

# PHASE TWO OF THE PLANNING AND DESIGN CODE (RURAL AREAS)



What We Have Heard  
- March 2020



# TABLE OF CONTENTS

## PHASE TWO OF THE PLANNING AND DESIGN CODE

<b>What We Have Heard</b>	3
Purpose of this report	3
What is the role of the Planning and Design Code?	4
<b>Key Themes</b>	5
Procedural and Technical Issues	5
Amendments to the Code Policy Library	5
Spatial Application and Mapping	5
<b>Key Theme 1 - Procedural and Technical Issues</b>	6
<b>Key Theme 2 - Amendments to the Code Policy Library</b>	8
People and Neighbourhoods	8
Heritage and Character	10
Productive Economy	11
Natural Resources and Environment	12
Integrated Movement Systems and Infrastructure	14
<b>Key Theme 3 - Spatial Application and Mapping</b>	15
<b>Engagement Approach</b>	16
Community Engagement Charter	16
Early engagement	16
Phase One: Outback Areas	17
Phase Two: Rural Areas	17
Public consultation	17
SA Planning Portal	18
YourSAy	18
Email enquiries	18
1800 hotline	18
<b>Promotional Activities and Engagement</b>	19
Local Government	20
Community Events	20
Industry Events	20
Written Submissions	21
<b>Next steps</b>	22
Code Implementation Timeline	22
Acknowledgements	22

# PHASE TWO OF THE PLANNING AND DESIGN CODE

## - What We Have Heard

### Purpose of this report

The purpose of this report is to summarise the written responses received by the State Planning Commission on the draft Phase Two (Rural Areas) Planning and Design Code (the draft Phase Two Code). The Phase Two Code covers local government areas incorporating smaller towns and settlements in rural South Australia. Although Kangaroo Island was originally included in the Phase Two consultation period, in response to the devastating bushfire season Kangaroo Island has been moved into Phase Three of the Planning and Design Code.

This report captures the key themes of Phase Two Code feedback, the methods of engagement used, the number and type of respondents who provided feedback, and important next steps. It includes the Commission's thinking on changes to the draft Phase Two Code as a result of what was heard. The Commission will continue to work closely with Phase Two councils providing detailed advice on the proposed changes to the draft Code that are relevant to their council area. Overall, the content of this report is high level and aimed at the general public.

The Commission's final recommendations to the Minister for Planning, which will comprise technical detail regarding what was heard during consultation and how the Commission believes the Code should be updated in response to this, will be published in a separate report prepared for the purposes of section 73 of the *Planning, Development and Infrastructure Act 2016* and *Practice Direction 2: Preparation and Amendment of Designated Instruments*. This will be forwarded to the Minister for consideration in making a decision and then be released on the SA Planning Portal. Following the Minister's approval, the finalised Phase Two Planning and Design Code will be made publicly available before it is implemented in SA's rural areas in July 2020.

### What is the role of the Planning and Design Code?

The Planning and Design Code is the cornerstone of South Australia's new planning system and will become the single source of planning policy for assessing development applications across the state. The Code will replace all South Australian Development Plans by September 2020.

The State Planning Commission is leading the implementation of the Code in collaboration with the Department of Planning, Transport and Infrastructure (the Department). The Code will be implemented over three consecutive phases, moving from less complex to more complex planning environments. This approach will allow the Commission to minimise risk and apply key learnings along the way, adjusting the deployment approach as required.

The three implementation phases are outlined below:



**1. Phase one** applies to land not within a council area (outback and coastal waters), and became operational 1 July 2019.



**2. Phase two** which will apply to rural areas, including small towns and settlements and will become operational in July 2020.

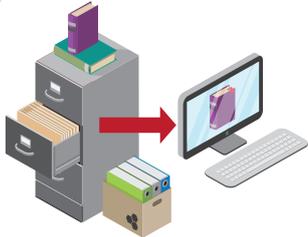


**3. Phase three** which will apply to urban areas, including large regional towns and cities and will become operational in September 2020.

Once in full effect, the Code will apply across the entire state and be made available to all South Australians via the SA Planning Portal at [www.sapanningportal.sa.gov.au](http://www.sapanningportal.sa.gov.au).

# WHAT IS THE ROLE OF THE PLANNING AND DESIGN CODE?

1



**A single reference point for planning and design policies and 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.

2



**Consistent planning policies to improve certainty in decision making**

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

3



**Flexibility to deal with local issues, while ensuring consistency for other issues**

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

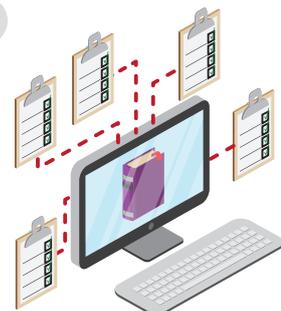
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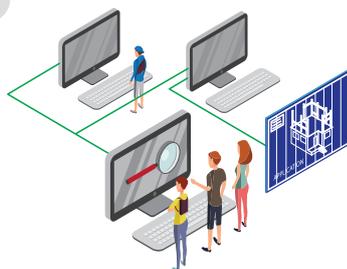
**Online delivery of the Code provides assessment authorities with only the policies and rules they need**

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

5



6



**Significant reduction in paperwork**

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

## Reduced costs and delays in updating development plans

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

7

**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.



# KEY THEMES

A significant amount of feedback was received during the course of engagement on the draft Phase Two Code. The following summarises the Commission's recommendations regarding changes that should be made in response to this feedback. These summaries and considerations have been organised in line with the following three key themes:

## 1 Procedural and Technical Issues

Including Public Notification, Definitions, Referrals and Classification Tables

## 2 Amendments to the Code Policy Library

Proposed amendments to the policy content of the draft Phase Two Code, including (where required) the mapping rules governing their spatial application, to help govern the assessment of proposed developments relating to South Australia's:

	<b>PEOPLE AND NEIGHBOURHOODS</b>	
	<b>PRODUCTIVE ECONOMY</b>	
	<b>NATURAL RESOURCES AND ENVIRONMENT</b>	
	<b>INTEGRATED MOVEMENT SYSTEMS AND INFRASTRUCTURE</b>	

## 3 Spatial Application and Mapping

Summary of the recommended alterations to the spatial application of the Code to specific affected Local Government Areas, including the application of Technical and Numeric Variations (TNVs) and amendments to transitional zoning.

It is acknowledged that a number of submissions addressed matters that also have relevance to policies affecting Phase Three areas which will be considered as part of the draft Phase Three Code consultation summary.

## KEY THEME 1 – Procedural and Technical Issues

Procedural and technical matters including public notification exemptions, definitions, referral triggers, compatibility with the Act and Regulations, the Code’s structure and drafting principles were the subject of general feedback from respondents. Such feedback was not specific to particular zones, subzones, overlays or general development policies, but was more general in nature.

Regarding Land Use Definitions, general support was expressed for additional accommodation land use definitions– specifically around tourist accommodation and ancillary accommodation. Many respondents identified opportunities to improve the definition for detached, semi-detached and row dwellings due to the wording restricting dwellings and requiring land division approval prior to dwelling assessment.

Regarding Administrative Definitions, respondents sought amendment to the definition of low density as it was considered too low, while some respondents observed that it was too high (it is noted that the density definitions are based on the current parameters set by *The 30-Year Plan for Greater Adelaide - 2017 Update*). A number of new administrative definitions were requested to provide greater clarity to the Code’s assessment provisions.

Multiple submissions were received from respondents highlighting a number of irregularities with the classification tables included in the draft Phase Two Code as well as opportunities to make minor refinements and improvements to assist with interpretation.



Flinders Ranges Paul White 2020

## Key opportunities for improvement

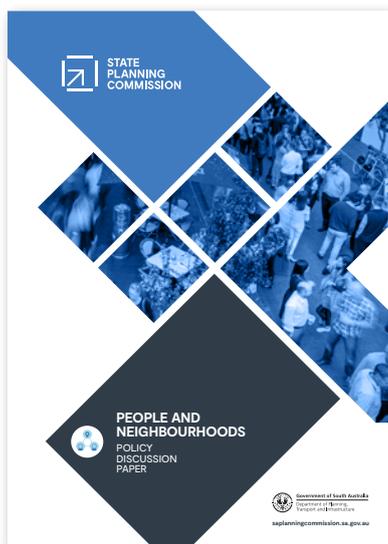
In summary, the Commission is supportive of changes in response to the procedural and technical elements of the draft Phase Two Code and recommends the following amendments to the Minister:

- Amend the following land use definitions to provide greater consistency and clarity:
  - Ancillary accommodation
  - Agricultural building
  - Detached, semi-detached and row dwellings
  - Industry
  - Motor repair station
  - Tourist accommodation.
- Add the following new administrative definitions:
  - Exceedances per year
  - Human waste water
  - Sewerage infrastructure
  - Site contamination.
- Amend terminology to clarify agency referrals for energy generation, aquaculture, dams and airport building heights
- Remove the referral for site contamination to allow for further consultation on the draft Practice Direction on Site Contamination during Phase Three consultation
- Audit all classification tables to ensure consistent land uses and policies are referenced across zones as appropriate
- Amend classification tables to ensure overlays are only listed (i.e. 'called up' in assessment) where the overlay policy is directly relevant to the class of development
- Improve public notification tables across all zones to be clearer about types of performance assessed development that are excluded from notification, and align these tables with the following key principles:
  - List specific classes of development that are excluded from notification, instead of excluding all development and listing the exceptions
  - Specify that development that is minor in nature, in the opinion of the relevant authority, does not require notification
  - Exclude minor/low impact development envisaged in the zone from notification (including classes of development specified in accepted and deemed-to-satisfy tables), provided they do not exceed building height/interface criteria
  - Generally exclude uses that are envisaged in the zone from notification, except where exceeding building envelope parameters, or where higher impact non-residential zones land uses are located adjacent to a dwelling in a neighbourhood zone.



## KEY THEME 2 - Amendments to the Code Policy Library

Feedback received from respondents during the course of the consultation identified policy gaps within the Code Framework, and suggested a different approach to the naming conventions utilised for Phase Two modules of the Policy Library.



### People and Neighbourhoods

Feedback in relation to heritage overlays highlighted the need to distinguish between policy applying to a heritage place and policy applying to development adjacent to a heritage place. Feedback in relation to Historic Area Statements recommended that the statement for Robe better reflect its unique and distinctive historic values. Additionally, feedback suggested that the Character Area Overlay proposed by the draft Phase Three Code be included within the Phase Two Code and be applied to the township of Mundulla with a corresponding Character Area Statement.

A significant amount of feedback was received in relation to the naming conventions used for the Phase Two neighbourhood zones, in particular those with references to 'urban' and 'suburban' in their title. Additionally, there was particular concern in the spatial application of the General Neighbourhood Zone and Suburban Neighbourhood Zone to rural areas as it was felt the content of these zones was not appropriate for residential development or land use in a rural context. There was also a desire to see the Urban Renewal Neighbourhood Zone removed from the Code Policy Library for Phase Two areas.

Further delineation between rural and urban areas was sought for General Development Policies relating to Design in Rural Areas to ensure the Phase Two Code reflects development requirements in a rural context. Several submissions helped to identify policy gaps between the draft Phase Two Code and current Development Plans in relation to waterfront residential areas, golf course estates and coastal shack settlements, as well as unique land uses, which highlighted the need to create new zones, subzones and overlays to address these deficiencies. The suggested intent for each of these new policy modules is outlined below.

Feedback in relation to heritage and character overlays highlighted the need to distinguish between policy applying to heritage places and policy applying to development adjacent to a heritage place. Feedback in relation to Historic Area Statements recommended that the statement for Robe better reflect its unique and distinctive historic values. Additionally, feedback suggested that the Character Area Overlay be applied to the township on Mundulla with a corresponding Character Area Statement.

No written submissions were received in relation to the Animal Husbandry Subzone, Intensive Horse Establishments Subzone or Mixed Use Transition Subzone. Technical comment only was received in relation to the Noise and Air Emissions Overlay.

### Key opportunities for improvement

In summary, the Commission is supportive of changes to policy within the People and Neighbourhoods theme of the draft Phase Two Code and recommends the following amendments to the Minister:

- Replace the General Neighbourhood, Suburban Neighbourhood and Housing Diversity Zone with a new 'Neighbourhood Zone' that better responds to rural issues including:
  - Policy relating to on-site waste water management for land that does not have mains sewer or cannot be connected to a community waste water management scheme
  - Less onerous requirements than the General and Suburban Neighbourhood Zones which include residential design policies to manage infill development in Greater Adelaide
  - Reduced floor areas for non-residential development
  - Allow larger outbuildings on larger sites
  - Technical and Numeric Variations for building height, site frontage and site area to provide local variation to respond to the broad range of contexts in Phase Two areas.
- Amend the name of the Residential Neighbourhood Zone to Rural Neighbourhood Zone, to more appropriately capture the nature of these areas.

## Key opportunities for improvement (cont)

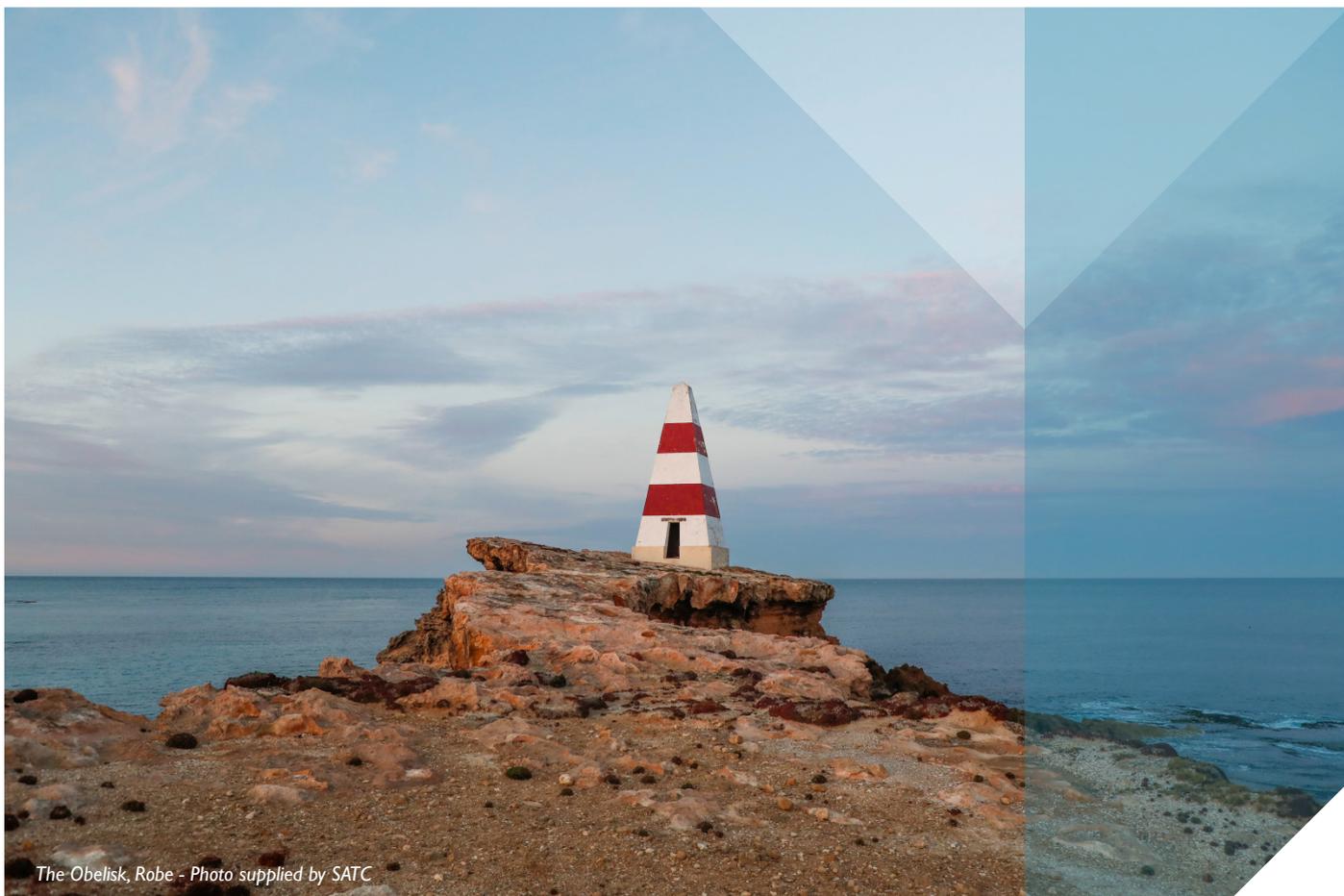
- Create new zones and style-dependent subzones that respond to identified gaps and unique land uses / locations, in particular:
  - A Golf Course Estate Zone to capture existing areas that have residential development in conjunction with a golf course, associated uses such as club rooms and tourist accommodation
  - A Workers' Settlement Zone to facilitate workers accommodation and associated uses required for Olympic Village at Roxby Downs
  - A Roxby Downs Subzone in the Neighbourhood Zone to facilitate worker accommodation in residential areas in Roxby Downs
  - A Waterfront Subzone in the Neighbourhood Zone to provide residential design guidelines relating to waterfront developments (such as marinas, canals and some coastal locations)
  - A Bookmark Creek Subzone in the Rural Neighbourhood Zone to address waste water management on land adjacent to Bookmark Creek in Renmark Paringa LGA
  - A Fisherman Bay Subzone in the Rural Settlement Zone to address this location's unique pattern of development, lack of infrastructure and high risk of coastal flooding.
- Amend the Design in Rural Areas General Development Policy module to refine policy, and remove policy that is specific to urban areas including:
  - Remove Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) policy specific to urban areas including those relevant to the design of infill development in Greater Adelaide such as specific requirements relating to façade design, bin storage and driveway widths
  - Remove some water sensitive design DTS / DPF policy that specifically relates to Greater Adelaide such as retention tank guidelines based on rainfall data from Greater Adelaide
  - Amend policy relating to soft landscaping and tree planting to provide a more flexible approach to this in Phase Two areas (for example; in arid areas with low rainfall)
  - Amend private open space requirements and introduce a single rate of private open space (24m<sup>2</sup>) to address inconsistency in expectations between various allotment sizes and remove policy relating to positioning private open space forward of a dwelling
  - Amend garaging and access policy to improve clarity and alignment with Australian Standards including minimum garage dimensions and the design of common driveways
  - Change name to 'Design' module.
- Amend the Land Division in Rural Areas General Development Policy module to:
  - Facilitate a DTS land division pathway for land division relating to approved dwellings or combined dwelling land division application
  - Amend policy relating to open space and transport infrastructure to improve flexibility to respond to local context including the slope and inundation of open space and the provision of pedestrian and cycling infrastructure
  - Amend water sensitive design policy to improve clarity and ease of use
  - Change name to 'Land Division' module.
- Amend the Heritage and Character Overlays and Statements, as follows:
  - Introduce a 'Heritage Adjacency Overlay' to guide development adjacent heritage properties and amend the spatial application of the Local Heritage Place Overlay and State Heritage Place Overlay to correspond with the extent of heritage listed allotments
  - Amend the Historic Area Statement for Robe so it better reflects its unique and distinctive historic values
  - Introduce the Character Area Overlay and a corresponding Character Area Statement for the township of Mundulla.

## Heritage Adjacency Overlay

The new Heritage Adjacency Overlay acknowledges the need to address the potential impact of development on land adjacent to heritage-listed places. The draft Code proposed that the State Heritage Places Overlay and Local Heritage Places Overlay be applied to both heritage-listed places as well as adjacent land, up to a maximum distance of 60 metres from a heritage-listed place. Feedback received highlighted that this approach would result in the Overlays treating adjacent land in the same way as listed places, thereby increasing controls over adjacent land. Accordingly, the State Heritage Places Overlay and Local Heritage Places Overlay will be amended to apply only to heritage-listed places. The new Heritage Adjacency Overlay will ensure appropriate guidance is provided for development on land adjacent to heritage-listed places, clearly delineating between heritage-listed places and adjacent land.

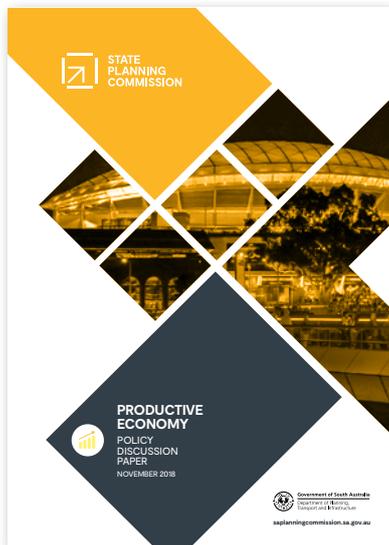
## Historic and Character Areas

Historic Area Statements to articulate key historic features and characteristics of historic areas in eleven Phase Two council areas were released for consultation from 4 November 2019 to 6 December 2019. In response to feedback, the Commission is supportive of making various changes to Historic Area Statements including making the Historic Area Statement for Robe better reflect its unique and distinctive historic values. Additionally, the Commission is supportive of including the Character Area Overlay in the Phase Two Code and applying this, and a corresponding Character Area Statement that identifies valued features and characteristics, to the Mundulla township.



*The Obelisk, Robe - Photo supplied by SATC*

## Productive Economy



Numerous submissions from respondents requested that the Dwelling Excision Overlay be amended to include a date. This is because under the draft Phase Two Code, land division to excise existing dwellings may be allowed regardless of when an allotment was created.

Respondents indicated dissatisfaction with the term 'low to medium rise buildings' in the Suburban Activity Centre Zone and Suburban Main Street Zone. Height was a general topic of debate throughout most of the zones.

Feedback on the Rural Zone raised a perceived need for additional land division provisions, including boundary realignments, to provide guidance for this common and important form of development.

Respondents called for the Tourism Development General Development Policy module to reinforce 'environmentally sustainable tourism' and strengthen alignment to strategic tourism themes and experiences in South Australia. Additionally, respondents highlighted errors and inconsistencies within classification tables for the Caravan and Tourist Park Zone.

Several submissions helped to identify policy and zoning gaps, while no submissions were received in relation to the Rural Intensive Enterprise Zone and Beverage Production in Rural Areas General Development Policy modules.

### Key opportunities for improvement

In summary, the Commission is supportive of changes in response to policy within the Productive Economy theme of the draft Phase Two Code and recommends the following amendments to the Minister:

- Introduce policy to guide the assessment of proposed boundary realignment in the Rural Zone to support assessment of applications of this type
- Introduce a new Employment Enterprise Zone and associated Light Industry Subzone to simplify and enhance development opportunities related to strategically significant industries such as the Olympic Dam mine at Roxby Downs
- Introduce a new Gateway Overlay to support high standards of visual amenity when undertaking development along prominent entrances to towns and other high value locations
- Amend building height policy via a Technical and Numeric Variation in township activity centre and main street zones to better align built form outcomes with regional circumstances and support established character where appropriate
- Change the name of the Suburban Employment Zone to 'Commercial and Business Zone' to better reflect the various circumstances and locations where the zone is proposed to be applied
- Adjust land division policy in several employment and home industry zones to recognise the additional space needed to manage development that will rely on on-site waste water disposal (for example; introducing a minimum site area of 1500m<sup>2</sup> in the home industry zone where on-site waste water treatment is required)
- Amend the general development policies for Tourism Development to align development projects with key tourism themes including natural experiences, landscapes and produce as well as events and functions connected to local food, wine and nature.

## Natural Resources and Environment



A high proportion of submissions received from respondents related to Natural Resources and Environment.

Tourism accommodation in parks generated significant feedback, with a large number of respondents providing feedback that the wording 'contemplated' was vague and open-ended in regards to tourism accommodation being 'performance assessed' rather than 'restricted' forms of development in the Conservation Zone. There were also concerns raised that tourist accommodation will be considered without public scrutiny.

Many of the respondents provided feedback that the spatial application of the Conservation Zone to protected areas under the *National Parks and Wildlife Act 1972* or the *Wilderness Protection Act 1992* is currently inconsistent in the draft Code online mapping viewer.

Respondents also raised concern that renewable energy facilities were incompatible with the landscapes and desired outcomes of Conservation Zones and should follow a restricted pathway.

Government agency and council respondents highlighted the need to create a new subzone to facilitate shack relocation strategies such as those at Kellidie Bay on Lower Eyre Peninsula and Black Point on Yorke Peninsula.

Concern was raised that the application of the Coastal Areas Overlay has in some cases meant that coastal hazard risk minimisation policy no longer applies to some towns and settlements that are exposed to coastal flooding hazard risks.

Similarly, respondents expressed concerns about the loss of general provisions that would otherwise act as a safe-guard for flood affected areas which are not mapped and suggested that additional general policy to address flooding be included. This was particularly relevant to rural areas where policy relates to construction of buildings with a minimum finished floor level 300mm above a kerb. Sometimes kerbs do not exist. Additional policies were also suggested to enable consideration of flood hazards for non-residential development.

Respondents expressed concern that the draft Phase Two Code only refers to flood mapping currently contained within Development Plans, as this mapping is often outdated or incomplete. It was suggested that Overlay mapping be expanded to incorporate flood mapping currently held by Councils outside of Development Plans.

The Native Vegetation Overlay was supported by many respondents. However there was some concern raised that the application of the Overlay would alter the assessment pathway. In relation to biodiversity, some respondents consider that there are still policy gaps related to the impact of new development on other areas of biodiversity for example other types of valued vegetation such as grassland, samphire and threatened species. A number of respondents raised concerns about the accuracy of the application of this overlay.

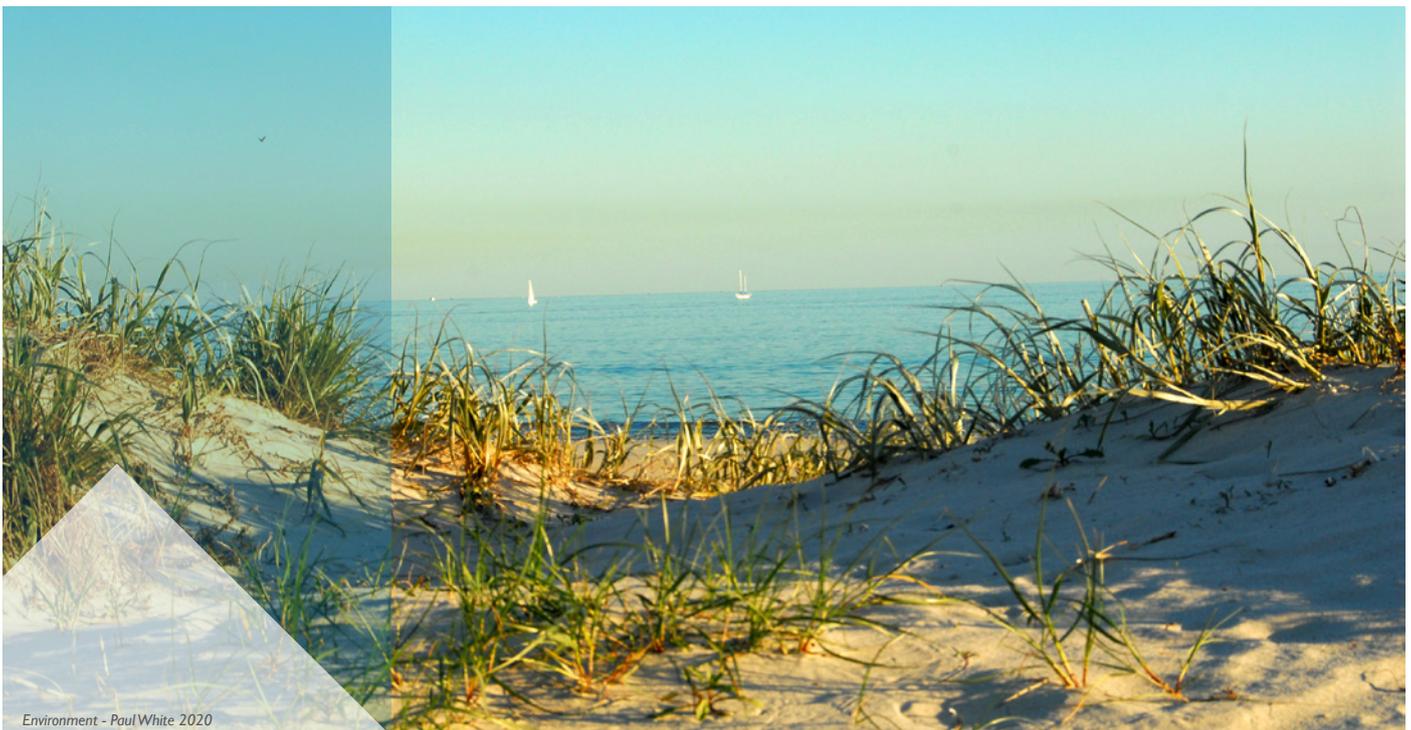


Riverland - Paul White 2020

## Key opportunities for improvement

In summary, the Commission is supportive of changes in response to policy within the Natural Resources and Environment theme of the draft Phase Two Code and recommends the following amendments to the Minister:

- Amend the Conservation Zone to:
  - Retain a restricted pathway for the assessment of tourist accommodation in areas proclaimed under the *Wilderness Protection Act 1992*
  - Amend the wording to provide greater clarity for the circumstances where tourist accommodation becomes performance assessed in relation to areas protected under the *National Parks and Wildlife Act 1972*
  - Ensure applications for tourist accommodation are subject to public notification
  - Provide a restricted pathway for renewable energy facilities
  - Create a new subzone to cater for shack relocation required due to significant coastal hazards risk.
- Extend the application of the Coastal Areas Overlay to areas subject to coastal hazard risk
- Avoid unnecessary referrals to the Coast Protection Board by introducing minimum site and floor level criteria to address coastal hazard risk
- Create a practice guideline to support the application of the Native Vegetation Overlay
- Insert additional general policy to ensure consideration of other important biodiversity values such as grasslands and samphire vegetation
- Support ongoing collaboration with local government and the Department of Environment and Water to refine the content of the Hazards (Flooding) Overlay and to introduce additional flood mapping across the state
- Amend the Hazards (Flooding) Overlay to allow for minor, low-risk developments to be deemed-to-satisfy, such as open-sided verandahs, porches, and pole mounted shade sails
- Remove the Sloping Land Overlay and instead provide General Development Policies to guide development on sloping land including policy relating to land slip, earthworks and design of vehicle access tracks
- Amend flood policy in the Design in Urban Areas and Design in Rural Areas modules to cater for locations that do not have kerbing and land located below street level that may not be at risk of flooding.



Environment - Paul White 2020

## Integrated Movement Systems and Infrastructure



A number of respondents sought for a broader range of envisaged and supporting land uses to be specified in the Community Facilities Zone and Infrastructure (Ferry and Marina Facilities) Zone.

Feedback from respondents noted that the Infrastructure (Ferry and Marina Facilities) Zone was lacking policies to facilitate multi-level mixed use development which is currently envisaged in the Copper Coast Council's Coastal Marina Zone.

Respondents indicated that the Road Corridor Overlays (Key Outback and Rural Route, Urban Transport Route and Major Urban Transport Route) were seen to be somewhat restrictive regarding movements of vehicles to and from properties.

In relation to the Building Near Airfields Overlay, respondents raised concern that the Overlay was unnecessarily applied to a number of development types within various Assessment Tables, i.e. for minor development such as carports for which the policy content was not relevant.

Some respondents identified areas of ambiguity within the criteria in the Key Outback and Rural Routes and Urban Transport Routes Overlays.

Responses to issues covered in the Infrastructure and Renewable Energy Facilities General Development Policies module also include submissions received to date on the *Discussion Paper on Proposed Changes to Renewable Energy Policy in the Planning and Design Code*, for which public consultation concluded on 28 February 2020. The majority of community submissions on renewable energy policies suggested the adoption of an increased policy emphasis on the management of environmental, health and amenity impacts of large renewable energy facilities, particularly wind and solar farms.

### Key opportunities for improvement

In summary, the Commission is supportive of changes in response to policy within the Integrated Movement Systems and Infrastructure themes of the draft Phase Two Code and recommends the following amendments to the Minister:

- Specify additional land uses envisaged in the Community Facilities Zone including community facility, cemetery, emergency services facility and indoor recreation facility
- Create a new 'Wallaroo Marina Subzone' of the Infrastructure (Ferry and Marina Facilities) Zone to apply to the Coastal Marina Zone in the Copper Coast Council (at the entrance to the Copper Cove Marina)
- Ensure the Building Near Airfields Overlay is not applied unnecessarily to development types that will not impact airport operations by:
  - Only calling up the overlay in zone classification tables where relevant to the land use
  - Removing policy on airport noise in the overlay (better dealt with in the Airport Noise Exposure Overlay)
- Amend the deemed-to-satisfy criteria in the suite of transport route overlays to support a higher rate of vehicle movements through an existing access point.
- Amend policies in the Infrastructure and Renewable Energy Facilities General Development Policies to provide for increased minimum setback distances of wind farms and solar power facilities to townships, settlements and non-associated dwellings, taking into account the scale of different solar farms.



Transport - Paul White 2020

## KEY THEME 3 – Spatial Application and Mapping

Significant feedback was received from respondents throughout multiple council areas which sought a review of the River Murray Flood Plain Overlay to include the 1956 Flood Line and have the current designated area excluded.

Respondents indicated that they would like a review of the spatial application and policy within General Neighbourhood and Housing Diversity Neighbourhood zones for appropriateness within a regional context.

Feedback from councils requested that the Dwelling Excision Overlay apply to the Rural Zone, so to allow councils to maintain current policy. Additionally, councils indicated that they would like minimum allotment sizes applied to a variety of different zones, such as the Employment Zone, Rural Shack Settlement Zone and the Rural Living Zone through the Technical and Numeric Variations (TNVs) process.

Multiple respondents requested that TNVs be amended to reflect existing numerical provisions in Development Plans.

General feedback related to omissions of zoning around airfields.

Feedback also supported additional spatial application of the Visitor Experience Subzone within the Conservation Zone, to promote tourist accommodation and investment into key areas.

Respondents (primarily councils) believed that Concept Plans should be included for specific zones to guide development.



### Key opportunities for improvement

In summary, the Commission is supportive of changes in response to the Spatial Application and Mapping theme of the draft Phase Two Code and recommends the following amendments to the Minister:

- The Commission will review location-specific spatial mapping requests on a case-by-case basis, with recommendations to be included in a future report issued under section 73(7) of the PDI Act.

# ENGAGEMENT APPROACH

## Community Engagement Charter

The process for creating or amending the Code is set out in the *Planning, Development and Infrastructure Act 2016*. Public engagement must be undertaken in accordance with the Community Engagement Charter. The Community Engagement Charter outlines a set of five key principles that must be taken into consideration when planning for and conducting consultation and engagement.

## Early engagement

The Community Engagement Charter was prepared to provide a more flexible approach to public participation in the preparation and amendment of designated policies, strategies and schemes in the new planning system. In the spirit of the Charter, public participation in the preparation of the draft Phase Two Code included:

- Individual consultation processes for **four Technical Discussion Papers, five Policy Discussion Papers and six Policy Position Papers** released by the Commission to help guide the policy development and structure of the first generation of the Code
- **A Code Working Group** (established in early 2018) to assist with the development of the Code and consider planning policy related to medium density and mixed-use developments, residential neighbourhoods, employment lands and primary production. The working group comprised **45 council planners and private planning practitioners who met five times between May and November 2018**
- Regular meetings with the three **Ministerial Advisory Groups** – one focused on Local Government, another on the Development Industry and the final on Sustainability and the Community – as well several **Industry Liaison Groups** especially established to test and provide advice in relation to draft Code policy content
- A series of **high-level symposiums** with planning professionals, thought leaders and community members to help guide policy development in relation to a range of issues, including car parking as well as Aged Care and Retirement Living
- **Council Liaison Officers** were assigned to each council to assist in working through the transition from local development plans to the Code
- The State Planning Commission held **Elected Member and Community Leaders Briefing series**
- **What We Have Heard** reports were released for individual consultations and are available on the SA Planning Portal.

- 01 Engagement is genuine
- 02 Engagement is inclusive and respectful
- 03 Engagement is fit for purpose
- 04 Engagement is informed and transparent
- 05 Engagement processes are reviewed and improved



Technical Discussion Papers



Policy Discussion Papers



Policy Position Papers

## Phase One: Outback Areas

Public consultation on Phase One of the Planning and Design Code was conducted between 5 February 2019 and 29 March 2019. During the consultation process, 58 written submissions were received. The draft Phase Two (Rural Areas) Code amendment was prepared based on engagement with and input from the public, industry and the professional planning and development community during the statutory public consultation period for Phase One.



## Phase Two: Rural Areas Public consultation

In October 2019 a period of public consultation on the draft Code was released concurrently for Phase Two and Three. Specifically, Phase Two (Rural Areas) of the draft Code was on consultation for a period of **eight weeks from 1 October 2019 to 29 November 2019**, and Phase Three (Urban Areas) for a period of 22 weeks from 1 October 2019 to 28 February 2020. Releasing the draft Code concurrently allowed communities, councils and industry to see the whole of the draft Code for South Australia and how it will work.

During October and November **75 consultation events** were held with a range of stakeholders during October and November including councils, industry groups and community groups on the draft Phase Two Code for Rural Areas. In addition, feedback has been received through a variety of methods including an 1800 Hotline, Planning and Engagement email accounts and the Government “YourSAy” website. In total **248 enquiries** about the draft Phase Two Code were received through these mechanisms.

During the engagement period there were numerous opportunities for councils, industry practitioners and members of the community to engage with representatives from the State Planning Commission and Department staff to hear about the Phase Two draft Code and contribute to discussions on the planning policy for their communities.



SA Planning, Transport and Infrastructure

10 November 2019 · 🌐

Come along to a community information session and speak to our planners about the draft Planning and Design Code which is currently on consultation.

For a full list of events in your area and to RSVP visit:  
[https://www.saplanningportal.sa.gov.au/have\\_your\\_say...](https://www.saplanningportal.sa.gov.au/have_your_say...)



DRAFT PLANNING  
AND DESIGN CODE  
COMMUNITY SESSIONS



Image from Facebook, LinkedIn and Instagram campaigns

## Have your say on South Australia's draft Planning and Design Code - consultation now open

◀ Phase Two consultation is in rural council areas and Phase Three is in urban council areas. ▶

Posted: 01 October 2019



### Do I need approval?

If you are undertaking development, you may require approval



### Lodge an application

To obtain approval for a development, you will need to lodge an application



### Track an application

Follow the journey of lodged applications through the assessment process



### Find a resource

Download documents, publications and consultation materials



SA Planning Portal screenshot

## SA Planning Portal

A dedicated *Have Your Say* page for the Phase Two and Phase Three consultations was established on the SA Planning Portal. There were **6,300 visits** to this page during the Phase Two consultation period. The page featured the following information and resources:

- What's on consultation for Phase Two (rural areas)
- What's on consultation for Phase Three (urban areas)
- View the map of proposed zones and overlays
- Download guidance material (guides and fact sheets)
- Submit your feedback (online submission form)
- Attend an upcoming event

## YourSAy

The Department launched a further Phase Two Code engagement site on 1 October 2019 on the Department for Premier and Cabinet's YourSAy consultation website. The aim of the YourSAy consultation page was to facilitate feedback on the draft Code. The page featured links to the following resources on the SA Planning Portal:

- Draft Planning and Design Code
- Guide to Draft Planning and Design Code
- Community Guide to Draft Planning and Design Code

The YourSAy consultation page also included a live discussion board to engage with the public during Phase Two consultation.

## Email enquiries

The Department's reform email address ([DPTI.PlanningReform@sa.gov.au](mailto:DPTI.PlanningReform@sa.gov.au)) was promoted during Phase Two consultation to receive email enquiries from members of the public. Other Department email accounts (Planning Engagement, Planning Submissions and State Planning Commission email address) also received enquiries.

## 1800 Hotline

The Department launched an 1800 Hotline number on 1 October 2019 which was staffed during business hours. The hotline number (1800 318 102) received over **100 calls** during Phase Two consultation, which were documented in an enquiry spreadsheet.

## Promotional activities

To promote awareness of the consultation period, advertisements were placed in regional and metropolitan newspapers, listing public information sessions and targeted at community members, industry practitioners, community groups and interested parties.

A total of **19 Phase Two Code advertisements** were published. Some advertisements were an open call to have your say on SA's new Planning and Design Code, with others promoting at least one community information session if not several. The advertisements directed people to the SA Planning Portal to see the full list of Code consultation events. During October 2019 an RSVP function was launched in order to capture attendees and manage numbers.

The Department's social media accounts as well as the Commission's LinkedIn account were used during the consultation period to promote the consultation activities.

Articles and information regarding the consultation activities were promoted via several e-newsletter and email distribution channels to internal and external stakeholders.

The Department also partnered with Councils to create awareness within their communities about the sessions.

## Engagement events

During the engagement period a series of information and feedback sessions for different stakeholders were held across the Phase Two council areas during an **eight week tour of rural communities**.

The diagram below summaries the eight week-long tour across the Phase Two council areas that the Department undertook in collaboration with the Commission. The aim of the tour was to inform local councils and community members about the Code and how it would impact planning in their communities.



## Have your say on South Australia's new Planning and Design Code

**The Planning and Design Code (the Code) is the cornerstone of South Australia's new planning and development system and will offer a single set of planning policies for assessing development applications across the state.**

The Code is being progressively introduced across South Australia and will replace the 72 council Development Plans that are currently in use.

The Code will also make the planning process quicker, simpler and more equitable than ever before, affording people greater access to planning information that is consistent and clear.

**Consultation on the Planning and Design Code for Phase Two (Rural Areas) is now open until midnight 29 November 2019 (ACST) and for Phase Three (Urban Areas) until midnight 28 February 2020 (ACST).**

More information is available at:  
[www.saplanningportal.sa.gov.au/have\\_your\\_say](http://www.saplanningportal.sa.gov.au/have_your_say).

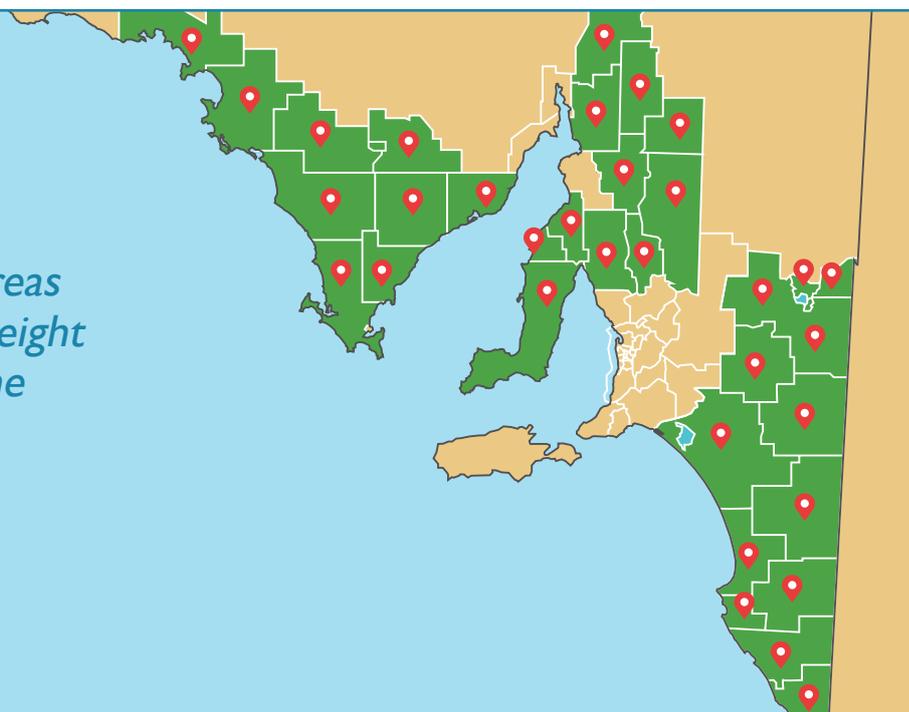
Email:  
[DPTI.PlanningReform@sa.gov.au](mailto:DPTI.PlanningReform@sa.gov.au) or call 1800 318 102.



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Example of newspaper advertising

*Phase Two council areas consulted during an eight week-long tour of the communities.*



## Local Government

A series of information sessions and workshops for all Phase Two council CEOs, Mayors, Elected Members and planning staff was conducted between 1 October 2019 and 29 November 2019 to enable them to discuss and ask questions about the draft planning policies in the Code.

## Community Events

A series of Phase Two Code community information sessions were hosted by the State Planning Commission and Department between 1 October 2019 and 29 November 2019 to enable South Australian residents (and planning professionals) to ask questions about the draft Code.

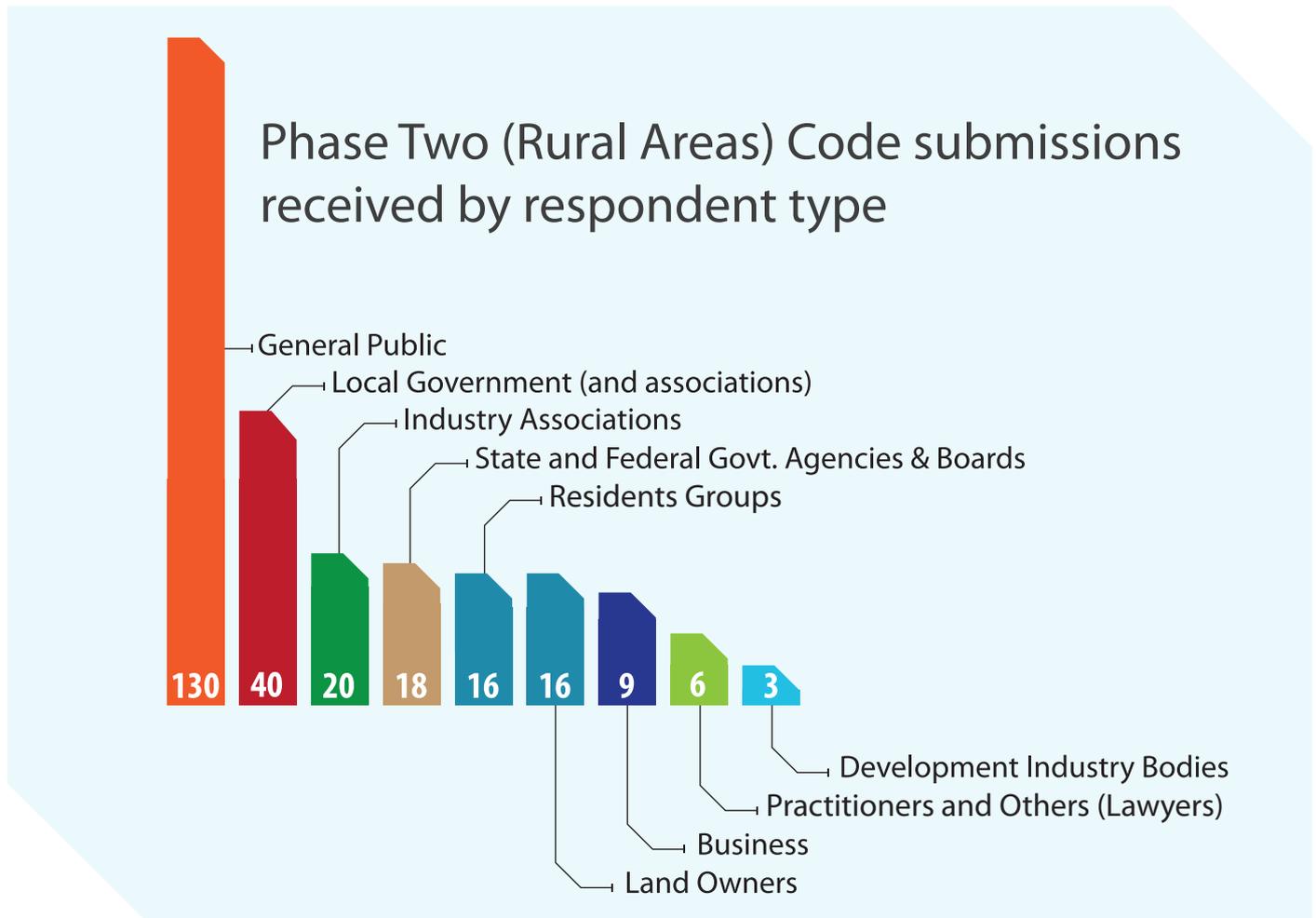
## Industry Events

The list below summarises the key industry events that were undertaken between 1 October 2019 and 29 November 2019 to educate industry and other professionals about the draft Phase Two Code and involve them in its development and adoption.

2019 Events	Details	Audiences
October		
SA Heritage Council	Presentation on state heritage aspects in the draft Planning and Design Code. 31 October, 81-95 Waymouth Street, Adelaide	Members
SA Health	Presentation on the draft Planning and Design Code and discussion on community health and wellbeing. 30 October, The Adelaide Pavilion	Members
ODASA Code Consultation Briefing Session	Presentation on the draft Planning and Design Code. 30 October, ODASA, 28 Leigh Street, Adelaide	Members of the AIA and AILA
2019 LGA Conference	Information booth for council staff to discuss the draft Planning and Design Code with the Commission and Department staff at the LGA Conference. 30 & 31 October, Adelaide Oval	LGA Members
2019 LGA Conference & Annual General Meeting	The Hon Stephan Knoll MP, Minister for Planning, keynote address. Michael Lennon, State Planning Commission Chair, presentation on the draft Planning and Design Code. 30 October, Adelaide Oval	LGA Members
Spatial Information Day	Presentation on the draft Planning and Design Code. 25 October, Adelaide Convention Centre	Members
Urban Development Institute of Australia (SA) – Knowledge Series	Presentation on the draft Planning and Design Code. 17 October, Level 15 Pullman Hotel, Hindmarsh Square, Adelaide	UDIA Members
November		
Environmental Sustainability & Adaptation Practitioners Networks	Presentation on the draft Planning and Design Code. 27 November, Marion Cultural Centre	Members
Environment Committee of SA Wine Industry Association	Presentation on the draft Planning and Design Code. 26 November, Finlaysons Lawyers, Level 12, 81 Flinders Street, Adelaide	Industry Members
Conservation Council SA – Who Speaks for the Trees?	Presentation on the draft Planning and Design Code. 11 November, The Joinery, 111 Franklin Street, Adelaide	Conservation Council Members
Community Alliance AGM 'Cracking the Code'	Presentation on the draft Planning and Design Code. 6 November, The Box Factory, 59 Regent Street South, Adelaide	Community Alliance
DEW Statutory and Advisory Committees and Boards	Presentation on the draft Planning and Design Code. 4 November, Office for Design and Architecture South Australia (ODASA)	Members

## Written submissions

During the consultation period, a total of **237 written submissions** were received in response to formal public consultation on the draft Phase Two Code for Rural Areas. Submissions were received via email and through an online submission form on the SA Planning Portal.

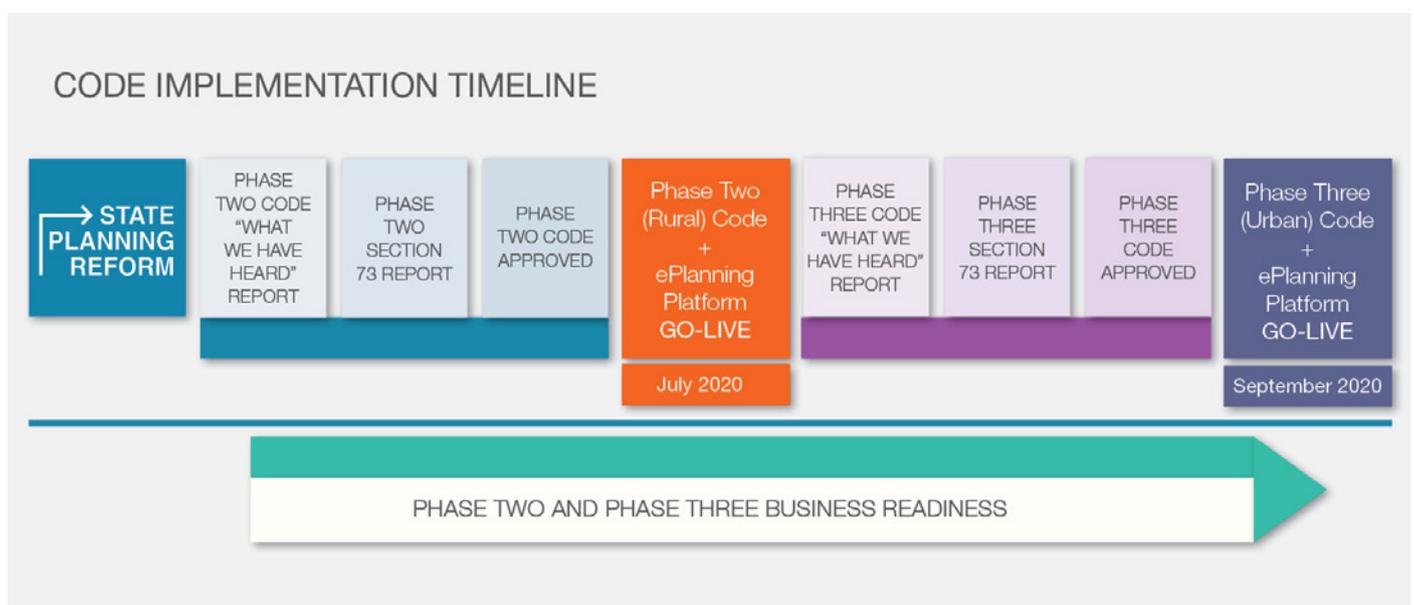


## NEXT STEPS

Based on the outcomes of the engagement for Phase Two of the Code, the State Planning Commission will prepare an engagement report for consideration by the Minister for Planning. This report will expand on this 'What We Have Heard Report' and recommend policy changes to Phase Two of the Code. It will also evaluate the success of the engagement against the Community Engagement Charter principles.

The engagement report will be published on the SA Planning Portal after the Minister and the Governor of South Australia endorse the report.

Any policy decisions made by the Minister and the Governor will be used to inform subsequent phases of the Code, namely Phase Three (urban areas, including large regional towns and cities). Following the Minister's approval, the finalised Planning and Design Code along with the ePlanning platform will be made publicly available so that everyone has an opportunity to see and experience it before it is implemented in SA's rural areas in July and urban areas in September.



## Acknowledgements

The State Planning Commission would like to thank all those who participated in the engagement for Phase Two of the Code and who provided valuable input and insights to help inform South Australia's new planning system.

For further information visit: [www.saplanningportal.sa.gov.au](http://www.saplanningportal.sa.gov.au) or [www.saplanningcommission.sa.gov.au](http://www.saplanningcommission.sa.gov.au).



[saplanningportal.sa.gov.au](http://saplanningportal.sa.gov.au)