

## REFORM OF THE PLANNING CODE

### SUBMISSION FROM DUNSTAN LABOR SUB-BRANCH

AUGUST 18, 2022

**We commend** the aims of amendments to the planning code, such that they are able to:

- *protect the character and heritage of our local communities*
- *ensure greater tree canopy coverage and green open spaces*
- *provide certainty to business, industry, and communities by implementing appropriate design standards; and*
- *improve the e-planning system and processes.*

**We submit** that the review:

1. should consult with community representatives within the reviewing panel.
2. should address the PDI Act and the PD Code implementation issues so that they:
  - a) ensure certainty of planning rules, including quantitative criteria and standards by which standards such as “seriously at variance” and “performance assessment” can be objectively determined in relation to, for example, height, storey numbers, mass, energy conservation and open space capacity;
  - b) put local desired character statements, heritage, environment, tree coverage, flood risk and sustainability at the forefront of the minds of those who administer the Act and Code, to be paramount in assessing an application for planning approval;
  - c) expressly specify adherence to local desired future character and strict quantitative limits for height, storey numbers, mass and open space capacity;
  - d) provide accessible rights of appeal for owners and occupiers beyond 60 metres, and proportionate to the size, mass, or impact of the proposed development;
  - e) provide for fairness, transparency, and giving of reasons for all planning decisions,
  - f) give accessible rights for review of a planning decision by adjacent and nearby affected residents and landowners, including community associations if the development application concerns more than one title, or land owned or controlled by a local or state government entity;
  - g) require that whenever a local government entity is an applicant or beneficial owner of land the subject of a development application, the entity is to provide for, and meet, the reasonable costs of independent representation of nearby or affected residents and ratepayers who may otherwise have been provided for, but for the entity’s conflict of interest in having a direct or indirect interest in the development application;
  - h) consider environmental energy ratings in building approvals;
  - i) consider location issues in so far as proximity to public transport is rewarded;
  - j) require volume builders to consult local councils about standard designs that include features appropriate to the location of the development.
3. consider how best to ensure that any costs arising from improved planning and building requirements are not automatically passed on to residential customers, and do not place home ownership further out of reach of South Australian families.