zone		New for Phase Two	
Rural Intensive Enterprise Zone		New for Phase Two	
Rural Living Zone		New for Phase Two	
Animal Husbandry Subzone		New for Phase Two	
Intensive Horse Establishments Subzone			New for Phase Three

Part	Phase One (Outback)	Phase Two (Amendment)	Phase Three (Amendment)
Part 2 – Zones and Subzones			
Rural Shack Settlement Zone		New for Phase Two	
Suburban Activity Centre Zone		New for Phase Two	
Suburban Business and Innovation Zone		New for Phase Two	
Suburban Employment Zone		New for Phase Two	
Suburban Greenfield Neighbourhood Zone		New for Phase Two	
Suburban Main Street Zone		New for Phase Two	
Suburban Master-planned Neighbourhood Zone			New for Phase Three
Suburban Neighbourhood Zone		New for Phase Two	
Underground Subzone		New for Phase Two	
Township Activity Centre Zone		New for Phase Two	
Township Main Street Zone		New for Phase Two	
Urban Activity Centre Zone		New for Phase Two	
Port Adelaide Centre			New for Phase Three
Urban Corridor (Boulevard) Zone			New for Phase Three
Soft Edged Landscaped Subzone			New for Phase Three
Hard Edged Built Form Subzone			New for Phase Three
Urban Corridor (Business) Zone			New for Phase Three
Urban Corridor (Living) Zone			New for Phase Three
Urban Corridor (Main Street) Zone			New for Phase Three
Urban Neighbourhood Zone			New for Phase Three
Main Street Subzone			New for Phase Three

Part	Phase One (Outback)	Phase Two (Amendment)	Phase Three (Amendment)
Part 2—Zones and Subzones			
Urban Renewal Neighbourhood Zone		New for Phase Two	
Mixed-Use Transition Subzone			New for Phase Three
Part 3—Overlays			
Advertising Near Signalised Intersections Overlay		New in Phase Two	
Affordable Housing Overlay		New in Phase Two	
Aircraft Noise Exposure Overlay		New in Phase Two	
Airport Building Heights (Aircraft Landing Area) Overlay		New in Phase Two	
Airport Building Heights (Regulated) Overlay		New in Phase Two	
Building Near Airfields Overlay		Replaced with updated version	
Character Area Overlay		New in Phase Two	
Character Preservation District Overlay		New in Phase Two	
Coastal Areas Overlay		Replaced with updated version	
Defence Aviation Area Overlay		New in Phase Two	
Design Overlay		New in Phase Two	
Dwelling Excision Overlay		New in Phase Two	
Environment and Food Production Area Overlay		New in Phase Two	
Future Road Widening Overlay		New in Phase Two	
Hazards (Acid Sulfate Soils) Overlay		Replaced with updated version	
Hazards (Bushfire - General Risk) Overlay		New in Phase Two	
Hazards (Bushfire - High Risk) Overlay		New in Phase Two	

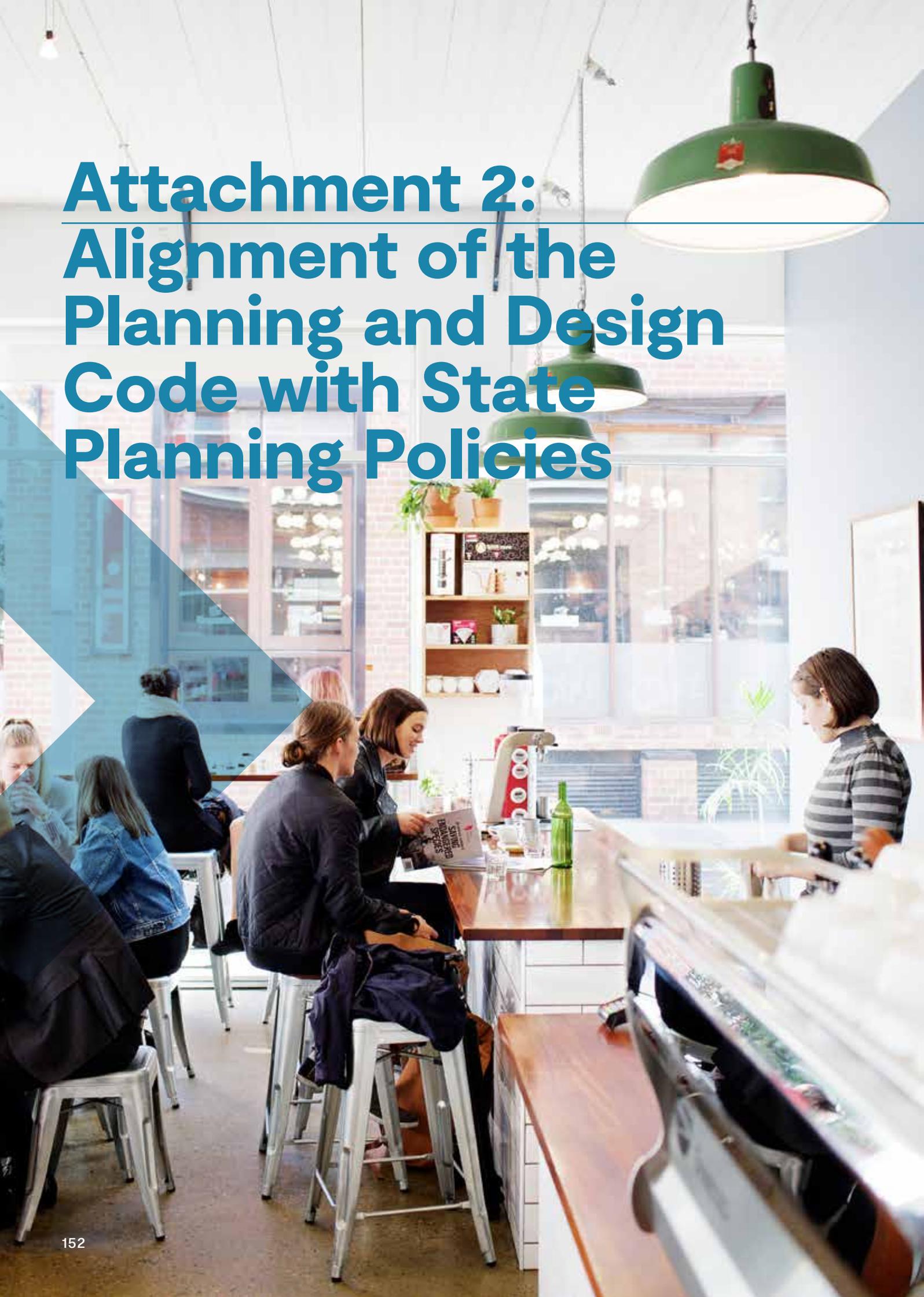
Part	Phase One (Outback)	Phase Two (Amendment)	Phase Three (Amendment)
Part 3—Overlays			
Hazards (Bushfire - Medium Risk) Overlay		New in Phase Two	
Hazards (Bushfire - Outback) Overlay		Replaced with updated version	
Hazards (Bushfire - Regional) Overlay		New in Phase Two	
Hazards (Bushfire Urban Interface) Overlay		New in Phase Two	
Hazards (Flooding) Overlay		New in Phase Two	
Historic Area Overlay		New in Phase Two	
Historic Shipwrecks Overlay		Replaced with updated version	
Key Outback and Rural Routes Overlay		No Amendment	
Key Railway Crossings Overlay		Replaced with updated version	
Limited Dwelling		New in Phase Two	
Limited Land Division		New in Phase Two	
Local Heritage Place Overlay		New in Phase Two	
Major Urban Transport Routes Overlay		New in Phase Two	
Marine Parks (Managed Use) Overlay		Replaced with updated version	
Marine Parks (Restricted Use) Overlay		Replaced with updated version	
Mount Lofty Ranges Catchment (Area 1) Overlay		New in Phase Two	
Mount Lofty Ranges Catchment (Area 2) Overlay		New in Phase Two	
Murray-Darling Basin Overlay		Replaced with updated version	
Native Vegetation Overlay		New in Phase Two	

Part	Phase One (Outback)	Phase Two (Amendment)	Phase Three (Amendment)
Part 3—Overlays			
Prescribed Surface Water Area Overlay		New in Phase Two	
Prescribed Water Resources Area Overlay		New in Phase Two	
Prescribed Watercourses Overlay		Replaced with updated version	
Prescribed Wells Area Overlay		Replaced with updated version	
Ramsar Wetlands Overlay		Replaced with updated version	
Regulated and Significant Trees Overlay		New in Phase Two	
Resource Extraction Protection Area Overlay		New in Phase Two	
River Murray Flood Plain Overlay		Replaced with updated version	
River Murray Tributaries Overlay		New in Phase Two	
Significant Industry Interface Overlay		New in Phase Two	
Significant Landscape Protection Overlay		Replaced with updated version	
Sloping Land Overlay		Replaced with updated version	
State Heritage Area Overlay		Replaced with updated version	
State Heritage Place Overlay		Replaced with updated version	
State Significant Native Vegetation Overlay		New in Phase Two	
Strategic Infrastructure (Gas Pipelines) Overlay		New in Phase Two	
Traffic Generating Development Overlay		New in Phase Two	
Urban Transport Routes Overlay		New in Phase Two	

Part	Phase One (Outback)	Phase Two (Amendment)	Phase Three (Amendment)
Part 3 – Overlays			
Water Protection Area Overlay		New in Phase Two	
Water Resources Overlay		Replaced with updated version	
Part 4 – General			
Advertisements		Replaced with updated version	
Animal Keeping and Horse Keeping		Replaced with updated version	
Aquaculture		Replaced with updated version	
Beverage Production in Rural Areas		New in Phase Two	
Bulk Handling and Storage Facilities		Replaced with updated version	
Clearance from Overhead Powerlines		Replaced with updated version	
Design and Siting	Replaced by: Design in Rural Areas Design in Urban Areas	Replaced with updated version	
Forestry		Replaced with updated version	
Infrastructure and Renewable Energy Facilities		Replaced with updated version	
Intensive Animal Husbandry and Dairies		Replaced with updated version	
Interface between land uses		Replaced with updated version	
Land division	Replaced by: Land Division in Rural Areas Land Division in urban Areas	Replaced with updated version	
Marinas and on-water structures		Replaced with updated version	

Part	Phase One (Outback)	Phase Two (Amendment)	Phase Three (Amendment)
Part 4 – General			
Mineral Extraction		Replaced with updated version	
Open Space and recreation		Replaced with updated version	
Residential Liveability	Replaced by: Design in Rural Areas Design in Urban Areas	Replaced with updated version	
Site Contamination		Replaced with updated version	
Tourism Development		Replaced with updated version	
Transport, Access and Parking		Amended: Includes vehicle parking rate table for wider range of land uses	
Waste Treatment and Management Facilities		Replaced with updated version	
Workers Accommodation and Settlements		Replaced with updated version	
Part 5 - Mapping		Replaced with updated version - Now Designated Areas	
Part 6 - Index of TNV's		New for Phase Two	
Part 7 – Land Use Definitions		Replaced with updated version - Formerly Part 6	
Part 8 – Administrative Definitions		Replaced with updated version - Formerly Part 7	
Part 9 - Referrals		Replaced with updated version - Formerly Part 8	
Part 10 - Table of Amendments		Formerly Part 9	

Attachment 2: Alignment of the Planning and Design Code with State Planning Policies



State Planning Policy (SPP)	Principles for the Code	How principles are achieved in the Code
<p>State Planning Policy 1: Integrated Planning</p>	<p>The Code should provide suitable zones that support mixed-use development where they can be strategically applied. Appropriate policy controls will need to be included for those areas affected by the Environment and Food Production Areas (EFPA) legislation to protect these areas from urban encroachment.</p>	<p>The Code provides a range of zones that support mixed-use development.</p> <p>An Environment and Food Production Areas Overlay has been applied across the EFPA which restricts urban encroachment. Land division creating additional allotments in this area is prohibited.</p>
<p>State Planning Policy 2: Design Quality</p>	<p>The Code should identify areas where Design Review can support quality design outcomes and provide context for the future character of related neighbourhoods.</p> <p>The Code must also include performance outcomes and design solutions that are based on the Principles of Good Design for all development types.</p>	<p>A Design Quality Overlay identifies where design review will support quality design outcomes by triggering a referral to the Government Architect.</p> <p>‘Design in Urban Areas’ and ‘Design in Rural Areas’ General Development Policies have been developed to integrate the Principles of Good Design into new developments. For example, the Desired Outcome of these modules specifically references the principles of contextual, durable, inclusive and sustainable.</p> <p>The performance outcomes, deemed-to-satisfy and designated performance features of this module further reinforce these principles through provisions such as:</p> <ul style="list-style-type: none"> • Context – Performance outcome requires buildings to positively contribute to the character of the local area’s context. • Inclusive – Performance outcomes to achieve privacy, equitable access, and public safety through passive surveillance. • Durable – Performance outcomes encourage adaptable buildings for student accommodation, durable external materials/finishes to reduce ongoing maintenance. • Sustainable – Performance outcomes encourage sustainable techniques in the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.

State Planning Policy (SPP)	Principles for the Code	How principles are achieved in the Code
<p>State Planning Policy 3: Adaptive Reuse</p>	<p>The Code should provide flexible, performance-based building policies and bonuses and/or incentives that encourage the reuse of existing buildings. The adaptive reuse of buildings should be considered in the first instance as an alternative to demolition.</p>	<p>In Urban Corridor and Main Street zones, multi-storey and mixed use development policies provide for the adaptive reuse of buildings at ground level.</p> <p>Demolition controls apply to Local Heritage and State Heritage Places.</p> <p>A range of zones in regional areas actively promote reuse of buildings and value-add industries (e.g. use of disused buildings for tourist accommodation).</p> <p>For example, the Peri-Urban Zone promotes horticulture, value-adding opportunities, farm-gate businesses, the sale and consumption of agricultural based products, tourist development and accommodation that expands the zone's economic base.</p>
<p>State Planning Policy 4: Biodiversity.</p>	<p>The Code should provide a suite of zones that support the protection of areas of biodiversity value and guide the types of land uses envisaged in these areas. Compatible eco-tourism and recreational land uses should be supported with policies about how their impacts can be best managed.</p>	<p>A range of zones and overlays has been developed to support the protection of areas of biodiversity value including:</p> <ul style="list-style-type: none"> • Native Vegetation Overlay • State Significant Vegetation Overlay • Environment and Food Production Area Overlay • Ramsar Wetlands Overlay • Conservation Zone • Coastal Waters and Offshore Islands Zone. <p>Of note, the Conservation Zone will be applied to all reserves proclaimed under the <i>National Parks and Wildlife Act 1972</i> and <i>Wilderness Protection Act 1992</i> (this includes National Parks, Conservation Parks, Recreation Parks, Game Reserves, Regional Reserves and Wilderness Protection Areas), applying a consistent policy framework to preserve and enhance the biodiversity value of these natural areas.</p>

State Planning Policy (SPP)	Principles for the Code	How principles are achieved in the Code
<p>State Planning Policy 5: Climate Change.</p>	<p>The Code should include a range of overlays that identify both the hazards that need to be considered when proposing new development and the features that should be protected due to their contribution to climate resilience, e.g. coastal dunes and natural environments that store carbon.</p> <p>Policies should allow for innovative adaptation technologies; promote climate-resilient buildings; improve the public realm; and identify areas suitable for green industries and carbon storage.</p>	<p>The Code has a suite of overlays to address hazards including bushfire risk, flooding and acid sulfate soils. In addition, a Coastal Areas Overlay ensures the protection of natural features along the coast.</p> <p>The Code also includes a number of overlays to protect areas that contribute to climate resilience and carbon storage, such as:</p> <ul style="list-style-type: none"> • Native Vegetation Overlay • State Significant Vegetation Overlay • Water Protection Area Overlay • Water Resources Overlay • Mount Lofty Ranges overlays, Murray-Darling Basin Overlay, and River Murray overlays • RAMSAR Wetlands Overlay • Regulated and Significant Trees Overlay • Significant Landscape Protection Overlay. <p>New employment zones provide a flexible environment to accommodate green industries and allow the adoption of new technology and business practices.</p> <p>In addition, the Code's General Development Policies - Design in Urban Areas and Design in Rural Areas include performance outcomes seeking buildings to incorporate climate-responsive techniques and features such as building and window orientation; eaves, verandas and shading structures; water harvesting; at-ground landscaping; green walls; green roofs; and photovoltaic cells.</p> <p>A range of policy improvements focused on green infrastructure has been prepared relating to water sensitive urban design (WSUD) and green infrastructure.</p>

State Planning Policy (SPP)	Principles for the Code	How principles are achieved in the Code
<p>State Planning Policy 6: Housing Supply and Diversity</p>	<p>The Code should implement zoning that supports Affordable Housing outcomes, housing choice and diversity and enables best practice adaptable housing design. Code policies should provide an enabling policy environment for housing within residential zones, including the provision of small lot housing and aged care accommodation.</p>	<p>An Affordable Housing Overlay has been prepared to support affordable housing and initiate referrals to the SA Housing Authority, where relevant.</p> <p>The Code has a strong focus on encouraging housing choice and small lot housing, including deemed-to-satisfy pathways for small lot housing in most of Greater Adelaide.</p> <p>It also facilitates ancillary accommodation to provide affordable accommodation and support ageing in place. Specific policy has been prepared relating to retirement housing, aged care and supported accommodation.</p>
<p>State Planning Policy 7: Cultural Heritage</p>	<p>The Code should implement State Planning Policies by identifying areas and places of national, state and local heritage value and may include the identification of places, including the extent of their cultural heritage significance. The first version of the Code will incorporate the existing state and local heritage places currently listed in Development Plans.</p>	<p>The draft Code identifies State and Local Heritage Places currently listed in development plans, and offers protection mechanisms through additional policies applied through overlays.</p>
<p>State Planning Policy 8: Primary Industry</p>	<p>The Code should implement State Planning Policies by developing assessment pathways and policies that create supportive local conditions for primary industry investment, avoid land use conflict and biosecurity threats and enable businesses to grow, adapt and evolve.</p> <p>Where appropriate, state interest overlays should be included to protect key assets and critical industry requirements.</p>	<p>The Rural Zone in the Code provides deemed-to-satisfy pathways for a range of primary production activities, such as:</p> <ul style="list-style-type: none"> • Agricultural buildings • Horticulture • Industry/storage/transport distribution/warehousing in association with rural activities. <p>Land use conflicts are avoided by providing standardised setback and interface requirements for primary industries.</p> <p>The new Rural Intensive Enterprise Zone has been introduced to accommodate larger and more intensive primary production uses.</p> <p>State asset overlays have been developed to protect key assets and critical industry requirements, such as:</p> <ul style="list-style-type: none"> • Significant Landscape Protection Overlay • Water Protection Area Overlay • Water Resources Overlay • Mount Lofty Water Protection Overlay • River Murray Flood Plain Protection Overlay • Limited Land Division and Limited Dwelling Overlays

State Planning Policy (SPP)	Principles for the Code	How principles are achieved in the Code
<p>State Planning Policy 9: Employment Lands</p>	<p>The Code should implement State Planning Policies by providing a range of zones that support existing and future employment activities. The Code should include planning controls that allow new technologies and industries to emerge and grow, and support competition within different markets. The level of regulation should be commensurate with the scale and complexity of projects: over-regulation should be avoided.</p>	<p>A range of zones is incorporated in the Code which supports existing and future employment activities, such as:</p> <ul style="list-style-type: none"> • Urban Activity Centre Zone • Suburban Activity Centre Zone • Township Activity Centre Zone • Suburban Main Street Zone • Township Main Street Zone • Urban Corridor (Business) Zone • Employment Zone • Suburban Employment Zone • Innovation Zone <p>The Code policies will allow new technologies and industries to emerge and grow by avoiding over-regulation and incorporating flexibility in planning controls in key employment areas. Examples of this include:</p> <ul style="list-style-type: none"> • Limited use of floor area caps, allowing for reasonable exposition based on performance and design, rather than arbitrary numbers • Limited use of 'restricted' land use triggers in employment-based zones, encouraging a range of land uses.
<p>State Planning Policy 10: Mineral and Energy Resources</p>	<p>The Code should identify key mineral and energy resource areas, including resource areas, processing areas, separation areas, transport routes and pipelines used for energy transportation.</p> <p>Policies should prioritise the protection of land for extractive industry and ensure that potentially incompatible land use applications are appropriately assessed.</p>	<p>Key mineral and energy resources are identified in the Code through the Resource Extraction Zone. A Resource Extraction Protection Area Overlay effects separation areas and interface provisions around strategic resources in regional areas.</p> <p>Associated transport routes are mapped through the Key Outback and Rural Routes Overlay and Major Urban Transport Routes Overlay, while gas pipelines are located in the Strategic Infrastructure (Gas Pipelines) Overlay.</p>

State Planning Policy (SPP)	Principles for the Code	How principles are achieved in the Code
<p>State Planning Policy 11: Strategic Transport Infrastructure.</p>	<p>The Code should implement zoning that supports the development of land uses that complement strategic transport corridors while also encouraging the mitigation of environmental impacts that may occur.</p> <p>Code policy should also encourage the greening of strategic transport corridors and facilities to mitigate environmental and climate change impacts and improve amenity.</p> <p>The future location of transport corridors should be identified clearly through an overlay to ensure they are protected.</p> <p>Code policy should provide guidance on the new National Airport Safeguarding Framework and ensure that, where relevant this is reflected in the Code.</p>	<p>The Code includes zones that support land uses to complement strategic transport corridors, including:</p> <ul style="list-style-type: none"> • Urban Corridor (Boulevard) Zone • Urban Corridor (Living) Zone • Urban Corridor (Business) Zone • Urban Corridor (Main Street) Zone <p>These zones encourage higher density development along strategic transport corridors to promote the use of public transport and plan for population growth in areas that are highly connected to existing infrastructure and services. Potential environmental impacts in these locations are mitigated through a Noise and Air Emissions Overlay.</p> <p>‘Greening’ of these strategic transport corridors will be facilitated through requirements for landscaping, tree planting and minimum areas for deep soil through the Design in Urban Areas General Development Policies.</p> <p>Strategic transport corridors are identified through the following overlays:</p> <ul style="list-style-type: none"> • Key Outback and Rural Routes • Major Urban Transport Routes • Non-Stop Corridor • Urban Transport Routes. <p>Code policy provides guidance on the National Airport Safeguarding Framework through the following modules:</p> <ul style="list-style-type: none"> • Airport Building Heights (ALA) Overlay • Airport Building Heights (Regulated) Overlay • Building Near Airfields Overlay • Aircraft Noise Exposure Overlay • Defence Aviation Area Overlay • Infrastructure (Airfield) Zone. <p>These modules reflect the relevant NASF guidelines on:</p> <ul style="list-style-type: none"> • Noise • Bird strike • Light • Buildings • Windshear and turbulence.

State Planning Policy (SPP)	Principles for the Code	How principles are achieved in the Code
<p>State Planning Policy 12: Energy</p>	<p>The Code should implement State Planning Policies through appropriate zoning that encourages the mitigation of environmental impacts; screens sites to improve amenity; and enables emerging energy technologies to be accommodated.</p> <p>The Code should also identify infrastructure reserves that streamline the assessment of essential infrastructure.</p>	<p>The Code seeks to mitigate environmental impacts arising from energy assets and infrastructure by application of the Resource Extraction Protection Area Overlay, Landfill Interface Overlay, and Significant Industry Interface Overlay. These overlays apply policies regarding separation, noise, vibration and gas.</p> <p>Infrastructure reserves are identified through the Strategic Infrastructure (Gas Pipelines) Overlay in the Code.</p> <p>Reserves to accommodate essential infrastructure have not been incorporated into this generation of the Code, but may be investigated in the future.</p>
<p>State Planning Policy 13: Coastal Environment</p>	<p>The Code should implement zoning and overlays that clearly identify coastal hazards, areas of conservation value, recreation reserves and locations for coast-dependent industries.</p>	<p>The Code implements overlays to identify coastal hazards, including:</p> <ul style="list-style-type: none"> • Coastal Areas Overlay • Hazards (Flooding) Overlay. <p>Areas of conservation value are protected through the following overlays:</p> <ul style="list-style-type: none"> • Native Vegetation Overlay • State Significant Vegetation Overlay • Marine Parks overlays • Various River Murray and Mount Lofty Ranges overlays • RAMSAR Wetlands Overlay • Water Protection Area Overlay • Water Resources Overlay. <p>Recreation reserves are identified through zoning as Open Space Zone or Recreation Zone.</p> <p>Coast-dependent industries can be accommodated in the Infrastructure (Ferry and Marina Facilities) Zone, as well as through the Coastal Areas Overlay.</p>

State Planning Policy (SPP)	Principles for the Code	How principles are achieved in the Code
<p>State Planning Policy 14: Water Security and Quality</p>	<p>The Code should include an overlay that ensures development mitigates adverse impacts on our water supply. The Code should also promote water-sensitive urban design and effective stormwater management.</p>	<p>The Code includes a series of overlays to ensure development mitigates adverse impacts on our water supply, including:</p> <ul style="list-style-type: none"> • Mount Lofty Ranges Catchment (Area 1) Overlay • Mount Lofty Ranges Catchment (Area 2) Overlay • Murray-Darling Basin Overlay • Prescribed Surface Water Area Overlay • Prescribed Watercourses Overlay • Prescribed Water Resource Area Overlay • Prescribed Wells Area Overlay • RAMSAR Wetlands Overlay • River Murray Flood Plain Overlay • River Murray Tributaries Overlay • Water Protection Area Overlay • Water Resources Overlay <p>Water-sensitive urban design and stormwater management are promoted through performance outcomes and associated deemed-to-satisfy criteria/ designated performance features in the Design in Urban Areas and Design in Rural Areas General Development Policies and the Land Division for Urban Development, which apply to a wide range of development types in a variety of zones.</p>
<p>State Planning Policy 15: Natural Hazards</p>	<p>The Code should include policy that mitigates the adverse impacts from natural hazards, particularly flood and fire. Overlays will be used to identify risks relating to bushfire, flooding and other natural hazards.</p>	<p>The Code includes a series of overlays to identify natural hazards and apply policy to mitigate adverse impacts. These include:</p> <ul style="list-style-type: none"> • Hazards (Acid Sulfate Soils) Overlay • Hazards (Bushfire - Outback) Overlay • Hazards (Bushfire - General Risk) Overlay • Hazards (Bushfire - Medium Risk) Overlay • Hazards (Bushfire - High Risk) Overlay • Hazards (Bushfire - Regional) Overlay • Hazards (Bushfire - Urban Interface) Overlay • Hazards (Flooding) Overlay.

State Planning Policy (SPP)	Principles for the Code	How principles are achieved in the Code
<p>State Planning Policy 16: Emissions and Hazardous Activities</p>	<p>The Code should implement appropriate zoning and policy to ensure minimal exposure to emissions and hazardous activities.</p> <p>Known risks should be mitigated through appropriate policy responses.</p> <p>The Code should include remediation policies to mitigate any potential contamination of sites and to facilitate the safe use of land.</p> <p>The Code should establish a policy regime to ensure strategic industrial land and essential infrastructure are protected from encroachment by sensitive land uses. Areas where emissions or hazardous activities can be mitigated or managed to provide certainty for industrial development investment should be identified.</p>	<p>The Code employs policy to ensure minimal exposure to emissions and hazardous activities through the Interface Between Land Uses General Development Policies, Significant Industry Interface Overlay, Landfill Protection Area Overlay and the Resource Extraction Protection Area Overlay.</p> <p>Policy responses include the adoption of separation distances and exhaust emission methods.</p> <p>Site contamination issues are dealt with through Site Contamination General Development Policies.</p> <p>Strategic industrial land and essential infrastructure will be protected from encroachment by sensitive land uses through policies in the Significant Industry Interface, Landfill Protection Area and Resource Extraction Protection Area overlays.</p> <p>In addition, the Employment Zone, which is the preeminent zoning for industrial development, provides confidence in land selection for industrial development investment.</p>
<p>State Planning Policy 17 Special Legislative Scheme River Murray Act 2003</p>	<p>The Code should implement State Planning Policies through the inclusion of an overlay to ensure the impacts of development on the River Murray Protection Area are mitigated.</p> <p>The Code should also include policy for the facilitation of the protection of local and state heritage places, people and property from riverine flooding and for areas where future settlements and associated infrastructure is appropriate.</p> <p>The Code should also promote the enhancement of the River Murray where appropriate.</p>	<p>The Code includes a series of overlays to ensure the impact of development on or near the River Murray are mitigated, and to promote the enhancement of the River Murray, including:</p> <ul style="list-style-type: none"> • Murray-Darling Basin Overlay • River Murray Flood Plain Overlay • River Murray Tributaries Overlay.

State Planning Policy (SPP)	Principles for the Code	How principles are achieved in the Code
State Planning Policy 18 Special Legislative Scheme Adelaide Dolphin Sanctuary Act 2005	<p>The Code should implement the State Planning Policies through appropriate zoning and relevant policy that supports the ongoing protection and conservation of the Adelaide Dolphin Sanctuary together with an overlay identifying the spatial extent. Policies within the Code should also provide guidance about stormwater and discharge into the Port River. The Code should also include policy relating to any expansion of Outer Harbor and associated activities to avoid adverse impacts on the Adelaide Dolphin Sanctuary.</p>	<p>A Dolphin Sanctuary Overlay will be developed in a future iteration of the Code.</p>
State Planning Policy 19 Special Legislative Scheme Marine Parks Act 2007	<p>The Code should implement the State Planning Policies through appropriate zoning and relevant policy that supports the ongoing protection and conservation of the Marine Parks. An overlay should identify where the marine parks and zones are located.</p>	<p>The ongoing protection and conservation of marine parks is facilitated through policy and rules in the following overlays:</p> <ul style="list-style-type: none"> • Marine Parks (Managed Use) Overlay • Marine Parks (Restricted Use) Overlay
State Planning Policy 20 Special Legislative Scheme Arkaroola Protection Act 2012	<p>The Code should implement the State Planning Policies by depicting the Arkaroola Protection Area in an overlay. The Code policy should also endeavour to prohibit mining within this area. Transport impacts should also be taken into consideration and any inappropriate land use activities should be restricted and discouraged.</p>	<p>An Arkaroola Protection Area Overlay will be considered in a future iteration of the Code.</p>

State Planning Policy (SPP)	Principles for the Code	How principles are achieved in the Code
<p>State Planning Policy 21 Character Preservation (Barossa Valley) Act 2012</p>	<p>The Code should implement the State Planning Policies by developing assessment pathways and policies that create supportive conditions for primary industry activities while avoiding incompatible land uses. Policy should also provide greater consistency and clarity within the character preservation district for:</p> <ul style="list-style-type: none"> • Envisaged primary production value-adding and tourism activities • Boundary realignments • Design guidance • Land use interfaces. <p>The Barossa Valley Character Preservation Areas should be defined in an overlay.</p>	<p>The Code facilitates supportive conditions for primary industry activities (while avoiding incompatible land uses) for areas within the Character Preservation District Overlay, which covers the Barossa Valley Character Preservation District.</p>
<p>State Planning Policy 22 Character Preservation (McLaren Vale) Act 2012</p>	<p>The Code should implement the State Planning Policies by developing assessment pathways and policies that create supportive conditions for primary industry and avoidance of incompatible land uses. Policy should also provide for greater consistency and clarity within the character preservation district for:</p> <ul style="list-style-type: none"> • Envisaged primary production value-adding and tourism activities • Boundary realignments • Design guidance • Land use interfaces. <p>The McLaren Vale Character Preservation Areas should be defined in an overlay.</p>	<p>The Code facilitates supportive conditions for primary industry activities (while avoiding incompatible land uses) for areas within the Character Preservation District Overlay, which covers the McLaren Vale Character Preservation District.</p>

Attachment 3: Referrals



SUMMARY OF THE TRANSITION OF AGENCY REFERRALS TO NEW PLANNING SYSTEM

PRESCRIBED BODY (AGENCY) FROM THE DEVELOPMENT REGULATIONS 2008	REFERRALS TO BE DELETED	REFERRALS TO BE RETAINED - BUT SOME WITH CHANGES	PROPOSED NEW REFERRALS INTRODUCED UNDER THE PDI ACT/CODE	REASON
Native Vegetation Council	The existing 'inactive' referral in Schedule 8 is to be deleted as no mapping has been introduced into development plans in order for the referral to become 'activated'.		Referrals for development impacting upon native vegetation are based on criteria set out within the following overlays which will cover all areas where the Native Vegetation Act applies: <ul style="list-style-type: none"> • State Significant Native Vegetation Areas • Native Vegetation (general) 	Resolves current anomaly of requiring two approvals under two Acts which causes inconsistent decision making and uncertainty for applicants.
Minister administering the <i>Housing and Urban Development (Administrative Arrangements) Act 1995 (Renewal SA)</i>	The existing referral is to be carried across as it is into the new planning system.			<ul style="list-style-type: none"> • Transition of existing state-wide referral related to any development that purports to be for affordable housing. • Power of regard (advice) retained.

PRESCRIBED BODY (AGENCY) FROM THE DEVELOPMENT REGULATIONS 2008	REFERRALS TO BE DELETED	REFERRALS TO BE RETAINED - BUT SOME WITH CHANGES	PROPOSED NEW REFERRALS INTRODUCED UNDER THE PDI ACT/CODE	REASON
Government Architect		<p>It is proposed that the existing Government Architect referral will continue in the new planning system for the same locations and classes of development as the current system, being:</p> <ul style="list-style-type: none"> • City of Adelaide – Developments over \$10m • Inner Metropolitan Areas (Urban Corridor Zones and certain zones in Glenelg and Norwood) – buildings exceeding 4 storeys • City of Port Adelaide Enfield – developments over \$3m in the regional centre zone <p>This referral would continue as an advice function, rather than for direction particularly given that referral will often accompany (and ‘round-out’) the voluntary pre-lodgement design review process offered by ODASA.</p>		<ul style="list-style-type: none"> • The Design Review Panel process and associated referral to the Government Architect has been a successful and important part of the assessment of significant developments in strategic locations and should continue. The nature of the process lends itself to being advisory in nature rather than ‘directive’.
Commissioner of Highways (DPTI Transport Unit)			Referral for large scale developments within 250m of arterial roads (such as land divisions exceeding 50 allotments or commercial development exceeding 10,000m ² in floor area)	Large scale developments in proximity to arterial roads can cause significant traffic impacts (akin to or even more so than developments actually located along arterial roads)
Commissioner of Highways (DPTI Transport Unit)		<ul style="list-style-type: none"> • Existing referrals for developments on arterial roads upgraded to direction (instead of regard). • The Code will include overlays displaying the area in which a referral is likely to be triggered for developments abutting relevant roads. 		<ul style="list-style-type: none"> • Key state interest to be protected • Referral area defined so as to provide greater certainty and also fit within ePlanning framework

PRESCRIBED BODY (AGENCY) FROM THE DEVELOPMENT REGULATIONS 2008	REFERRALS TO BE DELETED	REFERRALS TO BE RETAINED - BUT SOME WITH CHANGES	PROPOSED NEW REFERRALS INTRODUCED UNDER THE PDI ACT/CODE	REASON
Minister administering the <i>Heritage Places Act 1993</i> (DEW, State Heritage Unit)		<ul style="list-style-type: none"> Existing referral upgraded to direction (instead of regard) The Code to include overlays displaying the area in which a referral is likely to be triggered for developments abutting a State Heritage Place or Area. 		<ul style="list-style-type: none"> Key state interest to be protected Referral area defined so as to provide greater certainty and also fit within ePlanning framework
Minister administering the <i>Historic Shipwrecks Act 1981</i> (DEW)		The Code will include overlays depicting the area in which a referral is likely to be triggered for developments in proximity to shipwrecks		Referral area defined so as to provide greater certainty and also fit within ePlanning framework
Commonwealth Minister responsible for administering the <i>Historic Shipwrecks Act 1976</i> (DEW)		As above		As above
Minister administering the Mining Acts (Department of Energy and Mining) (DEM)		All development within Resource Extraction Zones (currently called Mineral Extraction Zones in development plans), except common farming structures and boundary realignments.		Development occurring within zones specifically envisaged for resource extraction, should be referred to DEM

PRESCRIBED BODY (AGENCY) FROM THE DEVELOPMENT REGULATIONS 2008	REFERRALS TO BE DELETED	REFERRALS TO BE RETAINED - BUT SOME WITH CHANGES	PROPOSED NEW REFERRALS INTRODUCED UNDER THE PDI ACT/CODE	REASON
Minister administering the Mining Acts (DEM)			<p>The following sensitive types of developments would trigger a referral within 500m of Resource Extraction Zone (including land division creating additional allotments for such uses and alterations and additions which increase the floor area of such buildings by 10% or more):</p> <ul style="list-style-type: none"> • Dwellings • Residential flat buildings • Tourist accommodation • Boarding homes • Dormitory style accommodation • Workers' accommodation • Student accommodation • Pre-schools • Educational establishments • Retirement villages • Supported accommodation • Residential parks • Hospitals. 	Sensitive land uses in close proximity which could negatively impact upon mining operations should be referred to the DEM.

PRESCRIBED BODY (AGENCY) FROM THE DEVELOPMENT REGULATIONS 2008	REFERRALS TO BE DELETED	REFERRALS TO BE RETAINED - BUT SOME WITH CHANGES	PROPOSED NEW REFERRALS INTRODUCED UNDER THE PDI ACT/CODE	REASON
Minister administering the Mining Acts (DEM)	Development within a Zone or area identified within a development plan as being for a mineral resource			Such mapping rarely exists in development plans and is at any rate more appropriately located within Regional Plans which can then inform appropriate zoning or overlays in future iterations of the Code.
Environment Protection Authority (EPA)	Land division for residential allotments within 400m of a Mineral Extraction Zone			Creation of further residential opportunities in close proximity which could negatively impact upon mining operations will be referred to DEM for expert advice (as per above referral), in lieu of the EPA.
EPA	Land Divisions exceeding 50 additional allotments			Referral is only currently for regard. Considered that Code policy can adequately address this. EPA satisfied with deletion.
EPA		Land division for residential allotments within 500m of a landfill		The existing referral for residential land division within 500m of landfill sites is to be transitioned in a 'like for like' fashion into the Code and continue to be for advice. Further consideration is expected to be given to inclusion of this referral within an overlay as a Generation 2 project for the Code.
EPA		Wind farms and certain activities of environmental significance upgraded to power of direction (instead of regard)		Referral retained and upgraded to direction to recognise EPA expert role in assessment.
EPA		Limited specific types of developments listed as requiring referral within the River Murray Water Protection Area (instead of all non-complying developments requiring referral)		Only types of developments which could impact the river due to pollution risk will be referred to the EPA.

PRESCRIBED BODY (AGENCY) FROM THE DEVELOPMENT REGULATIONS 2008	REFERRALS TO BE DELETED	REFERRALS TO BE RETAINED - BUT SOME WITH CHANGES	PROPOSED NEW REFERRALS INTRODUCED UNDER THE PDI ACT/CODE	REASON
EPA		Limited specific types of developments listed as requiring referral within the Mount Lofty Ranges Water Protection Area (instead of all non-complying developments requiring referral)		Only types of developments which could adversely impact upon quality of water within the watershed, will be referred to the EPA.
EPA	13 types of developments (such as certain industrial activities) to be deleted from requiring referral			The EPA has identified these activities for some time as being low-risk or outdated in terms of requiring referral and as such do not need to be carried over into the new system.
EPA			<ul style="list-style-type: none"> • Energy generation and storage facilities • Energy recovery from waste 	The EPA has identified these as being higher risk forms of development not presently covered by existing referral processes in the current planning system (e.g. are new forms of technology).
EPA			<ul style="list-style-type: none"> • Change in land use applications where a change to a more sensitive land use is proposed, on land where site contamination exists or may exist as a result of Class 1 or Class 2 Potentially Contaminating Activities (listed in a Practice Direction). 	To ensure an appropriate and proportionate assessment of potential site contamination for a small number of higher-risk development applications, the EPA will provide direction to the relevant authority on the most appropriate person to determine site suitability (i.e. a site contamination consultant or a site contamination auditor).
Minister administering the Public and Environmental Health Act (Department of Health) (DOH)	Crematoria development			The EPA are now to be the relevant referral body as they have more appropriate technical expertise.
Liquor and Gambling Commissioner (Attorney General's Department) (AGD)	Development involving gaming areas			Control of gaming areas not considered a valid planning matter and current referral does not add value to the licensing process under another Act. AGD staff satisfied with deletion.

PRESCRIBED BODY (AGENCY) FROM THE DEVELOPMENT REGULATIONS 2008	REFERRALS TO BE DELETED	REFERRALS TO BE RETAINED - BUT SOME WITH CHANGES	PROPOSED NEW REFERRALS INTRODUCED UNDER THE PDI ACT/CODE	REASON
State Planning Commission (SPC) (through DPTI)	Retail developments in Metropolitan Adelaide exceeding a prescribed size			Appropriate Code policy in lieu of referral
Country Fire Service (CFS)			<p>Additional types of sensitive land uses to trigger referral within High Bushfire Risk Areas. List now expanded to the following (including alterations and additions which increase the floor area of such buildings by 10% or more):</p> <ul style="list-style-type: none"> a. Land Division creating one or more additional allotments b. Dwellings c. Ancillary accommodation d. Residential flat buildings e. Tourist accommodation f. Boarding homes g. Dormitory style accommodation h. Workers' accommodation i. Student accommodation j. Pre-schools k. Educational establishments l. Retirement villages m. Supported accommodation n. Residential parks o. Hospitals. 	To enable expert assessment of types of development where human safety at higher risk (not just dwellings and tourist accommodation)

