



Agenda Report for Decision

Meeting Date: 28 April 2022

Item Name	SPC-led Code Amendments – Master Schedule
Presenters	Brett Steiner and Jason Bailey
Purpose of Report	Decision
Item Number	5.1
Strategic Plan Reference	N/A
Work Plan Reference	N/A
Confidentiality	Not Confidential (Release Immediately)
Related Decisions	N/A

Recommendation

It is recommended that the State Planning Commission (the Commission) resolves to:

1. Approve the designation of this item as Not Confidential (Release Immediately).
2. Approve the Code Amendment criteria, prioritisation and Master Schedule provided at **Attachment 1**.
3. Authorise the Department for Trade and Investment (the Department) to publish the final Commission-Led Code Amendment Master Schedule (**Attachment 1**) on the Commission's website, following approval by the Chair of the Commission.

Background

With the implementation of the Planning and Design Code (the Code) throughout South Australia in March 2021, the Department has been undertaking Commission- and Chief Executive-led Code Amendments. The Code Amendments consist of three broad stages:

- Preparation of the Code Amendment, which includes section 73 initiation, policy and mapping drafting and engagement plan, pursuant to the *Planning, Development and Infrastructure Act 2016* (the Act).
- Consultation, which includes consultation via PlanSA website.
- Post-consultation and implementation, which includes finalising the policy and mapping, engagement report, Ministerial approval, and the Code Amendment implemented into the live version of the Code.

To assist the public in providing consultation feedback and the efficiency of Department resources to manage the Code Amendment workload, the Department recommends that the Commission approve criteria and the prioritisation regarding how Code Amendments are scheduled, as well as the Master Schedule for the current Code Amendments.

For further context, below is a summary of the current Commission- and Chief Executive-led Code Amendments. The Commission will be progressively briefed on each Code Amendment in detail throughout the year.

Hackham (CE led)

- Seeks to rezone approximately 235 hectares of land located along Hepenstal Road, Gates Road, River Heights Rise, Church Hill Road, Patapinda Road, Piggott Range Road and Main South Road, Hackham, and a small portion of Old Noarlunga in the City of Onkaparinga. The rezoning is primarily residential purposes with an estimated potential yield of 2,000 dwellings.

Miscellaneous Technical Enhancement (MTE)

- The technical enhancement focuses on the general performance, interpretation and consistency of the Code informed by the experiences of planning practitioners, building industry participants and peak bodies during the initial period of its operation.

Flooding Hazards Mapping Update (Stage 1)

- A Code Amendment to update the spatial application of various Flood Hazards Overlays which apply in the Code. This impacts a smaller group of councils for Stage 1.
- Stage 1 Code Amendment is CE led and stage 2 will be Commission led.

Flooding – Stage 2

- The Department has commissioned updated and new flood hazard mapping across the State to better identify flood risk using improved data and more consistent modelling. A 'State-wide Flooding Hazards Code Amendment' is proposed to revise the State-wide policy for flood hazards in the Code and deliver a full suite of new and updated mapping products.

State-wide Bushfire Hazards Code Amendment

- The Code Amendment aims to review the current policy framework (spatial layers and policy content) of the six Hazard (Bushfire Risk) Overlays, as well as explore other planning instruments and mechanisms to assist in mitigating bushfire hazard impacts.
- The proposed Code Amendment will seek to better align the Code with State Planning Policy 15: Natural Hazards by 'building the resilience of communities, development and infrastructure from the adverse impacts of natural hazards'. The Code Amendment will be informed by mapping prepared by a State and Commonwealth project initiative, with funding assistance from the National Disaster Resilience Grant Scheme 2015-18.

Future Living

- The Future Living Code Amendment seeks to enhance housing diversity by providing housing options for smaller household types and responding to the ageing demographics of the State’s population by providing greater opportunities for ageing in place.
- The Code Amendment will apply to certain residential areas within the City of Unley, Town of Walkerville, City of Campbelltown, City of Burnside and City of Prospect, and investigations will consider whether it will also extend to other local government areas.
- The Code Amendment seeks to facilitate the delivery of a new model of shared housing or ‘cohousing’, which responds to existing context and incorporates high design quality.

Design Standard

- Section 69 of the Act allows the Commission to prepare Design Standards that relate to the public realm or infrastructure.
- Design Standards provide technical detail to supplement the Code to clearly define infrastructure design requirements where new development is proposed.
- The Department is now seeking to progress the introduction of Design Standards in a staged manner. Stage one would involve the preparation of engineering and technical standards for road reserve infrastructure which is common to different contexts, such as standards for greenfield settings and standards for infill developments. It is anticipated this would include works associated with alteration of a public road to provide driveway crossovers and associated works (e.g. kerb and gutter, footpath design, stormwater connections).

Discussion

To provide clarity as to how Code Amendments are scheduled by the Department, the following scheduling criteria and prioritisation principles are proposed to provide guidance and transparency to all stakeholders. Furthermore, a Master Schedule of the current Code Amendments has been provided to demonstrate how the criteria and prioritisation are applied (**Attachment 1**).

Code Amendments have a significant resource impact on both the Department and stakeholders, particularly in relation to providing consultation feedback. As such, the criteria are largely focused towards the consultation period. The approach was tested with the Heads of Planning Group.

Scheduling Criteria	Example
There <u>should not</u> be two State-wide Code Amendments out for consultation at the same time.	Bushfire and MTE cannot overlap.
There <u>can</u> be a ‘targeted’ Code Amendment and a State-wide consultation overlap.	Hackham (targeted to a specific area and stakeholders) and MTE can overlap.
Consultation periods range depending on the complexity of the Code Amendment and stakeholder analysis. However, if the consultation period is over the December holiday period, the consultation period is extended by an additional four weeks.	Design Standards and Future Living has been placed over December holiday with an additional four-week consultation period (total 12 weeks). The advance notice of upcoming consultations and the extension in time will allow for councils and industry bodies sufficient time to prepare and submit consultation feedback. The Department will not schedule

	high priority Code Amendments within this period and this approach will also ensure Code Amendments are not delayed for consultation.
Post-consultation must have at least a four-to-six-week gap between each Code Amendment to ensure the integrity of the Code for technical implementation into the ePlanning system.	This timing provides sufficient time for the implementation procedures, including testing of the electronic system.

In addition to scheduling considerations, Code Amendments should also be prioritised based on the significance of the policy proposed and extent of stakeholder interest. Code Amendments will be considered a high priority where there is:

- Direct alignment with State Planning Policies (SPPs) and significant benefits (e.g. community, economic, environmental).
- A large group or broad range of stakeholders with an interest and/or where they will be impacted (positively or negatively) by the proposal.

For example, the State-wide Bushfire Hazards Code Amendment is considered the highest priority as it seeks to directly implement ‘SPP 15: Natural Hazards’ by ‘building the resilience of communities, development and infrastructure from the adverse impacts of natural hazards’. It also has clear community benefit by reducing the tangible costs of bushfire (e.g. loss of human lives and property) and impacts a broad range of stakeholders, affecting the majority of the State.

It is recommended that the Commission agree, in-principle, for the abovementioned criteria, prioritisation and Code Amendment Master Schedule (**Attachment 1**) to be published on the Commission’s website.

Attachments:

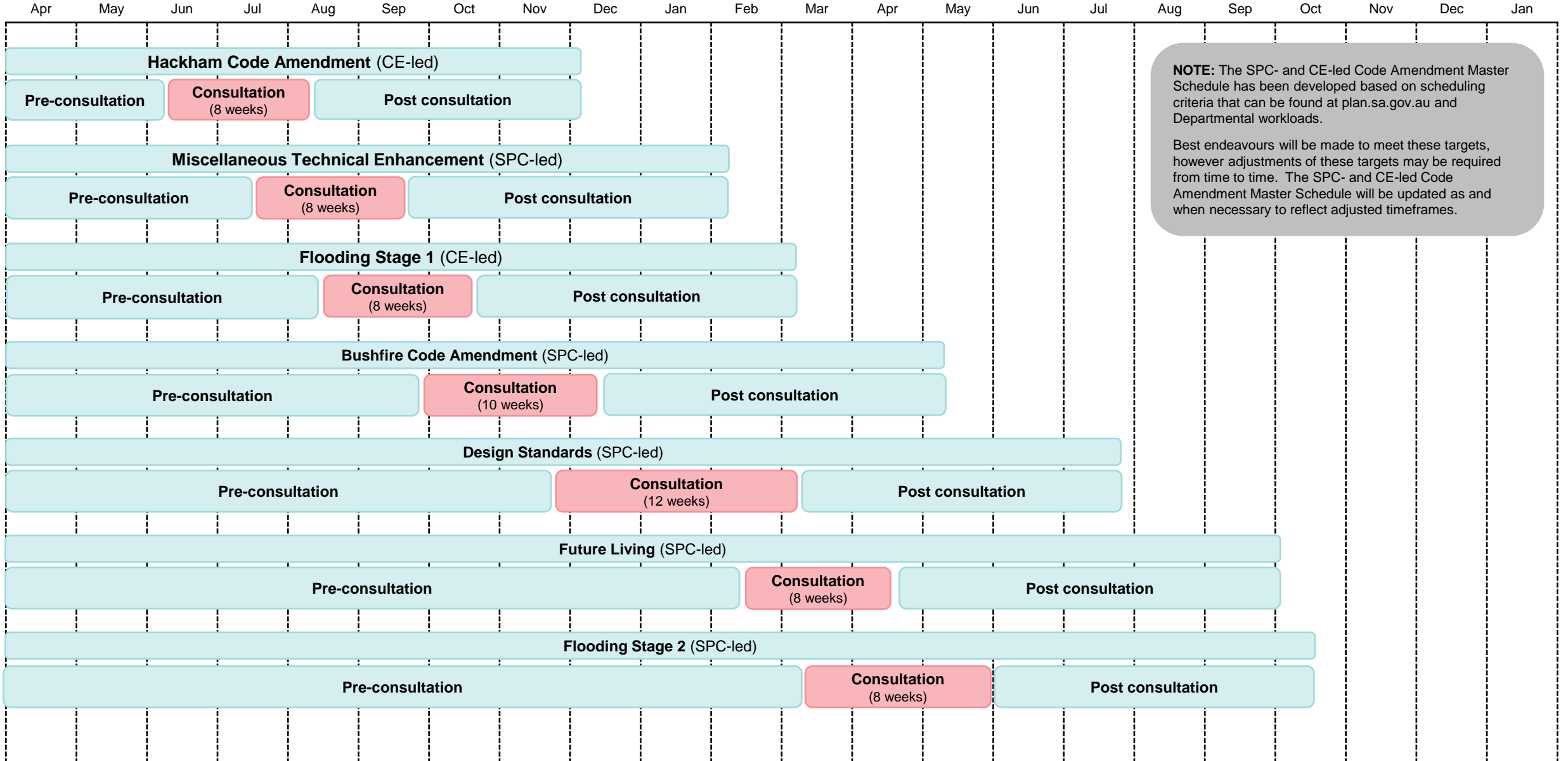
1. Draft State Planning Commission-led Code Amendments Master Schedule (#18603407).

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Date: 21 April 2022

2023



NOTE: The SPC- and CE-led Code Amendment Master Schedule has been developed based on scheduling criteria that can be found at plan.sa.gov.au and Departmental workloads.

Best endeavours will be made to meet these targets, however adjustments of these targets may be required from time to time. The SPC- and CE-led Code Amendment Master Schedule will be updated as and when necessary to reflect adjusted timeframes.