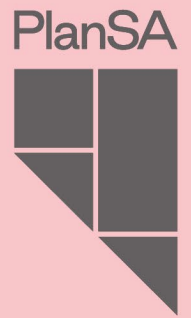


Frequently Asked Questions



River Murray Flood Resilience Code Amendment

Do I need approval to rebuild after recent flood and if so, what are the requirements?

Generally, yes. Approval is required to rebuild buildings such as houses, sheds or shops which were badly damaged or destroyed by the flood. The state's planning system requires this for areas subject to flooding risk to ensure appropriate consideration is given to the design and location of buildings being built or replaced within a sensitive environment.

The draft River Murray Flood Resilience Code Amendment has come into effect on an interim basis at the same time as being released for community consultation due to the urgency of providing clear rules to support redevelopment.

For details regarding rebuilding requirements, view the draft River Murray Flood Resilience Code Amendment document and Code Amendment summary document.

Work that does NOT require approval

The following work does not require approval and property owners will be able to undertake these works without lodging a development application (unless it relates to a heritage listed property):

- the total demolition of a dwelling
- the repair or internal alteration of a building that does not adversely affect the structural soundness of the building or the safety of any person using the building. This could be any of the following:
 - removal of fixtures/fittings (e.g. kitchen, laundry and bathrooms)
 - removal of non-load bearing partitions
 - replacement of external cladding (wall/roof) and/or internal linings
 - replacement of floor covering/fitted timber flooring
 - windows/doors without an increase in size or location in the framework.

Lodging an application

[Lodgement of applications](#) is made via the submission of relevant plans and documentation through the PlanSA portal.

Learn more about the [development application process](#).

Given the extent of the recent floods and expected large influx of rebuild applications, the state government will support local councils to ensure applications are processed as quickly as possible to support the recovery effort.

What approvals are required for temporary accommodation and storage?

The state government has previously amended the planning regulations in all flood affected council areas to remove the requirement to obtain planning consent to allow temporary accommodation for up to two years (where a dwelling was destroyed or badly damaged by the flood). This will enable such work to be completed more quickly. A building rules assessment is however still required (either by a private certifier or from the local council) to ensure appropriate safety, liveability and connection of services (such as wastewater) for the temporary structure/s.

No approval is required at all for temporary storage structures on land on which a building, or part of a building, has been destroyed or significantly damaged by the flood. This allowance is limited to structures for the use of the owner of the land for the storage of goods or materials required to assist in recovery and redevelopment that do not:

- exceed 3 metres in height (measured from ground level)
 - exceed 12.5 metres in length
 - exceed 2.5 metres in width, and
 - remain on the land for a period exceeding 2 years.
-

Why has the draft River Murray Flood Resilience Code Amendment been developed?

The high number of homes, shacks and businesses affected by the recent River Murray floods is unprecedented.

The draft River Murray Flood Resilience Code Amendment has been developed to provide clearer guidance for impacted communities to rebuild more flood-resilient development.

It aims to minimise the impact of future River Murray floods on permanent residents, shack owners and caravan and tourist parks, and help mitigate future flood risk and support sustainable, resilient communities.

Data on floodwater levels and the extent of inundation during the recent flood event has been collated and considered in developing the changes to the Planning and Design Code.

What are the proposed improvements to the planning rules?

Amendments to the Planning and Design Code include the following for rebuilding in flood-affected areas, such as:

- Requirements around height of floor above ground – the ‘finished floor level’
 - Maximum height increased from 2.5 metres to 3 metres, or up to 4 metres to be above the level of a one-in-100-year flood event.
 - Minimum heights along the River based on updated one-in-100 year flood event data.
- Maximum overall building height increased to 8 metres, up from 7.5 metres, with a two-storey cap.
- Updated resilient design and materials for underfloor structures
 - Installation of roller doors or similar on all four sides of any enclosed area to ensure the free passage of floodwaters.
- Maintain open space areas around storage areas, with maximum storage area increased to 60 square metres, up from 15 square metres.
- Streamlined assessment for sheds, carports and garages which are located behind a riverfront dwelling, removing previous red tape.
- Rezoning flood-affected shack settlements, including Paisley and Murbko, to assist development applications and rebuild efforts.

For more information:

- Read the draft River Murray Flood Resilience Code Amendment
- Read the draft River Murray Food Resilience Code Amendment Summary

Why are improvements proposed to planning rules regarding the River Murray Flood Plain Protection Area Overlay?

The desired outcomes from proposed improvements to the River Murray Flood Plain Protection Area Overlay are:

- conservation and protection of water quality and the riverine environment, provision for environmental water flows, the protection of life and property against flood risk, and recognition of the riverine environment as an important ecological, tourist and recreational resource.
- development for the purpose of recreation (e.g. landings, jetties, houseboat moorings) water extraction, wetland management and irrigation management (e.g. channel, pumping stand, flood gate).

Why are improvements proposed to the planning rules regarding the Rural (Shack Settlement) Zone?



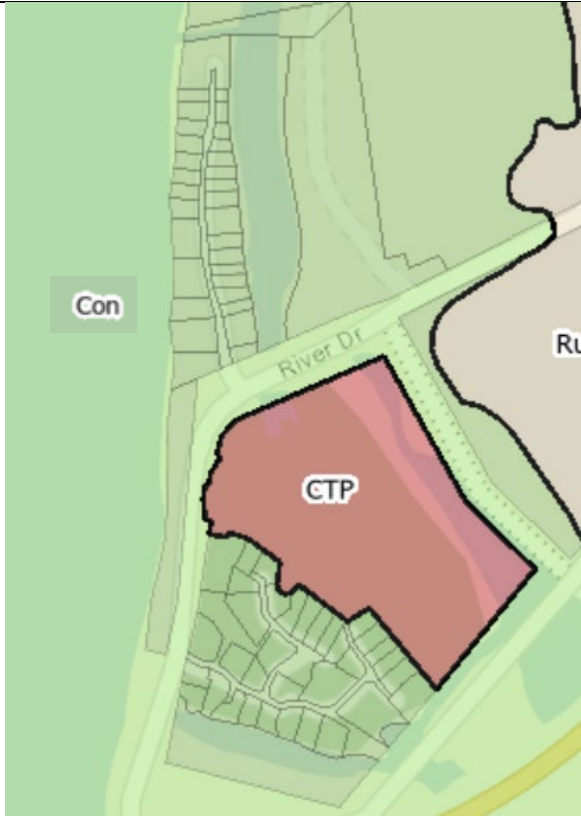
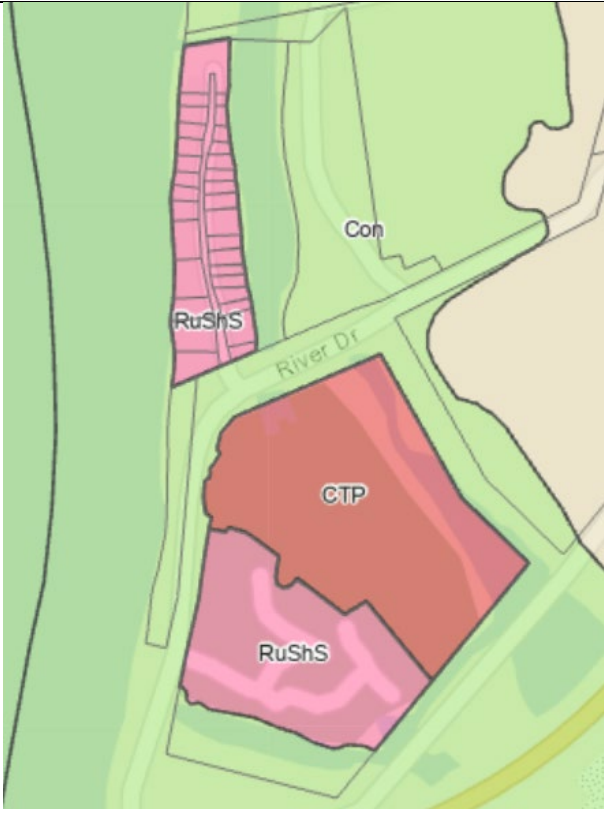
The desired outcome from proposed improvements to the Rural (Shack Settlement) Zone is:

- limited development within an environment where natural processes such as flooding, sea-level rise, sand drift and erosion occur. The natural environment is protected from inappropriate development and existing development is upgraded to incorporate environmental improvements.



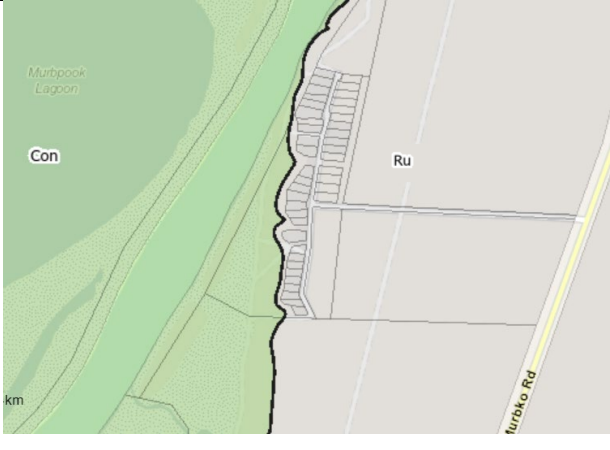
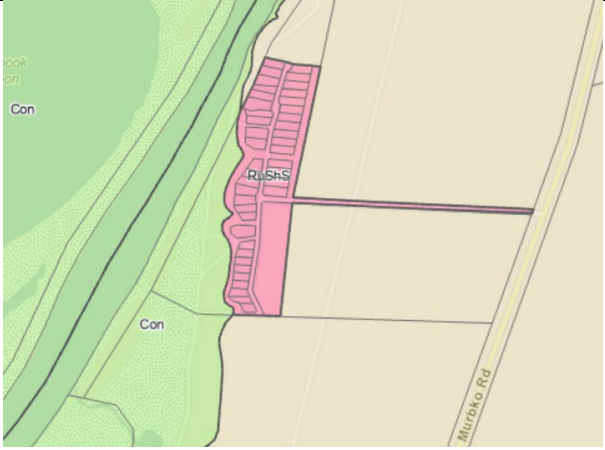
What rezoning is proposed in the Code Amendment?

The following areas in the District Council of Loxton Waikerie are proposed to be rezoned to the Rural Shack Settlement Zone:

- two established shack settlements at Paisley are proposed to be rezoned from Conservation Zone (see map)

BEFORE DRAFT CODE AMENDMENT	AFTER DRAFT CODE AMENDMENT
 Conservation	 Rural Shack Settlement
	

- one established shack settlement at Murbko is proposed to be rezoned from Rural Zone (see map)

BEFORE DRAFT CODE AMENDMENT	AFTER DRAFT CODE AMENDMENT
	
	

How is a development application assessed during the ‘Early Commencement’ period, while the draft Code Amendment is open for community consultation?

If a development application is lodged during the ‘[Early Commencement](#)’ period, the application must be assessed against the previous version of the Code as well as the version of the Code that has commenced early. If the outcome of the assessment differs, a planning approval cannot be granted until the draft Code Amendment is no longer on ‘early commencement’.

If the version of the Code that commenced early decreases the consultation requirements, then the original version of the Code must be used for assessment purposes.

Why has this draft Code Amendment come into effect at the same time as community consultation?

The draft Code Amendment has come into effect on an interim basis when released for community engagement due to the urgency of providing clear rules to support flood-resilient redevelopment.

How might this draft Code Amendment affect insurance in the affected area?

While insurance premiums are likely to increase, if a rebuilt property meets the requirements outlined in the River Murray Flood Resilience Code Amendment it gives insurance companies confidence that the building will be resilient to future floods and it is likely that the property could be reinsured.

Where can I find additional information?

To assist affected communities understand the changes to the Code, the draft River Murray Flood Resilience Code Amendment Summary outlines the process for rebuilding in flood-affected areas, including design, materials and risk- mitigation.

Detailed information about the proposed changes to the planning rules are outlined in the draft Code Amendment.

Any specific queries about the state's planning system and the flood recovery effort can be directed to PlanSA using the [support request form](#), by email PlanSA@sa.gov.au or calling 1800 752 664.

For any general queries about the flood recovery please refer to www.recovery.sa.gov.au for latest information.

How can I give feedback on the draft River Murray Flood Resilience Code Amendment?

The community is invited to give their feedback on the draft Code Amendment so their needs and concerns can be considered in finalising the proposed policy changes.

To provide feedback, visit the [YourSAy website](#). Community engagement closes 5:00 pm, 25 August 2023.