

RESILIENT EAST

*Climate Ready
Eastern Adelaide*

27 February 2020

Mr Michael Lennon
Chairman
State Planning Commission
By Email: DPTI.PlanningReformSubmissions@sa.gov.au

Planning and Design Code Resilient East Climate Adaptation - Submission

Dear Mr Lennon,

The purpose of this submission is for the Resilient East Steering Committee to provide feedback on the draft Planning and Design Code to support the objectives of improving climate resilience and climate adaptation, including the related canopy cover, water sensitive urban design and biodiversity outcomes. This submission builds upon a number of previous submissions made by the Resilient East Steering Committee on various aspects of the Planning Reforms.

The Resilient East Project is a partnership between the Campbelltown City Council, the Cities of Adelaide, Burnside, Norwood Payneham & St Peters, Prospect, Tea Tree Gully, Unley and the Town of Walkerville and the South Australian Government, a regional alliance tackling climate change. Resilient East seeks to ensure the eastern region remains a vibrant, desirable and productive place to live, work and visit, and that our businesses, communities and environments can respond positively to the challenges and opportunities presented by a changing climate.

This submission does not reflect formal Council consideration by any of the constituent Councils. This input is intended however, to complement the specific planning feedback from participating Councils and provide a perspective from regional climate change adaptation practitioners.

The Planning Reforms and Planning and Design Code are a major generational change to how our cities, neighbourhoods and new development is managed.

Of particular importance to advancing the Resilient East Climate Change Adaptation Plan are strategies and policies which seek maintenance of habitat for native fauna, reduction of the urban heat island effect, air quality improvement, increase in green infrastructure and green canopy cover and sustainable water management.

Planning policy and development assessment has a significant role to play in mitigating the effects of higher temperatures, extreme weather events, increased energy demands, increased pressure for food, water, space and an accelerated pace of species loss.

The People and Neighbourhoods Discussion Paper highlights the role that the new Code must play in addressing the transformation of existing neighbourhoods by the cumulative effects of minor infill, which contributes about 39% of overall housing supply per annum. At the local and neighbourhood scale, the cumulative and incremental effects of increased infill development can only improve if the urban design standards expressed through the Planning and Design Code, effectively address the

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need for healthy, safe neighbourhoods with shady streets and large treed private open spaces complemented by public open space and improved water and energy use.

Support is offered for the Planning and Design Code's inclusion of policy for new development to address the provision of trees, landscaping and water sensitive urban design. Of particular note is:

- Requiring trees (and deep root zones) and minimum soft landscaping space
- Increased provision of landscaping within common driveways and public realm
- Quantification of the protection of street trees
- Provision of site permeability.

However, with the 30 Year Plan calling for an increase in tree canopy cover, there are some aspects of the new Code that may work against this in many areas by facilitating the easier removal of trees on both private and public land, an increased emphasis on urban infill, increased subdivision opportunities and greater intensification of development.

Increased urban infill and the Code's proposed "transformation of residential neighbourhoods" should not be at the expense of existing canopy cover or the opportunities for achieving more greening space.

The individual and cumulative effect of the changes in development outcomes can result in a reduction of canopy cover and habitat and decreased climate resilience due to reductions in minimum site areas, less restrictions on site coverage and setbacks and greater potential to build closer to boundaries.

Appropriate policy which is "non-negotiable" is needed to ensure that new development is required to provide suitable trees which will deliver canopy cover and noticeable microclimatic benefits.

Planning and Design Code feedback

The following comments are offered in response to specific parts of the Planning and Design Code with recommendations on how this can be overcome in revisions to the policy following consultation.

P & D CODE SECTION	COMMENTS	RECOMMENDATION
Biodiversity		
State Planning Policy 4 Biodiversity is not reflected in an overarching biodiversity policy as a Desired Outcome.	A number of important policies contained in current Development Plans and South Australian Planning Policy Library have not been transitioned across to the Code.	The opportunity to include biodiversity as Desired Outcome at the zone level and Performance Outcomes in the General Development Provisions is desirable. Code policy to be reviewed and tested to ensure current policy protections have not been lost.
Overlay – new overlay required	State Planning Policy 4.1 is not reflected in policy to ensure significant habitat protection.	Develop a Critical Habitat Overlay that includes critical habitat for threatened species and ecological communities listed at state and national level.

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<p>Open Space Zone</p> <p>The Open Space Zone seeks “<i>visual relief to the built environment for the enjoyment for the community</i>”</p> <p>There is no recognition of these important natural assets (eg River Torrens Linear Park) for their environmental and biodiversity value.</p>	<p>The lack of policies addressing biodiversity for open space areas is a significant shortcoming, given the priority focus of providing green space and canopy cover necessary for healthy living conditions.</p>	<p>Biodiversity value to be incorporated in all relevant Desired Outcomes for open space, with corresponding Performance Outcome policy.</p>
Environmental Design Considerations – Urban Infill and Design		
<p>The Code’s policies which facilitate intensification of development need to be balanced with the overarching need for excellence and best practice in environmental design considerations for building and infrastructure development.</p> <p>The Code contains several good policies that relate to environmental performance for all developments including solar access, minimising energy consumption and green walls, however these are only available through the performance assessed pathway.</p>	<p>There is need for the Code to give full consideration of sustainable design outcomes to meet South Australian climatic conditions, including the orientation and design of buildings and the overshadowing of solar panels.</p>	<p>More emphasis on passive design solutions in the Code.</p> <p>Include greater qualitative and quantitative requirements (as distinct from ‘guidelines’) for building orientation, sun-shading, window/glazing areas, in order to minimise summer solar heat gains, so as to reduce air conditioning, and to maximise winter solar access, so as to reduce winter artificial heating requirements.</p> <p>A requirement that all new dwellings have eaves will have obvious environmental benefits.</p>
<p>Design in Urban Areas – All development – Environmental Performance</p>	<p>The P & D Code should provide greater policy guidance for encouraging passive solar design. No Designated Performance Features are included in the Code.</p>	<p>Greater opportunities for environmental performance should be expanded upon in the Code.</p> <p>In addition, a mechanism could be explored for inclusion of a disclaimer at the start of every application, requiring an applicant to tick a box to indicate they have considered and addressed climate adaptation/future climate in the design of their development.</p>

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The Code does not specifically refer to community solar or shared energy savings developments.	Neighbourhood zones could encourage consideration of community or shared energy-saving facilities.	Include provisions for community solar schemes with applicable location and siting requirements
Too much variation in design and environmental requirements – depending on 4 or more building levels, all residential development, all development, residential 3 levels or less, residential 4 or more levels, group dwellings, Residential Flat Buildings, battle-axe, supported accommodation and housing for aged people	Design policy applying to development over 3 storeys has now changed to only apply to over 4 storeys. It is not made clear why this has occurred. Separate policy for different building forms now results in inconsistent policy– varied landscaping requirements, varied WSUD requirements, under 4 dwellings vs 5-19 dwelling, no policy for 20+ dwellings.	Provide a more consistent suite of policy requirements for good urban design and improved environmental outcomes to avoid policy loopholes and gaps.
Policies do not apply consistently to community housing projects where Housing Renewal policies remove zone and General Development Policies	No requirement for housing (where Housing Renewal General Development Policies apply) for: <ul style="list-style-type: none"> ○ tree planting ○ rainwater tanks (DUA 22.1) ○ water quality objective (DUA 22.2) 	Ensure consistency in Code for social housing occupants in terms of environmental performance, residential amenity, liveability and reduced household cost of living
Interface between Land Uses - Overshadowing PO 3.3 need clarification of what 'unduly reduce' means	Policy should include greater consideration to ensure solar energy facilities are still able to be installed in the future. Current Council Development Plans quantify an acceptable access to sunlight.	Provide DTS that gives an indication of what is reasonable overshadowing and include the word potential and well as existing.
Restrictions should be introduced to prevent new development reducing solar access to adjacent properties. The provision of shadow diagrams and modelling should be mandatory for all development greater than one storey.	Some Councils are losing current Development Plan policies that quantify extent of shadowing on adjoining development (including solar panels)	Quantify solar access and include shadow diagrams as required lodgement documentation for 2 storey and above

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	that is considered reasonable.	
Outdoor Open Space		
In Design in Urban Areas Table 1 – Outdoor Open Space, there is significant variation in the open space requirements depending on the site area – representing a reduction in requirements for several councils.	The table should be more evenly graded - requiring a 20% of the total site area to be dedicated to open space. <ul style="list-style-type: none"> 300m² site area – 60m² POS (20%) 500m² site area – 60m² POS (12%) 501m² site area – 80m² POS (16%) 1000m² site area – 80m² POS (8%) 1001m² site area – 20% POS (200m²) 	Increase the requirements for private open space provision to ensure equity and liveability in private open space provision and standardised proportion of green space.
Design in Urban Areas Table 1 – Outdoor Open Space	Private open space for residential flat buildings that are not apartments should align with requirements for other dwelling forms	Apply open space consistently across building forms in the Code
Front yard private open space in Design in Urban Areas DTS/DPF 20.3 should not be encouraged	This provides an ability to reduce rear private open space, setbacks and landscaping area, and increases the chance that the property will be bound by a 1.8m solid fence, which is detrimental to most open suburban streetscapes. There is also no reference to the desired northerly aspect as a qualifying factor.	It is recommended that DTS/DPF 20.3 is removed.
Tree Planting and Soft landscaping		
Tree planting provisions	Given the inability of public space to meet the tree canopy targets, the tree planting provisions on private land is supported. However	The opportunity to include a number of environmental performance techniques in a deemed-to-satisfy provision would also be desirable.

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	these requirements should be strengthened.	
Missed opportunity for strategic linkage of tree canopy and landscape area requirements	Greater information is available about importance of tree canopy – this is not utilised in the P& D Code.	Consider urban heat mapping as an overlay
Deep root zones	The criteria for deep root zones differs between buildings of 4 or more levels and those of 3 or less levels, and the requirement for soft landscaping only applies to buildings of 3 levels or less. Minimum side setbacks at ground level of 3m may not achieve effective planting spaces.	Consistency should be provided between differing building forms and across all development types
The proposals for 15-25% 'soft landscape' areas and minimum 1 tree per typical dwelling is positive, but is insufficient. The maintenance of existing 7% deep soil area, and only for medium to high rise development (4 storey or more), is inadequate. Planting opportunities on public spaces, (e.g. reserves and streets) is limited in Local Government Areas and if any meaningful advances on tree canopy cover are to be made, this needs to occur on private property.	More comprehensive and consistent increased tree canopy provision is required. Policy is not applied in Code to buildings of 4 or more levels or to community and social housing development.	Increase the requirements for new development (of all forms) to have an adequate deep soil area that allows for plantings that potentially achieve at least a potential tree canopy cover of 15% of the site. Increase the percentage of soft landscaping across sites and apply these to buildings of 4 or more storeys and to community housing developments
Table 1 – Outdoor Open Space	Does not include Residential Flat Building but includes Apartments for which there is no definition.	Include consistent requirements and define policy terminology in Land Use Definitions in the Code
Greening in non-res development	Policy should incorporate sustainable best practice regarding shade cover from trees in carparks. (Policy similar to that used in other states/countries	Code policy should be enhanced for car parking areas (particularly non-residential open lot parking in retail, business and service outlets) to have a minimum area of tree shading. Suitable tree species

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	regarding minimum shade cover areas could be considered for use in the Code.)	with large canopy cover are required.
Design in Urban Areas - All Development	Lack of DTS criteria with only some PO having DTS criteria	Revise Code to ensure sufficient policy detail and clarity is available to all assessment pathways.
Landscaping DTS/DPF 10.1	It is unclear whether the 4 x 4m deep soil in front of building has to accommodate a tree?	Make it clear if tree needs to be at the front of the building to soften the streetscape.
All development - 4 or more levels DTS/DPF 10.2 refers to multi storey development incorporating deep soil zones and trees, except in a location or zone where full site coverage is desired.	Where are the locations where multi storey development is desired to have full site coverage?	Delete this exception from the policy or define spatially where this exception applies.
DTS/DPF 10. 2 and 21.2 Tree planting identifies small, medium and large trees by mature height and spread Will there be any guidance provided for assessing officers as to which species of trees will meet each of these criteria and which one are suitable and unsuitable outside of those identified in the Regulations?.	This is going to be very difficult for planning staff to assess without clear guidance as very few will have expertise in tree species. The position of the plantings as well as certain species have the potential to cause tension with neighbouring property owners also.	Provide clear practice directions on how this policy is to be assessed and also how it is to be enforced and maintained so as to not undermine the intent.
With tree planting provisions included in Code – reduced to a quantitative requirement – should also be qualitative provision	This should be supplemented in Code with greater qualitative provisions.	A Practice Guideline or Direction could provide details of species selection – local provenance, water tolerant, non-invasive root systems etc
DTS/DPF 10. 2 and 21.2 Tree planting	The Code and Act contains no provision to ensure that these trees (and future tree canopy) will be maintained, monitored or enforced. Will the trees need to be a certain size at planting?	New mechanisms (such as additional conditions on all new residential development and an inspection fee) to ensure the planting and ongoing care of these trees is undertaken and enforceable to ensure longevity of planted trees.
DTS/DPF 10.1 to 10.4 (landscaping) apply only to buildings of 4 or more levels and DTS/DPF 21.1 to 21.2	Unlikely to achieve State targets for increased	Revise application of tree planting policy to achieve equity and consistency towards

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<p>(landscaping) apply only to residential development 3 buildings or less.</p> <p>Other forms of development including dwelling extensions, apartments, SAHT and Housing Renewal development, non-residential land uses do not have this requirement in the Classification tables.</p>	<p>canopy cover without broader application.</p> <p>Minimum requirements should be specified for tree and vegetation GI on all sites where any development is proposed, including alterations and additions, regardless of the size of the development. (Landscape and number of existing established trees and vegetation should form part of the quantity requirement.)</p>	<p>green canopy across all forms of development.</p> <p>Minimum requirements should be determined by the size, landscape and location of the site, not only the size of the development.</p>
Regulated and Significant Tree Policy		
<p>Regulated Tree Overlay and Significant Tree Overlay.</p> <p>The draft Code presently contains a single Regulated Tree Overlay. This is to be contrasted with current Development Plan policy which distinguishes between, and provides separate policy for both regulated and significant trees.</p> <p>There is concern that regulated tree policy has been consolidated within a single Regulated Tree Overlay with no higher order of policy relating to the proposed removal of a regulated tree that is a significant tree.</p> <p>Stronger protection is required for regulated and significant trees as one of the highest biodiversity priorities due to changing climate.</p>	<p>The recognition of regulated and significant trees is transitioned to the Code, however the policy wording has been revised and assessment considerations for the following have been removed:</p> <ul style="list-style-type: none"> ○ Indigenous to the locality (for regulated and significant trees) ○ Important habitat for native fauna (for regulated and significant trees) ○ Important contribution to the character or amenity of locality (significant trees) ○ Part of a wildlife corridor (significant trees) ○ Biodiversity maintenance (significant trees) ○ Notable visual element (significant trees). 	<p>Strengthen Significant Tree and Regulated Tree policy within the draft Code to reflect current policy</p> <p>Criteria for tree-damaging activity should reflect current controls, including assessment criteria.</p> <p>Reinstate policy such as</p> <ul style="list-style-type: none"> ○ <i>Indigenous to the locality</i> ○ <i>Important habitat for native fauna</i> ○ <i>Important contribution to the character or amenity of locality</i> ○ <i>Part of a wildlife corridor</i> ○ <i>Biodiversity maintenance</i> ○ <i>Notable visual element</i> <p><i>Development should have minimum adverse effects on regulated trees.</i></p> <p><i>Development should be undertaken with the minimum adverse affect on the health of a significant tree.</i></p>

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The proposed criteria for a tree damaging activity that is not to be undertaken with other development does not reference the current test that <i>“all other reasonable remedial treatments and measures must first have been determined to be ineffective”</i> . The omission of this requirement, at least in respect of significant trees, would result in a weakening of the current level of protection.	The test for damaging or removing regulated and/or significant trees should require applicants to demonstrate that all other reasonable alternatives have been found to be ineffective	This must be rectified if the stated intention is to ensure that the Code affords the same level of protection to such trees as presently exists under the Development Plan.
“Elements” of a development. Lodgement information and Assessment Pathways	There is no reference to the Regulated Trees Overlay in the Accepted development or DTS development tables, and therefore the reliance is on the applicant to identify, disclose and apply for ‘tree damaging activity’ as a separate class of development. Rarely does this occur in practice and regulated or significant trees are, in the most part, picked up at the assessment stage by council staff.	There should be a trigger for the relevant authority to consider whether the proposed accepted or DTS development may result in tree damaging activity (and therefore calling up the Regulated Tree Overlay policies)
Trees and Vegetation		
Transport, Access and Parking Vehicle Access PO 3.5 and DTS/DPF 3.5 what classifies as a ‘mature’ street tree	This requires greater clarification for this to be effective and consistent assessment of the impact of development on ‘mature’ street trees. Juvenile street trees should not be accepted as able to be impacted/ damaged/ removed due to development.	Code needs clarification about removal of, or damage to, street trees and what classifies as a mature tree
Only the Residential Neighbourhood Zone makes reference to spaces around buildings for trees and other vegetation	The Suburban, General and other Neighbourhood Zones provide no reference to the maintenance of non-regulated trees on private	Revise all neighbourhood zones to include similar policy at zone level An additional desired outcome should be added to encourage

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No provisions in Code seeking objective of retaining existing trees and landscaping where possible	land that contribute to amenity, shading and cooling. Demolition on existing housing allotments typically removes all mature trees and vegetation, with no consideration for retention of large trees on redevelopment sites.	the retention of mature trees on development sites
Lack of greening objectives for public realm	This is a significant policy gap as it is intended to focus increasing importance on this area under the new Act. Act refers to Design Standards which have not been produced to address public realm and infrastructure issues.	Review Code and other policy instruments (including Design Standards) to increase policy for enhanced public realm, including protecting and enhancing street trees.
Part 8 – Administrative Definitions “Soft landscaping” definition only refers to landscaped areas that are pervious and capable of supporting the growth of plant species	Definition should exclude elements that do not reduce the urban heat island effect or perviousness (such as artificial turf or compacted gravel) Include definition of “living green landscaping” separate from “soft landscaping”	Further clarify in definition that this refers to actual planted areas – not just capable of supporting plant species
Outdoor Advertising	New provisions appear to disregard the impact of advertising signs on trees.	Suggest inclusion of policy called up in Classification Tables for all forms of advertising that can impact on trees (roots and canopy): <i>Advertisements and/or advertising hoarding should be sited to avoid damage to, or pruning or lopping of, on-site landscaping or street trees.</i>

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Water Sensitive Urban Design		
Need to broaden the spatial application of WSUD under the Code	Performance outcomes should apply equitably to group dwellings, residential flat building and battle-axe dwellings, multi storey, single storey, Housing Renewal and other land uses	Review is recommended of all WSUD policies through the Classification Tables to ensure greater application of these policies and consistency in their use.
Design in Urban Areas – Water Sensitive Design and Landscaping policy for non-residential land uses.	Requirements for Water Sensitive Design and landscaping appear to be less onerous for non-residential land uses than for residential, where arguably there may be greater risk (or opportunity for sustainable water and greening measures) for larger commercial, industrial and institutional land uses.	Review all forms of land use against the Classification Tables and Design in Urban Areas provisions to ensure effective and equitable application of policy for: <ul style="list-style-type: none"> • Managing water pollutants • Increasing on-site water capture, storage and re-use • Appropriate site coverage and permeable space • Soft landscaping • Tree planting and deep soil zone requirements
WSUD Consideration of water resources and management is a critical component in planning for climate change.	Greater uptake of water sensitive design could occur through greater use of compulsory permeable paving, rain gardens, on-site wastewater reuse systems in multi-storey development and underground rainwater storage for green space irrigation.	Review policy in conjunction with Water Sensitive SA.
Water Sensitive Design DTS 22.2 Stormwater Management Plan	Stormwater Management Plan stormwater runoff outcomes seem difficult to assess and to determine what is average also why just for 5 – 19 dwellings	Amend Code to ensure clarity and consistency in how this provision is to be applied.
Some Development Plans contain polices requiring stormwater detention systems to be installed for all new dwellings in defined areas.	Retention promotes water re-use but does very little in limiting the amount of water	Need to provide for retention and detention to support the WSUD objectives

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<p>The Code includes a detention requirement for developments comprising more than 5 dwellings, however the vast majority of applications in many Council areas are for less than 5 dwellings. For developments comprising less than 5 dwellings, the Code suggests that 2000-5000L retention tanks connected to toilets or the laundry and the provision of minimum pervious areas is adequate to manage peak stormwater runoff flows and volumes.</p>	<p>discharged from a development during a storm event. Detention facilities reduce the immediate impacts on natural waterways and drainage systems.</p>	<p>Detention systems should be available as a deemed-to-satisfy criteria and designated performance features, particularly in vulnerable catchments.</p>
<p>Council Vegetation, Trees, Infrastructure and the Business Use of Public Roads</p>		
<p>The P & D Code lacks policies relating to the public realm or Design Standards, which formed part of the Expert Panel's recommendation that open space and public realm planning and design matters be embedded within the new planning system.</p> <p>The P & D Code should not be implemented until relevant policy is drafted addressing public realm matters and Design Standards are developed for reference in the Planning and Design Code.</p> <p>If the alteration of a road or the use of a road is approved by a development authorisation under the PDI Act, a person will no longer require an authorisation from the Council under Sections 221 or 222 of the LG Act</p>	<p>Amendments to Sections 221 and 222 of the Local Government Act 1999 (LG Act) which are not yet operational will be effected by Part 7 of Schedule 6 to the Planning, Development and Infrastructure Act 2016.</p> <p>Once operative, these amendments will have significant implications for Council vegetation and infrastructure in the public realm, together with the use of public roads for business purposes.</p> <p>Councils are concerned that private certifiers will effectively assume control for approving work in the public realm, including the removal of street trees.</p> <p>Non-Council accredited professionals will be able</p>	<p>The Code and Design Standards should contain appropriate processes and policy that relates to these issues so that they may be appropriately considered by the various relevant authorities determining applications for planning consent.</p>

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	to approve vehicle access to car parking spaces within 2 or more metres of an existing street tree with no opportunity for Councils arborists/horticulturalist to have any input.	
<p><i>DTS / DPF 23.4</i> <i>Vehicle access to designated car parking spaces:</i> ...</p> <p><i>(b) 2m or more from a street tree unless consent is provided from the tree owner;</i></p> <p>What measures will be put in place to ensure private certifiers do not accept access and street tree implications as a “minor variation” from DTS criteria?.</p> <p>To not include any local government technical advice to determine position and the appropriate setbacks will have significant consequences to the urban forest and potentially subject Councils to unacceptable risk.</p>	<p>This policy needs to better reflect the characteristics of the particular street tree in question with respect to its own TPZ. Two metres might be acceptable for a bottle brush but not for a 100 year old gum. It is also unclear where the 2m setback is measured from (i.e. the trunk, the canopy, etc.)</p> <p>The impacts to trees would be dependent on species type, age, surrounding growing conditions, health and condition. The Australian Standard AS4970-2009 provides guidance to encroachment considerations. However, this Standard still needs input from a technically qualified person as it is not a simple “one rule for all”. There is a risk to the urban forest by allowing these decisions to be made by private planners who may not have the technical skills to make such decisions.</p>	<p>Appropriate measures need to be put in place to direct these issues be resolved prior to the lodgement of a development application</p>
Hazards		
Hazards (Flooding) Overlay - policy	The Desired Outcome in the Hazards (Flooding)	Policy to reflect design standards for floodprone land

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	Overlay should refer to the need to consider how flood hazard will change given the projected increasing frequency and intensity of extreme weather events.	taking into account projected intensity and frequency of extreme weather events.
The draft P & D Code does not contain accurate mapping of floodplains and enables Deemed to Satisfy pathways for new development outside the Overlay.	The goals of the State Planning Policy 15 (Natural Hazards) has not been achieved. This places an unacceptable level of risk in the proposed flooding policy.	Redundant Hazards (Flooding) Overlays should be removed from the Code and replaced with accurate, up to date floodplain maps with appropriate policy included to address both flood depths and flood hazard risk. Current Development Plan policy that manages flood hazard risk should not be removed from the applicable policies applying to new development through the Code.
Water Resources Overlay		
Water resources overlay only used in some locations to protect watercourses	Not consistently applied	Consistently apply overlay to all watercourses
Native Vegetation		
Native vegetation	A missed opportunity is little/no support for the desired outcome to restore areas of native vegetation. The native vegetation overlay is limited and does little to reflect existing urban areas comprising native vegetation, nor does it show how these isolated remnant vegetation areas can be connected and made more sustainable via vegetation corridors.	This issue could be covered by a 'proposed native vegetation corridors overlay (or similar)' where native vegetation restoration is considered as a preferred use of the land
In the Native Vegetation Overlay, Desired Outcome 1 refers to restoring areas of native vegetation.	However, there are no related performance outcomes that refer to restoring native vegetation.	Performance outcomes could be added relating to enhancing native vegetation similar to that included in the State Significant Native Vegetation Areas Overlay.

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Regional Planning

In addition to the suggested changes to the Planning and Design Code, the Committee restates its view, made in earlier submissions on the Planning Reforms, that successful implementation of the State Planning Policies requires translation and resolution of competing State objectives into clear, spatial guidance through Regional Plans. Regional Plans were identified in the PDI Act and in the planning reforms process as the logical sequential step before preparing the policy detail. The role of Regional Plans is crucial in providing the spatial delineation, to strike a balance between competing environmental and urban growth needs. Currently the interim 30 Year Plan (used in the absence of a regional planning process) does not provide the level of detail or the degree of integration needed, to guide the spatial application of planning policy.

The Regional Plan for Greater Adelaide would provide a consolidated, up to date strategic roadmap, including integration of all relevant regional strategic documents such as the Resilient East Adaptation Plan.

The Regional Plans have not been prepared prior to drafting of the Planning and Design Code. These should have been carefully developed and negotiated with local government, business sector, infrastructure providers and communities to facilitate appropriate policy setting prior to the application of the Planning and Design Code.

Notwithstanding this missed opportunity to inform Code policy, future amendments to the Code will be an important process to refine, improve and maintain contemporary applicable zoning and policy for desired development. It is important these Regional Plans are commenced as soon as possible, to provide guidance for the large number of Code Amendments expected to be lodged upon commencement of the Code.

The *Planning Development and Infrastructure Act 2016*, creates new options for land owners to individually pursue a site-specific Code Amendment, with the support of the Minister.

This could result in randomised infill that impacts negatively upon canopy cover, established gardens, significant trees, erodes the functionality of urban habitat corridors (typically across residential gardens and canopy) and diminishes the heritage and amenity of areas in an uncoordinated and unconsidered manner. Significant local area planning investigation and negotiation is required before areas of increased infill opportunity can be delineated in the Regional Plan and needs to be matched with appropriate policy that addresses infrastructure standards and staging, provision of green cover on private land, water sensitive urban design and heat island mitigation measures.

The private Code Amendment opportunities created under the new legislation has the potential to compromise broader strategic outcomes, precinct planning and prioritisation, and excludes councils and their communities from meaningful influence of the development of their neighbourhoods.

The process governing Code Amendments should provide for Councils to maintain a lead responsibility in setting policy and strategic control. Land owners should be directed to collaborate with councils to facilitate their interests as part of broader strategic approach.

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The availability of spatially resolved and agreed strategic directions for regions through the Regional Plan will be critical in considering Code Amendments, particularly those by private interests. It is recommended the process commence as soon as possible for collaboration with local government and other key stakeholders on a Regional Plan under the PDI Act 2016.

Contact and follow-up

Thank you for your consideration of the feedback provided in this submission to provide an increased policy focus on improving climate resilience and climate adaptation, including enhanced liveability for urban communities, increased canopy cover, improved water sensitive urban design and biodiversity outcomes.

Should you have any questions please contact Bec Taylor, Resilient East Project Coordinator at [REDACTED]

Yours faithfully



Simon Bradley
Director - Infrastructure and Environment
City of Prospect

Chair
Resilient East Steering Committee

On behalf of Resilient East
www.resilienteast.com

