

File Number:
Enquiries To: Emily Crook
Direct Telephone: (08)8366 4561



City of
Norwood
Payneham
& St Peters

3 December 2018

Mr Michael Lennon
Chair
State Planning Commission
GPO Box 1815
ADELAIDE SA 5001
cc by email: DPTI.PlanningEngagement@sa.gov.au

CHIEF
EXECUTIVE'S
OFFICE

175 The Parade,
Norwood SA 5067

PO Box 204
Kent Town SA 5071

Telephone
8366 4555

Facsimile
8332 6338

Email
townhall@npsp.sa.gov.au

Website
www.npsp.sa.gov.au

Dear Mr Lennon

**SUBMISSION IN RESPONSE TO POLICY DISCUSSION PAPERS –
NATURAL RESOURCES AND ENVIRONMENT AND INTEGRATED MOVEMENT
SYSTEMS**

I wish to advise that the Council has considered the abovementioned Discussion Papers at its meeting held on 5 November 2018 and resolved to provide a submission to the Commission. In addition to making this submission, the Council also resolved the following:

3. *That following the 2018 Local Government Elections, the Mayor and Chief Executive Officer seek an urgent meeting with the Member for Dunstan and the Member for Bragg, to emphasise the Council's concerns that the emerging planning reforms will have unnecessary and adverse impact on the amenity, character and heritage values of our City.*

As you are aware, the Discussion Papers provide an outline of the timing and high-level scope of the Commission's intended program for transitioning 72 Development Plans into a single Planning and Design Code, the first version of which will be released in February 2019 (containing all of the General Modules). The timeframe for moving beyond high-level policy directions into detailed, consistent planning policies, in the Council's opinion, is ambitious and will be a challenge to appropriately and objectively consider and address the detailed comments which have been provided prior to the release of the Code, particularly as two (2) of the suite of five (5) Discussion Papers, are yet to be released. This brings into question whether successful and meaningful engagement can be achieved under the Community Engagement Charter's performance outcomes of engagement being genuine, fit for purpose, informed and transparent. If the Planning Reform timelines are dictating the need for Discussion Papers to be released after the policy which they seek to inform is drafted, this is not, in the Council's view, genuine or informed engagement.

The recently released *The New Planning System: A Guide for Councils*, sets out the 3-Phase process for developing the Planning and Design Code, however the specific role and expectations of Councils remains unclear. Given the task of twenty five (25) Greater Adelaide Council Codes being consulted upon by the State Planning Commission within twelve (12) months, it is essential that the respective roles and milestones are communicated. The Council continues to request a detailed Implementation Plan and a Community Engagement Plan, which outlines these steps and the details of how any potential conflicting views will be managed and how the broader community will be engaged in this process. Given the ambitious scope and timeframe of this process, the Council continues to request further details of these critical processes and respectively submits that to continue with the overhaul of the State policy system without these documents, is fraught with danger and clearly not within the spirit of a collaborative approach.



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Social Equity
Cultural Vitality
Economic Prosperity
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Sustainability

In this respect, it is noted that community engagement on the two (2) Discussion Papers was not undertaken in accordance with the Community Engagement Charter, on the basis that these are non-statutory instruments. Given the importance of these policy directions in shaping the *Planning and Design Code* and the limited timeframe for iterative input into the policy, it is considered that proper community engagement should have occurred and the engagement principles of the Charter followed. In this respect, when the Community Engagement Charter was put forward, it was clear, based upon the narrative made by the Commission and Department staff, to all concerned that the Commission would follow its own Charter. It is very disappointing that this has not occurred in this instance. As a minimum level of engagement, it is requested that for the remaining three (3) Discussion Papers, once developed, be sent to all relevant community and industry groups as well as to all persons and organisations who have made previous submissions on the various components of the Planning Reforms, for comment.

As identified, it is unclear how submissions on the suite of Discussion Papers will have a genuine influence on the preparation of Code policy. The Council understands the draft of Phase 1 of the *Planning and Design Code*, has been released confidentially for early Local Government Consultation prior to the conclusion of consultation on the two current Discussion Papers. The release of Phase 1 of the Code for public consultation will coincide with the conclusion of public consultation period for the *Productive Economy* and *Design* Discussion Papers and the release of the *People and Neighbourhoods* Discussion Paper. It has been suggested that these later Discussion Papers may not have many overlapping issues with policies applicable to Land Not Within a Council, however there are several common General Modules across the State that are being drafted and released ahead of the Discussion Papers. An important part of community engagement is for stakeholders to have confidence that their submissions will be genuinely considered and implemented, however the current program does not deliver such confidence. This continues to be the case despite numerous requests for a response on the issues, concerns and comments which have been raised by the Council.

The Council is supportive of the review of transport and land use trends and issues, relating to the natural environment as a starting point in drafting contemporary planning policy. However, the Council continues to hold and express concerns over a number of matters, particularly in respect to the scope of the intended policy direction, its spatial application and proposed timing.

The implementation of the *Planning and Design Code*, in its first iteration (Generation 1), has been generally described by Departmental staff, as being a process of replacing current Development Plan policies on a 'like-for-like' basis. The Council questions how the Commission will in practice achieve this, due to the multiple effects and impacts of new assessment pathways, land use definitions, changed notification categories, reduced appeal opportunities, etc.

Despite the practical impediments to achieving a 'like-for-like' outcome from a policy perspective in a new legislative framework, this approach has presumably been chosen to minimise any delays that otherwise may occur in introducing new zones and policy. In short, it appears to Local Government that this program is time based, rather than being based on achieving the best outcome. The proposed scope and timing of some of the intended policy directions outlined in the Discussion Papers as 'transition ready' or 'Generation 1', is therefore questioned, where policy change is suggested, this cannot genuinely occur under the guise of 'like-for-like' policy replacement.

The Commission needs to be cognisant of the impact and extent of policy change for non SAPPL-converted Development Plans, such as the City of Norwood Payneham & St Peters Development Plan. This Council has only partially adopted South Australian Planning Policy Library (SAPPL) policy content and format through various Development Plan Amendments. The City of Norwood Payneham & St Peters Development Plan contains primarily local policy content which reflects the amenity, character and heritage values of the City and these policies guide the assessment of new development which respects and reflects these qualities. The Council has significant concerns that a shift towards more standardised, quantitative policies will quickly erode the amenity, character and heritage which our community so highly values. The Council seeks to have early engagement of any proposed changes to the application and effect of its current Development Plan policy, to provide a respectful opportunity to consider any implications.

The Council again expresses its ongoing concerns over the deficiency of the reform implementation program in creating a new *Planning and Design Code*, without first providing the opportunity for stakeholders to participate in a regional plan setting process. This issue has been raised by the Council on previous occasions and has yet to be resolved. The consequences of not undertaking this spatial clarification upfront, removing negotiation with landowners, communities and infrastructure providers, risks creating tension, uncertainty and delays in applying and amending the *Planning and Design Code*, until such time as a Regional Plan is prepared.

In this respect, the Council wishes to reiterate its view, and that of other Councils, that the *30 Year Plan for Greater Adelaide* as an interim plan, does not provide the spatial resolution needed to prioritise and guide planning policy as part of replacing Development Plans with the Planning and Design Code. It is unclear how policy reform as set out in the Discussion Papers, such as increased densities around key transport corridors, will be able to be interpreted or progressed, whilst there is no regional plan to spatially apply these policies or provide clarification on regional priorities.

Please find attached the City of Norwood Payneham & St Peters' detailed submission on the Integrated Movement Systems Discussion Paper and Natural Resources and Environment Discussion Paper.

Thank you for the opportunity to provide comments on the Discussion Papers and I look forward to working in collaboration with the Commission.

The Council would welcome the opportunity to meet with you to discuss its concerns over the Planning Reform program and to elaborate on the comments provided herein on the Discussion Papers

If you have any questions regarding the Council's submission, please contact Eleanor Walters on 8366 4521 or ewalters@npsp.sa.gov.au or Emily Crook on 8366 4561 or ecrook@npsp.sa.gov.au

Yours sincerely



Mario Barone PSM
CHIEF EXECUTIVE OFFICER

Integrated Movement Systems Discussion Paper – City of Norwood Payneham & St Peters Submission

General Comments

The Council supports improved integration of transport solutions with land use planning as part of the delivery of South Australia's planning reforms. The *Planning, Development and Infrastructure Act 2016* provides a number of new opportunities and mechanisms which should continue to be explored to support improved accessibility and sustainable communities.

The *Integrated Transport and Land Use Plan 2015* (ITLUP) sets out a large number of infrastructure initiatives and program actions to deliver the State's transport future. The Background Paper (pg 20) advises that the transport and land use policies included in the ITLUP may be reviewed by DPTI to reflect current government policy. This introduces an element of uncertainty as to the scope, priority and timing of the many transport and infrastructure proposals contained in the Plan, around which assumptions and future directions for land use, have been formed. The development of land use policy change, through the Planning and Design Code, as proposed in the Discussion Paper, should be supported by clarity around transport infrastructure proposals. The opportunities described in the Discussion Paper as "reform (Generation 1 or Generation 2 and beyond)" should only be pursued where these are supported by the necessary transport investment, technological advances and behavioural change to support significant shifts in patterns of living, commuting and travel.

Competing demand amongst residents, commuters and businesses for on street carparking is a significant issue within the City of Norwood Payneham & St Peters (along with many other inner metropolitan Councils). Commuter parking in particular has become increasingly problematic in local streets with unrestricted parking close to high-frequency bus routes, due to people parking all day and catching buses into the CBD. The Carparking Summit raised community expectations through the State's interest in unpacking and working towards resolution of this complex issue. The community interest and concern around carparking issues was highlighted by the 840 submissions received on this topic, including many residing or working in the City of Norwood Payneham & St Peters. The policy proposals identified in the Discussion Paper do not present any immediate policy improvements for local carparking and in fact, may exacerbate local parking congestion if minimum carparking requirement are further reduced as proposed in Theme 3, without the necessary public transport investment and uptake through changed behaviours.

The Council is not supportive of the policy proposals (in Theme 1) to intensify or expand Urban Corridor Zones or other higher density/ mixed use zones without evidence that the existing supply of zoned land, in the City of Norwood Payneham & St Peters and across the CBD and Inner Metro Growth areas (rezoned in 2013), is insufficient. Until such time as the evidence base is established and provided that densities within the Urban Corridor Zone are too low and should be increased, or that additional land be converted to Urban Corridor Zone, the proposition that this needs to occur through the Code, should be rejected. In addition, without the spatial interpretation of the State Planning Policies through a Regional Plan or Sub Regional Plan, there is no case for change and no negotiated strategic direction for this to occur.

In relation to higher densities, an evidence base for this has not been established. This Council in 2013, as part of the State Government's Inner Metropolitan Growth project, investigated new dwelling supply through possible 'uplift' zoning as part of the *Kent Town and The Parade Strategic Growth Development Plan Amendment*. The Council added additional rezoning opportunities along parts of The Parade, Norwood in addition to the Government's proposed areas, resulting in a likely dwelling capacity for the rezoned land at Kent Town and Norwood of 851 additional dwellings (or 43% of this Councils' strategic dwelling targets as set by the State Government to 2038). Following this, the Council's *Residential Development (Zones and Policy Areas) DPA* which was implemented in 2015, rezoned further parts of the City to Residential Zone - Medium Density Policy Area, to ensure the City had ample appropriately zoned land for mixed land uses and housing choice at medium to high densities.

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The Discussion Paper and Background Paper do not provide any modelling or research to investigate whether this additional dwelling supply (created in 2013 and 2015) warrants further change and if so, prosecute the case for change. The City of Norwood Payneham & St Peters, as one of five Councils which introduced generous provision of new dwelling opportunities through the Urban Corridor Zone in 2013, has seen a large take-up of mixed use apartment projects since this time.

One of the significant issues raised by respondents and the Community Focus Group as part of the Carparking Summit, was the challenge of carparking, access and safety around schools. This issue is not addressed in the Discussion Paper. Access, safety and parking congestion around schools is a particularly prevalent concern for the City of Norwood Payneham & St Peters which includes sixteen (16) schools, combined with historic patterns of subdivision, limited residential parking and competition for carparking spaces by local business customers, staff, and park 'n ride commuters who access nearby public transport into the City. This is continuing to be exacerbated by new policies which reduce the need for on-site parking and/or the SCAP approving developments without sufficient on-site parking. The Council has attempted to address this issue through planning policy and is examining a wider City Wide Carparking Review. The issue of institutional land uses (such as schools, hospitals etc) which generate high carparking demand in local streets should be addressed in the Discussion Paper with appropriate policy in the General Modules and zone policies in the Planning and Design Code. The policy development should also consider specific access and safety considerations for different demographics including around child care centres, schools, aged care accommodation etc.

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Question	Response
Theme 1: Aligning South Australia's growth with transport infrastructure	
<i>How can the Code better respond to the differences in public transport availability in urban and regional communities?</i>	Acknowledgment of the importance of public transport as an alternative mode of transport and ability to influence private car use, is supported. Adelaide's current public transport system provides reasonable links to and from the CBD and other centres (eg The Parade, Norwood) but is lacking with respect to other inter-suburban services. The concept of a centres hierarchy has long been the basis for zoning and planning policy, however in recent years, through the <i>Existing Activity Centre Policy Review DPA</i> (2016) it has become unclear what the State's position is on centres hierarchy. This is highlighted by the draft SPPs, which appear to abandon this long-held State policy position. Instead, the draft SPPs encourage a generic universal approach to infill, mixed use, employment opportunities, and retail competition without clear justification and detail of this approach. The centralised centres vs dispersed development dichotomy is presented too simplistically in the draft SPPs as well as in the Discussion Papers. Before progressing with changes to Code policy, there needs to be a considered review and understanding of where people are moving from and to and what land use and density patterns will best facilitate an integrated and efficient movement system. The 30 Year Plan seeks: <i>P2 Increase residential and mixed use development in the walking catchment of:</i> • <i>Strategic activity centres*</i> • <i>Appropriate transit corridors</i> • <i>Strategic railway stations</i> <i>*In Inner and Metropolitan Adelaide this <u>could</u> include all activity centres well serviced by frequent public transport.</i> The 30 Year Plan does not clearly define 'strategic' activity centres which are only defined by the statement that this <u>could</u> (but not <u>will</u>) include all centres well serviced by public transport, the definition of what constitutes an '<i>appropriate</i>' transit corridor is not provided and '<i>strategic</i>' railway stations are not defined. Under the "healthy neighbourhoods' model contained in the State Planning Policies, easy access (walking catchment) to frequent public transport is defined as 400 metres of a high frequency bus stop or 800m of an O-Bahn stop. Mapping of these overlapping radii from the activity centres and transit corridors would have implications for the rezoning of most of the City of Norwood Payneham & St Peters, including the River Torrens Linear Park and most Historic Conservation Zones. There is no clarity in either the 30 Year Plan or the State Planning Policies about how mixed use and higher density zones will be <u>selectively</u> applied across urban areas.

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These high level statements and strategic directions, without clear, agreed spatial delineation will lead to highly contested debates (and uncertainty) at the time zoning is proposed for change, through the first application of the Planning and Design Code in July 2020 and thereafter when other entities, including *‘persons with an interest in the land’* can put forward zoning amendments. It is unclear as to what spatial references the Commission will be able to draw upon in providing the Minister with advice on private entity Code amendment proposals, which is concerning.

Development near centres and transport networks

A solution outlined in the Discussion Paper and the draft State Planning Policies to increasing public transport accessibility and use, is to increase the number of dwellings (by increasing density) within walking distance of existing public transport stops/interchanges. This solution conceptually has some merit and supports a hierarchy of centres and zones, however this requires selective application avoiding heritage and character areas, and these distinctions should be reflected in clear regional planning outcomes. The proposed solution is also dependent on careful resolution of potential conflicts such as exposure to traffic noise and air pollution.

Development not near centres and transport networks

Public transport is currently lacking in many outer suburban areas. Public transport (primarily buses) run less frequently with fewer route options. To get from one suburb to another ordinarily requires taking transport into the CBD and transferring to another route which is undesirable and provides much less predictable travel time. Residents therefore choose to drive rather than take public transport, or drive to a higher frequency transport route on arterial roads. Currently commuters coming from outer suburbs will use suburban shopping centres and inner metropolitan streets, including those in the City of Norwood Payneham & St Peters, as pseudo ‘Park & Rides’. With the trend of suburban shopping centres to restrict all-day commuter parking in their carparks and ensure parks are available for customers, this exacerbates the demand for parking in local residential streets. Commuters parking in residential streets can have significant impacts on residents and businesses and has become increasingly problematic in the City of Norwood Payneham & St Peters. One solution to this issue is to provide purpose-built parking stations or other means to increase the number of (unrestricted) carparking spaces near these centres, stops and interchanges in a formalised manner. Another is to provide improved public transport for inter-suburb connectivity.

Masterplan Communities

It is important to note public transport challenges within master planned communities and new housing estates. In the interest of traffic calming, new housing estates will typically incorporate cul-de-sacs and narrow, winding streets. Newer developments in later years have also required reduced on-site car parking and have limited on-street parking to designated parking bays. The typical road layout within these areas is not conducive to providing accessible public transport options both because of buses literally not being able to access some streets, but also creating a complicated and more lengthy bus route. It is imperative for new housing communities to be serviced by good, accessible public transport in the early stages of the development, to establish a culture of public transport use. This may be less economically viable in the initial stages of the development, however it can provide early leadership in new communities that allows residents to be mobile with fewer cars per household, before car parking issues become entrenched.

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<i>What other policy provisions are needed to facilitate good quality development that supports the desired minimum residential densities in key zones?</i>	<u>Considerations for increased densities</u> The sensitivity of how urban infill policy gets applied will be one of the most contentious aspects of the policy reforms unless more nuanced, refined commentary is provided about how densities and mixed land use will be applied. The Discussion Paper presents an opportunity (ref 1c) to explore what some of the constraints are to achieving higher density mixed-use zones. With such a complex policy challenge for transport infrastructure providers, businesses, landowners and the community in general, the policy discussion presents only the <u>opportunity</u> for this policy proposition, it does not consider or discuss any challenges or constraints. This underplays the constraints around introducing higher density mixed use zones such as: • existing low density and single use (residential) land surrounding these locations; • dispersal of land uses along linear corridors versus concentrated in nodes/ activity centres and servicing and transport dispersal; • level and timing of public transport infrastructure; • road widening plans and restricted opportunities for new access and egress points; • narrow rear service lanes behind allotments facing arterial road (i.e Payneham Road); • impacts on traffic circulation through local side streets; • carparking demand for 'park and ride' adjacent arterial transport routes impacting local businesses and residents; • land use sensitivities between uses within a mixed use building; • large areas within 400 metres of 'go zones' being in Historic Conservation Zones at St Peters, College Park, Joslin, Maylands, Evandale, Norwood, Hackney, Kensington, Marryatville; and • interface sensitivities for adjoining low density, single use zones. Some of these issues are detailed and site-specific, however to present the policy simply in terms of its opportunity with no challenges identified, is simplistic and misleading. Without regional plans and sub-regional plans in place to explore and resolve some of the challenges identified above, the Code implementation process will become a 'de-facto' process for exposing some of these geographical tensions, which could unnecessarily delay the Code commencement. As has been highlighted in the General Comments section above, until such time as the evidence base is established that densities within the Urban Corridor Zone are too low and should be increased, or that additional land be converted to Urban Corridor Zone, the proposition that this needs to commence in the first version of the Code, should be rejected. Given the complexity and likely controversy of such future directions, the Council seeks better justification from DPTI and the Commission demonstrating the case for change.
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	<u>Directing new development to appropriate areas</u> As outlined above, there is substantial risk of moving forward into the new planning system without a more refined and spatially specific regional plan for Greater Adelaide than the 30 Year Plan. At the very least, there should be provision for strategic plans to be formulated and recognised in the new ePlanning system, particularly with respect to spatial application. The State Atlas and accompanying strategic plans should identify the following: • Centres and hubs where mixed use activity and increased densities should occur, rather than in character/residential areas; • Public transport 'Go-Zones', interchanges, Park & Rides, etc and identify relevant radii from these areas (e.g. 400m from a 'Go-Zone' and 800m from an interchange) • Demonstrate changes in density and number of dwellings over time to inform what progress has been made towards strategic goals and targets such as whether increased density has been focused within close proximity to public transport • Road hierarchies and road use– the State Atlas should identify primary arterial, secondary arterial, major freight routes etc; traffic volumes (i.e. number of vehicles per day as this is often required for traffic safety analysis); traffic speeds (as this is also required for traffic safety analysis); • Designation of road function – what roads are for “<i>link</i>” and what roads are for “<i>place</i>”? • Road widening and other DPTI requirements for arterial roads (such as whether access should be via the arterial road or rear laneway and the capacity of the laneway for increased traffic).
<i>Does existing policy within the SAPPL adequately address issues relating to the perceived quality and impacts of higher density development? For example, the integration and cumulative impacts of parking and vehicle movement, public realm, and streetscape interface). How might targeted policy reform promote or incentivise better outcomes?</i>	The ability to 'decouple' housing supply from car parking provision by providing parking alternatives nearby is a significant challenge due to limited land supply, land ownership and the visual impact and traffic congestion associated with carparking stations or 'hubs' in residential areas. In the majority of inner metropolitan locations and where heritage or character design considerations prevail, this would not be a practical option, however it may be a solution where the visual impact of multi-layered carparking can be 'concealed' through integrated, innovative design as part of a combined residential or commercial building in an Urban Corridor Zone (or similar) with unrestricted access from an arterial road. <u>Code Policy</u> It is important for future Code policy to consider the following in relation to managing traffic and movement in areas facing increasing density and redevelopment: • Infrastructure Design Standards relating to land divisions should ensure footpaths and roads are fit for purpose and accessible; • Policy requirements for new or expanding institutional uses such as schools, hospitals etc where these generate large traffic/ parking volumes and cause functional and amenity impacts on surrounding residents; • Consider impacts of DECD policy of not enabling on-site provision for school drop off/ pick up; • The number/ width of driveways in subdivisions should be minimized to manage on-street parking opportunities, reduce potential conflicts between vehicles and pedestrians, and provide greater opportunities for soft landscaping to provide a more pleasant pedestrian environment. It is better for the public realm for dwellings to share common driveways rather than have multiple exclusive driveways and for developments to provide sufficient space for vehicle manoeuvring so that cars can exit in

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	a forward direction. • The Code should establish minimum garage dimensions – this is prescribed in NPSP Development Plan policy, but is not currently required in SAPPL or Rescode. This can lead to unrealistic internal garage dimensions which is a significant contributing factor to residents parking their cars on the street, instead of in their garages. • Further to the above, minimum storage requirements are important to minimise the use of garages for storage; • Policy or other functions which facilitate shared parking arrangements. Currently many councils would require an LMA or common rights of way in order to accept formalised shared car parking arrangements across separate allotments. Other options could be explored to secure shared use, without needing that level of formality; • Code policies should require appropriate corner cut-offs for new subdivisions and fencing to provide adequate vehicle and pedestrian sight lines; • Incorporating Australian Standards with respect to car parking dimensions and manoeuvring will be vital to functioning car parking spaces and consistency across councils. In particular, policies should recognise the varying car park layout requirements for different types of land uses (e.g. all day office staff parking vs customer parking at shopping centres) and accommodating the loading/delivery/pick up needs of different uses; • For mixed use or commercial development – a greater emphasis is required for bicycle parking and end of trip facilities. Existing policies are often neglected or not prioritised; • Visitor parks should remain accessible so they are fit for purpose (e.g. not behind locked gates)
Theme 2: Capitalising on strategic transport infrastructure	
<i>How should planning policy balance the need for airports in strategic locations against the impact of these facilities on adjacent land owners?</i>	No comment
<i>How can the Code work to protect the operation of major transport facilities whilst managing the impacts on adjacent development opportunities?</i>	From a spatial point of view, the inclusion of Concept Plans (or their future equivalent) for all major transport facilities is an immediate opportunity. Such plans could include references to building setbacks, noise attenuation treatments, separation distances, and the like. Where a development requires licensing under the <i>Environment Protection Act 1993</i> (on noise grounds), there may be scope for consistent noise criteria for such development (and sensitive receptors located nearby).
<i>How can planning policy better manage and minimise the impacts of transport corridors on surrounding development (i.e. noise and air pollution for residents)?</i>	<u>Road Function and Amenity Conflicts</u> Good planning through land use separation is a fundamental function of the planning system, however it is increasingly difficult to achieve with conflicting commercial and social pressures and increasing pressure for mixed use, higher density precincts. Draft SPP9: Employment Lands commendably recognises the need for separation of sensitive uses (such as residential) from heavy impacting activities (eg. commercial activities, or in this case heavy transport routes). Separation of these activities helps to provide protection to the sensitive uses, but also protects commercial areas or strategic transport links from incompatible development.

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	The draft SPP 11: Strategic Transport Infrastructure primarily seeks the identification, protection and planning of transport networks and infrastructure, in a way which is integrated with land development policies. The supporting text for this policy recognises that “<i>planning should consider complementary land use and road functions</i>” and that “<i>the future location of transport corridors should be identified clearly through an overlay</i>”. These statements are supported and it is important for the Code to identify a primary road network hierarchy, including distinguishing between heavy vehicle transport routes as opposed to high volume transport routes. With mitigation measures such as noise attenuation and vegetation buffers, there will be a need to manage impacts on sensitive uses on high volume transport routes, particularly those within business districts where activity occurs outside of business hours.
Theme 3: Sustainable mobility, car parking and the impact of technology	
<i>How can planning policy better enable the delivery of more walking, cycling and active travel opportunities in our neighbourhoods?</i> <i>How can planning policy assist in balancing the tensions between prioritising the movement of vehicles (Link) and the quality of the space for pedestrians (Place) along our streets?</i> <i>How can the Code promote development that contributes positively to streets and the serviceability and quality of the public realm?</i>	The direction to improve planning policy to better enable the delivery of more walking, cycling and active travel opportunities in neighbourhoods is supported. This is a difficult role for planning in established areas such as the City of Norwood Payneham & St Peters and is influenced more by infrastructure programs and upgrades to the public realm. Initiatives such as pram ramps at every street corner, maintaining and widening footpaths, improvements to footpath surfaces, increased bike racks and park benches, are increasingly important. In reality, the street network is largely fixed and it is not possible to always accommodate all transport and movement modes, meaning priorities need to be established and well-funded, often requiring State Government funding support. There is greater opportunity in the Planning and Design Code for planning policy in new redevelopment areas with requirements for sub division to provide for all forms of pedestrian mobility (including gophers) such as providing consistent accessible footpaths on both sides of the road, and roads wide enough for separated cycling lanes. Additionally, the Code should examine opportunities to enhance local and arterial cycling and pedestrian networks. <u>Strategic and Regional Plans</u> Subregional and Strategic Plans play an important role in identifying key strategic transport routes which cater for a variety of transport modes. As outlined above, it is important for different road functions to be identified e.g. heavy freight routes and arterial roads as opposed to local streets. It is also important for bicycle boulevards, River Torrens Linear Park walking and cycling trails, mixed use high streets, local laneways and other strategic routes and links to be identified. The identification of these areas, along with clear development policy and Desired Character Statements (or future equivalent) will help to guide appropriate development in appropriate locations. This process could inform the following: • Code policy which seeks continuous verandahs and active frontages along main streets; • Limiting residential development/densities on heavy freight routes; • Preventing new dwellings or allotments being established with primary frontages to unserviced lanes where facilities such as stormwater management, waste collection and mail delivery are not available; • Inform Design Standards for infrastructure along bicycle boulevards e.g. special design standards for Beulah Road to cater for high volumes of cyclist activity;

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	• Code policy which sets out different requirements for apartment living within a centre where public transport and cycle lanes are available, as opposed to low density residential development in the suburbs; • Facilitate or encourage development which backs on to River Torrens Linear Park to provide direct links to walking and cycling trails. <u>Streets for People</u> Most development within inner-metropolitan Adelaide occurs on a site-by-site and ad-hoc basis. As a result, development often does not integrate well with, nor contribute to, the public realm. For example, new dwellings often incorporate a lack of landscaping due to large impervious areas and dominant double garaging on narrow frontage widths. Any landscaping which is incorporated in a development will be limited by the typically small size and depth of the garden bed which also makes maintenance of landscaping difficult. Furthermore, increasing numbers and widths of driveways limit opportunities for street trees. This places an unreasonable burden on the public realm to provide soft landscaping, green infrastructure, aesthetic appeal, shade and general urban cooling. It is important for future Code policies to consider residential development policies which require greater front and rear setbacks with minimum deep planting soils and limited impervious areas to provide greater opportunities for soft landscaping on private land including rooftop gardens and living green walls. With respect to commercial development, it is important for the design expectations to be appropriate for the zone and locality. For example, a small corner shop within a residential context should be modest and ‘blend in’ with the level of activity within the area. Conversely, commercial development on a busy high street should incorporate vibrant, visual shopfronts with continuous verandahs over the footpath to encourage pedestrian activity and landscaping where possible. Commercial developments should also encourage passive surveillance over public areas, appropriate lighting in car parks after usual business hours to contribute to safe walking environments, and incorporate landscaping which softens the appearance of large paved areas. With respect to traffic, business should incorporate shared car parking areas wherever possible and minimise exit and entry points.
<i>Does the Code need to more explicitly anticipate the needs of an ageing population through provision for things like mobility scooters or access vehicles?</i>	In principle, an anticipation of people's needs is supported, but it is unclear whether other legislative tools (such as the Australian Road Rules) and other standards such as Australian Standards may have a stronger role to play. In the context of shops or community facilities, consideration could be given to dedicated (and perhaps indoor) parking bays for scooters, or other vehicles less powerful than a motorbike.
<i>How can planning policy best respond to the impact of emerging technologies on our city and communities and how we move to and through them?</i>	It is important to “future proof” buildings as much as possible – this applies to both sustainability and durability in a changing climate, adaptive reuse, and providing for future facilities and technologies. Current policies, particularly in Urban Corridor Zones, envisage ground floor tenancies to be constructed with specified minimum ceiling heights to facilitate a variety of potential future land uses. A similar approach has been used to require minimum ceiling heights or other additional space in car parking areas to facilitate future electric vehicle charging stations and equipment. Future Code policies could also require a minimum number of spaces for electric, autonomous or shared service (e.g. Go-Get) vehicles.

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<i>How can the Code best respond to the variances in car parking requirements for different neighbourhoods?</i>	<u>Designated Areas and mix of land uses</u> The current Designated Area car parking requirement (desired min 3/100m² and max 6/100m² for all non-residential land uses), introduced through the 2016 <i>Existing Activity Centres Policy Review</i> Ministerial DPA, applies to a range of areas across the Council from large busy centres to smaller local groups of shops. The minimum car parking rate is less than the rate applied outside of Designated Areas on the basis that, amongst other factors, the Designated Areas have better access to frequent public transport. Further discounts to the 3/100m² parking rate are also applicable in circumstances such as the retention of heritage places. Also unlike standard parking rates, the Designated Areas rate does not distinguish between non-residential land uses in order to facilitate easy change over between businesses. However, in reality some types of businesses will attract more car parking activity than others, for example patients visiting a medical consulting room are much less likely to take public transport than office employees. Notwithstanding the circumstances allowing for reduced parking rates in Designated Areas, there is great likelihood that sites developed in accordance with the Designated Areas policy will experience car parking shortfalls. In established centres, the potential car parking overspill is likely to have a less noticeable impact on the broader locality due to the existing mix of land uses, shared car parking arrangements, and higher levels of activity. However, for small isolated groups of shops surrounded by predominately residential properties, the potential car parking overspill will have a much more noticeable effect on the local residential street network. In light of the above, it is considered important to tailor car parking requirements to different land uses and the context of local areas. <u>Urban vs Suburban</u> With respect to residential parking requirements, parking requirements for apartment style living close to centres in 'urban' areas are less than parking requirements in suburban residential areas. The demographics of an area are also likely to indicate car ownership; for example households with young adults and no children may have fewer cars as compared to family households. The car parking policies should reflect these characteristics and needs.
<i>Will the current approach of minimum car-parking rates, with potential for discounted provision, adequately support the desired shift toward more sustainable mobility? Should the Code provide greater opportunity for low or no parking in appropriate circumstances or contemplate maximum parking rates?</i>	Without a definition of the 'appropriate circumstances', proposals for reduced parking rates (or no rate at all) are most unlikely to be supported. Reduced parking rates have been a feature of recent planning policy introduced by the Minister for Planning in the <i>Strategic Growth DPAs</i> (2013) and <i>Existing Activity Centre Policy Review DPA</i> (2016). Across metropolitan Adelaide, provision and availability of on-site carparking and associated policy is a highly sensitive issue for communities and businesses, as evidenced in the State Government's Carparking Summit which received an unprecedented level of public interest with over 840 written submissions being received. Primary concerns which have been identified through the Carparking Summit include (but are not limited to): • heavy use of on-street parking creating road safety and access issues, particularly narrow streets; • competing demand for parking between residents, commuters and businesses; • traffic issues around schools; • residential garages being used for storage rather than parking cars; and • lack of availability, or desire to use, public transport.

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	Competing demand for parking between residents, commuters and businesses is a significant issue within the City of Norwood Payneham & St Peters (and presumably also other inner metropolitan councils). Commuter parking in particular has become increasingly problematic in streets with unrestricted parking which are close to high-frequency bus routes, due to people parking all day and catching buses into the CBD. This limits parking availability for residents, visitors (such as tradespeople) and customers of local businesses. In locations such as The Parade, where many businesses are established in older buildings with limited historic opportunity for on-site car parking, this can have a genuine impact on customer access and business viability. Although customers to these businesses may also park in adjacent residential streets, the duration of stay is normally much shorter than a commuter parker. A common method for managing commuter parking is to introduce or alter parking restrictions in the affected street, however experience has demonstrated that this often 'pushes' the problem to other streets. In light of this, the Council is undertaking a City Wide Car Parking Review to consider this issue. The further extension of maximum parking rates (for individual developments), as is currently the case in certain zones and designated areas, is again questioned. Encouraging behaviour change from individual car ownership to public transport and active travel modes is supported as an aspirational goal, but needs to be underpinned by strategic and planned investment in walking and cycling infrastructure and public transport improvements. At the same time, the impact of low on-site parking will continue and the local Council is left to deal with the problem. To cap the ability of an applicant to cater for resident, employee or customer demand for carparking is counterintuitive to the current paradigm of carparking issues, which otherwise spill onto neighbouring properties and streets and is a regular source of complaints to local Councils.
General feedback questions	
<i>Are there any other key opportunities and challenges that you think the Code should respond to?</i>	In the context of integrated movement systems, other opportunities and challenges include: • A consideration of all Australian Standards cited in existing Development Plans, and which of them should be reflected in the P&D Code (for statewide adoption) • The legal appropriateness of 'Interpretation' headings in the existing SAPPL modules for the <i>Noise and Air Emissions</i>, and the <i>Strategic Transport Routes</i> overlays • The accuracy of mapping pertaining to <i>Airport Building Heights</i> overlays
<i>Are there any other ideas for potential Code policy you would like to recommend?</i>	Addressing the situation of infill/medium density housing, where often the front residential setbacks are not of sufficient depth to accommodate increasingly larger utes, SUVs and 4-wheel drives parked in driveways, often resulting in vehicles overhanging public space.

Natural Resources and Environment Discussion Paper – City of Norwood Payneham & St Peters Submission

General Comments

It is encouraging that the issues of natural resources and the environment have been identified as key issues to guide the preparation of detailed planning policies under the future Planning and Design Code

The policy direction for greater implementation of water sensitive urban design (WSUD) and increased landscaping/ planting is supported and is directly aligned to Council's strategic objectives as well as climate change actions under *Resilient East*, the Eastern Region's regional climate change adaptation plan. Whilst existing WSUD policy is included in Development Plans, there is variable uptake of these measures through the development assessment process, both on the part of applicants and planning authorities.

Part of the difficulty of enforcing implementation (and maintenance) of these aspects of the planning assessment, is that they often do not constitute development in their own right under the *Development Act 1993*. A property owner can choose to include allotment-scale water treatment, pave surfaces, build some roofed structures without the need for approval and can plant or remove vegetation at their discretion (other than controlled vegetation as Regulated Trees or defined native vegetation). For these reasons, the requirements for stormwater capture and detention, water quality improvement, planting and landscaping are often dispensed with as elements that are not integral to the whole development. This is a challenge as the Planning and Design Code Technical Discussion Paper (released May 2018) has stated that policy should not control matters that are not development. If new plantings, landscaping, paving, certain structures, lawn and shrubs are not defined as development, then this precludes the ability to construct any policy around this. This is not matched to the expectation created by the State Government's target of a 20% increase in urban green cover. There is no point in having a State level target if it is something there is no intention to control. This is an important aspect that needs reconsideration as part of the Planning and Design Code framework.

The Council's recent analysis of stormwater modelling and green canopy coverage has demonstrated that the cumulative impact of small scale infill development, is contributing to increased stormwater volumes and decreased tree canopy cover. The development of consistent policy through the Planning and Design Code that is both scalable and able to apply to all development types, is a positive strategy.

The Discussion Paper refers to a partnership between Water Sensitive SA and key stakeholders including DPTI to develop a contemporary, workable suite of planning policies for Water Sensitive Urban Design (WSUD) and Green Infrastructure (GI), based on research with industry leaders, developers, engineers, landscapers and planners. The paper refers to the culmination of this work in the *Performance Based Planning Provisions and Assessment Framework for Green Infrastructure and Water Sensitive Urban Design Background Paper*. Despite statements contained in both the Discussion Paper and Background Paper that this report is available on the Water Sensitive SA website, the Council understands that the Paper is yet to be released. Without this key research paper and explanation of the suite of workable WSUD and GI policies for Development Assessment, informed feedback on the policy proposals is not possible.

Natural Resources and Environment Discussion Paper – City of Norwood Payneham & St Peters Submission

Question	Response
Theme 1: Sustainable and Liveable Urban Environments	
<i>Should existing WSUD [Water Sensitive Urban Design] and GI [Green Infrastructure] policies also apply to regional areas and for all development scales and types?</i>	Yes, this should apply as it is just as relevant in peri-urban and regional areas. The policies should apply to different scales, types, geographic locations and building classes. An integrated approach should be pursued to capture water, reduce pollution to waterways, increase vegetation and cool living environments to ensure that appropriate functions are being achieved (which may differ in regional areas compared to urban areas).
<i>What role should the planning system play regarding preservation of sunlight to solar panels from adjacent development?</i>	South Australian households have the highest rate of adoption of solar technology in Australia, so it is important that this investment in renewable energy be protected through appropriate planning policy, including requiring all land uses and developments to address overshadowing of adjoining owners' solar panels. Policy which prevents unreasonable levels of overshadowing is particularly important for a built-up urban area such as the City of Norwood Payneham & St Peters, where this issue has previously been the subject of a number of resident complaints. When the Council adopted policy on this issue into its own Development Plan as part of its Residential Development (City Wide Policy) DPA, this was not a matter that was addressed through the South Australian Planning Policy Library, so policy guidance was drawn from New South Wales planning guidelines. The City of Norwood Payneham & St Peters Development Plan contains policies such as: <i>“Development should maintain solar access, for a minimum of 3 hours between 9am and 3pm on 21 June, to:</i> <i>(a) any existing solar collectors (such as solar hot water systems and photovoltaic cells) on adjoining properties; or</i> <i>(b) an area of at least 10m² on the north facing roof of the existing building/s, in the event that there are no existing solar panels and/or photovoltaic cells on the adjoining property; and in any case</i> <i>development should not increase the overshadowed area by more than 20 per cent in cases where overshadowing already exceeds these requirements.”</i> It is recommended that the Planning and Design Code requires specified development applications (e.g. development of two-storeys or above) to provide shadow diagrams/modelling which indicates how much the proposed development would reduce the solar generation potential of neighbouring panels. In doing so, this could also encourage applicants to consider the proposed position of their solar panels, giving regard to potential future overshadowing, as well as permitted building heights for adjoining buildings. Special consideration of shadow angles and the sensitivity of adjoining rooftops (in addition to solar access to adjoining backyards and living areas) will need to be given for locations where multi-storey building heights are contemplated

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<i>Should the Code introduce incentives for developments that can incorporate passive solar design (siting) techniques, green infrastructure and WSUD?</i>	In the current planning system, it is unfortunately common for key Development Plan sustainability policies such as stormwater runoff volumes, water quality, landscaping, and solar design to be overlooked or neglected in favour of more 'tangible' or obvious aspects of the assessment such as wall heights or car parking. In current Residential Code Complying requirements, there are no requirements relating to sustainability, other than a standard southern wall setback which gives no regard to the actual resultant overshadowing. In order for the new planning system to produce a genuinely sustainable future for the State, as required by the State Planning Policies, it is essential that sustainability measures (such as GI, WSUD and climate resilient buildings) are <i>required</i> by future policies, rather than just <i>incentivised</i>. The treatment of sustainability measures as incentives results in these measures being viewed as voluntary 'ad-ons' and implies that a development without GI or WSUD treatments would be acceptable. To address the impacts of climate change and to take responsibility for our environmental footprint, these elements need to be an integral and mandatory consideration as part of the development design, and assessed against the Planning and Design Code policies, not rewarded as an incentive. The '<i>Planning and Design Code – How Will It Work Technical Discussion Paper</i>' released earlier this year foreshadowed that Code policy will not address matters and activities which do not constitute development. While the intent is understood, there are various elements of a development which do not currently fall into the definition of 'development' in their own right, but are important aspects of a site, such as soft landscaping, paving, fencing etc. It will be challenging or even impossible to adequately address GI and WSUD if there are no policies regarding landscaping, paving and rainwater tanks, such as minimum percentages of permeable ground cover. It is unfortunate that the <i>Performance Based Planning Provisions and Assessment Framework for Green Infrastructure and Water Sensitive Urban Design Background Paper</i> referred to in this Discussion Paper has not been released (as discussed above). However, this Council has had the opportunity to trial the <i>Water Sensitive SA Online Stormwater Assessment Tool for Small-Scale Development</i> and supports incorporating this tool into the Planning and Design Code, particularly the Deemed-to-Satisfy requirements. Based on our trials of a typical (modes) infill development, it appears the Online Tool will increase the minimum standards for stormwater management, such as the need for greater onsite retention <i>and</i> detention, requiring minimum permeable areas, and on-site treatments or filtration to protect and improve water quality. Given the negative cumulative impacts of infill development on existing stormwater infrastructure systems, an increase in minimum requirements through the tool is supported. However, it is also important for these types of requirements to be reflected in Code policy so that the minimum stormwater management standards are clear upfront to applicants and owners, not just when they are trying to obtain a "pass" through the Online Tool. In some cases this may (justifiably) result in a site yield being less than without these environmental considerations, or require significant attention to innovative mitigation measures to deliver the water capture and treatment objectives required by the Planning and Design Code. By extension, this Planning and Design Code policy requirement should also extend to Restricted forms of development as the largest scale developments, if the proposal is otherwise supported. The Discussion Paper refers to potential offset schemes. While offset schemes may be appropriate in certain circumstances, using an offset scheme in lieu of on-site WSUD or GI, will not be appropriate for every site. For example, if a residential site was developed with little to no permeable area and the offset contribution was used for a WSUD project some distance away, there would be no benefit to the immediate locality and would be detrimental for the soil quality and moisture levels for any trees and vegetation in the
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	adjacent road verge. The draft State Planning Policies and this Discussion Paper place heavy emphasis on the public realm providing for the GI and WSUD needs of a community, however this will place unreasonable financial and maintenance pressures on local governments and will not be sufficient to compensate for a severe lack of GI and WSUD on private development sites. The ability for an applicant to waive responsibility for landscaping or planting trees on a site proposed for more intensive development, should not reward a design philosophy of being able to ignore environmental obligations, by paying another entity to plan, develop and manage offset planting schemes. A payment scheme in lieu of planting trees on private land creates even greater competition for the public verge space, which is already under pressure with existing street trees, critical root zones, pedestrian access requirements, service infrastructure (above and below ground), bin placement and new or expanded driveway crossovers to service new infill development. This infill pressure may result in a Council only being able to use the offset funds to plant trees several house blocks or streets away, which provides no shading, liveability, energy efficiency benefits to the new occupants of the site, undermining the purpose of the planting. A fully developed development site with buildings, impervious paving and no front garden space also creates a hostile, dry environment where any new street tree will not thrive. For these reasons, offset schemes need careful consideration as to how these will be applied to meet the environmental and liveability Desired Outcomes set out in the Planning and Design Code.
<i>How can planning policy contribute to reduced carbon emissions from the built environment sector?</i>	The Planning and Design Code should include objectives and principles which create climate resilient/responsive buildings. This should include performance requirements and an assessment process to ensure that buildings and occupants are better able to cope during hot weather, including during power outages. This must include requirements for natural ventilation (particularly medium and high density developments demonstrating how they achieve effective natural ventilation, including cross flows in habitable spaces), adequate and appropriate external shading, and an improved building envelope that requires less artificial heating and cooling. Policy to extend energy efficiency requirements in new development is supported. Principle 3 of the Code Drafting Principles states however, that the Code must not contradict the National Construction Code. It is noted that the achievement of six star energy rating can still be achieved through the “add on” of mechanical or other elements, even if a development has poor orientation or design (eg no eaves). This needs careful re-examination to ensure energy efficiency is not just an add on to achieve compliance, but is an integral part of the building orientation and early design considerations. This results in homes which often perform poorly, have high cost of living expenses, and inadequate protection from extreme conditions - for example in power outages and electricity load shedding. This process fails to take account of natural orientation, ventilation and thermal comfort through vegetation planting. There is currently no compliance framework that mandates energy efficiency provisions described in the NCC actually be checked or commissioned prior to hand-over of a new development. The minimum standards of the NCC should be enhanced to ensure that it takes into account future climate scenarios of increased temperature, greater frequency of heatwaves, reduction in annual rainfall but increase in extreme daily rainfall and increased days of extreme fire risk. The Planning and Design Code represents the opportunity to recognise the limitations of the NCC and provide minimum performance requirements at planning stage, rather than relying on Building Rules Consent through the NCC. Climate resilient building requirements should also apply to non-residential buildings; this is particularly important for commercial and public buildings which act as community heatwave shelters and other emergency response refuges.

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	The Code should encourage the use of sustainable products like recyclable timber and plastics, encouraging the development of new markets for recycled products. The use of recycled or sustainable products, in lieu of standard new products, may be a more appropriate avenue for an incentive scheme than incentive schemes dealing with other sustainability measures such as WSUD, as discussed above. Substituting a typical material with a better, more sustainable material provides better outcomes, without artificially or unintentionally lowering minimum standards as might be the case when incentivising WSUD or GI practices.
<i>How do we plan for current waste removal practices and technologies and provide flexibility for innovative future solutions?</i>	The policy direction for the Planning and Design Code to incorporate best practice waste and recycling infrastructure requirements in higher density development is supported. With increasing levels of infill and on-street carparking congestion, waste management and collection is the subject of an increasing number of requests and complaints to East Waste, the Council's waste collection provider, where servicing is problematic due to restricted access, manoeuvring areas and bin storage. The trend towards medium and high residential densities will see more shared bin services between residents and occupants of a development which, if inadequately managed, will create contamination in waste and recycling streams. In addition, some newer housing redevelopments (i.e Marden Connect) have shown a tendency towards narrow streets (and increased kerbside parking) that has presented physical challenges for waste collection trucks at times. Therefore, policies should encourage waste collection services to be orderly, safe and economic. In the context of high density residential developments, there are cases when waste collection services cannot be provided by a Council. As a result, private collection services may become necessary, which results in (recurring) extra cost for the residents of the development. This is an equity issue and the planning system should include clarity and detail to ensure that waste management is addressed equitably. Policies should address shared bin usage and storage, centralised waste collection (chutes) and separation as well as the need for organics bins to accommodate kitchen organics collection services (where applicable) to support programs which reduce waste sent to landfill. For multi-unit developments, the Code should require a Waste Management Plan form part of the application to ensure adequate and orderly servicing through a council waste collection service, or if necessary through a commercial waste collection service. Waste sorting, storage and collection must be considered as part of building design and development design and layout. The City of Norwood Payneham & St Peters has experienced over time, with increased densities, verge space is increasingly coming under pressure for a variety of needs and uses, including for bin presentation areas, increased driveway cross overs, street tree planting and with impacts on on-street carparking spaces and truck access to bins. Damage to tree canopies can also result from truck access in more compact subdivisions. To ensure that these valuable green corridors are not eroded, the Code must include policy to ensure waste management is considered early and as part of an integrated development. The Code could consider setting thresholds for internal road widths, numbers of households/ bins as determinants of when a development should be privately serviced for waste collection.

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Theme 2: Water Security and Quality	
<i>Should dams be assessed as development in the planning system?</i>	No comment
<i>Should we instead use the 1956 flood data as indicator of risk in the future?</i>	No comment
<i>Should sheds be made an exemption from the requirement to refer notice under the River Murray Act 2003?</i>	No comment
Theme 3: Biodiversity	
<i>Can the Code protect biodiversity in areas not identified as native vegetation and in modified landscapes with biodiversity values?</i>	Yes. Biodiversity is not a concept confined to only natural, pristine or rural landscapes. Modified landscapes have an important place in providing biodiversity value in an urban area. This should not only be considered on a large scale, but on a small and fragmented scale, as often exists in built-up areas. These spaces have biodiversity value individually and collectively. Front and back gardens, of any size are able to contribute to supporting and attracting flora and fauna as valuable ecosystems.
<i>Can planning policy assess the cumulative impact of development on biodiversity?</i>	Planning policy can address cumulative impacts, however it needs to be incorporated in an equitable and transparent way to ensure the policies are not applied as a “first come first served” opportunity for the first wave of applicants. A Regional Plan should establish the potential impact on biodiversity within an area, based on the highest potential level of development which could result from the relevant zone and land use policies (e.g. density, allotment size etc). The Planning and Design Code policies should then establish development parameters which distributes the responsibility of sustainable practices amongst all potential development sites. Ongoing monitoring and reporting is also important in protecting biodiversity from cumulative development impacts. The planning system should measure and report on biodiversity habitat losses and gains in rural and urban planning approvals To support this, under the State Planning Policy priority of Biodiversity, a mapping system could include a baseline of priority and significant biodiversity areas to help inform decision making, assessment and monitoring, and measure all relevant changes over time which would help guide future policy and strategic decision making.

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<i>Can planning policy play a role in protecting and encouraging backyard biodiversity?</i>	The Background Paper discusses the trend of a decline in private open space, loss of tree canopies in metropolitan Adelaide and Greater Adelaide's lowest median allotment size of all capital cities in Australia. The Council has raised in its submissions on the State Planning Policies and the Performance Monitoring Discussion Paper that it is unclear how the State Government's green canopy target (20% increase by 2045) will be measured. This important action needs to be progressed and consulted upon, to inform how this will work in the Planning and Design Code. <i>The Performance Based Planning Provisions and Assessment Framework for Green Infrastructure and Water Sensitive Urban Design</i> was not available for viewing, making it difficult to comment on the policy tools proposed for measuring landscaping, green canopy cover and biodiversity contribution. The State Planning Policies underplay the contribution that private land makes to providing trees, landscaping and biodiversity, instead focussing on natural landscapes and an emphasis of planting in the public realm (largely on Council land) to make up for the loss of trees that is occurring due to urban development pressures. Relying on local government tree planting will not be sufficient to make up for the losses that are already occurring on private land. This needs to be addressed in the Planning and Design Code. The Discussion Paper and Background Paper are silent on whether current Ministerial Development Plan policy relating to Regulated Trees, will be transitioned over to the Planning and Design Code and if so, in what format. The Council has also raised in previous submissions, the need for the location of Regulated Trees to be accurately plotted in the new spatial databases, particularly given the new electronic delivery format and increased assessments undertaken by private planners. As policy retrieval in the ePortal is dependent on the known circumstances of the site and neighbouring properties, the existence of an adjoining Regulated/ Significant Tree must be included in the electronic call-up of relevant policy. The Discussion Paper should acknowledge the attrition of urban habitats in the Greater Adelaide region (i.e. ongoing infill development that further limits biodiversity options, while placing additional stresses on urban ecology). New policy to be developed through the Planning and Design Code could be extended to include: • A strengthened tree/vegetation assessment of a site (at the development application stage). Applications should demonstrate how any existing biodiversity is protected and create linkages to habitat corridors (including street tree corridors, River Torrens Linear Park and other backyard gardens). This is considered important, as biodiversity does not exist in isolation, but is part of a larger landscape perspective. • At the planning stage, developers could commit to signing up to being a backyard biodiversity site. (This process could be similar to private landowners who enter into voluntary natural heritage agreements with the Minister for Sustainability, Environment and Conservation) • Planning and Design Code could specify certain species of trees and other vegetation that are water efficient, enhance biodiversity, address urban heat effect and contribute to canopy cover measurement.
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	- To genuinely seek to influence green canopy increase, the Code should give consideration to minimum dimensions for private open space, minimum planting requirements, minimum distance of driveways from street trees, minimum soil depths etc. - The Code could also use urban heat mapping (such as undertaken by Resilient East Councils in March 2018) to include as an overlay urban 'hot spots' which prioritise planting requirements
<i>Do we need a policy to protect and encourage development of road side vegetation?</i>	Yes, although it is not clear if this question relates to urban road verges or country roadside vegetation corridors. The introduction of the Code provides an opportunity to require developers to contribute to street landscaping of a high quality. Any policy in place to protect roadside vegetation is important and supported, as often these corridors provide remnant vegetation associations with good genetic seed stock and wildlife corridors, especially in regional areas. The sole reliance of Council road reserves, as set out in 1D in the Discussion Paper, to accommodate the tree planting schemes resulting from an infill tree offset scheme, is problematic. Councils are actively engaged in increasing the contribution to green canopy cover through their own strategic planting and replacement programs. In an inner suburban context and particularly in areas designated to accommodate infill development, road verges are highly contested spaces. Land division creates additional driveway crossovers and street infrastructure (lighting, underground service infrastructure, inspection points etc) as well as the need for additional bin collection space, all reducing the amount of available space for additional street tree planting (and surrounding critical root zones). Use of road reserves to make up for the shortfall of private planting is not supported due to the space constraints in urban infill locations and the ongoing expectation this creates for local government. A broader scheme, such as the ability for other private landowners to purchase landscaping "credits" for their property (with ongoing maintenance obligation) or the ability for State, local government and other partnerships to provide local open space with increased tree planting, should be explored.
Theme 4: Coastal Environments	
<i>What level of development (including accommodation) is appropriate in a Coastal Conservation Zone?</i>	No comment
<i>Does current planning policy adequately address the risk of new development from climate change impacts (coastal retreat, sea level rise and storm surges, etc.) for at-risk coastal settlements?</i>	No comment

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Theme 5: Natural Hazards	
<i>How can we better integrate council- owned flood data with the new code and achieve consistency?</i>	Many Councils have detailed floodplain maps and stormwater management plans mapped on their GIS systems. This data can be shared in the GIS based mapping system to be used in the Planning and Design Code. Floodplain mapping should ensure it takes into account climate projections identified in the various regional Climate Change Adaptation Plans. This information should be used to derive consistently expressed AHD levels and related FFL and site levels. These need to be included as assessment criteria for both deemed to satisfy and performance assessed development. Where flood mapping is not available or is out of date, a precautionary approach should be taken whereby development is performance assessed rather than assessed via a deemed to satisfy process.
(No reference)	Current planning policies related to hazards do not include planning development around heatwaves. With these predicted to increase, this should be included in the Code particularly as urban heat mapping becomes more standardised across the state. Heatwave policies should align to local or regional vulnerability assessments incorporating urban heat island mapping, and require developments to incorporate cooling functions, building materials and passive solar design that reduces heatwave impacts. Developments in high risk areas should indicate how proposed design mitigates the urban heat island effect.
Theme 6: Environment Protection and Public Health	
<i>Should cumulative noise impact assessments be undertaken as part of the development assessment process?</i>	Strategic planning and policy setting should examine cumulative or 'end state' development impacts of areas proposed for rezoning in terms of high noise levels from major traffic routes or where multiple mixed use developments and higher densities are envisaged. Separation distance between incompatible or sensitive land uses needs to remain as a practical planning tool in the Planning and Design Code.
<i>How can policy effectively address the interface between land uses in zones promoting mixed uses?</i>	As stated above, separation distance between incompatible or sensitive land uses needs to remain as a practical planning tool in the Planning and Design Code. The Code should ensure appropriate levels of assessment of development in interface locations by designating most forms of development as Performance Assessed with a comprehensive suite of policy considerations relating to design and appearance, noise impacts, operational impacts (including hours), traffic generation, carparking etc. Administrative procedures should also ensure appropriate public notification and designation of scale and function thresholds beyond which triggers Restricted Development category under the Code. The collaborative development of Regional Plans and Subregional Plans is an important step, missing from the current planning reforms process, which can be used to strategically locate (and if necessary separate) different zones and associated land uses.
<i>Any other key opportunities that you think the Code should respond to?</i>	Refer General Comments above

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<i>Are there any other ideas for Code policy solutions you would like to recommend?</i>	Prior to developing Code policy solutions, the missing piece of the planning reforms implementation, is collaboration (and engagement) on Regional Plans and sub regional (under the PDI Act). This will impede reform through the Code until spatial guidance can be provided at the regional and sub-regional level. The simultaneous reform of the Natural Resources Management (NRM) system is occurring in parallel to reforms to the planning system. A further opportunity is for better integration with the <i>Landscape South Australia Act</i>, <i>Green Adelaide Board</i> and 5 year plans of other Landscape Boards in terms of increased green canopy, water management (including urban water management plans) co-ordination of separate approvals for water licences, native vegetation, regional climate change plans etc. Access to spatial information, linked to policy in the Code, should include relevant natural resource management and landscape scale spatial overlays (Significant Trees, water catchments, watercourses, strategic biodiversity corridors, areas of high conservation value, urban heat mapping “hot spots” etc)
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