

Summary of Recommendations

Recommendation		Page Reference
Planning, Development and Infrastructure Act 2016 – Public Notification and Appeals		
1.	Proposed developments which exceed the maximum height identified in the Planning and Design Code (including any affordable housing incentive) should attract third-party appeal rights.	42
2.	Greater education needs to be provided on public notification and how to make a submission on a development application.	43
3.	Extend the public notification zone in rural areas outside of townships to align with separation zones identified by the Environment Protection Authority, based on proposed land use.	44
4.	An additional 'on boundary' category of public notification should be created such that only directly affected neighbours are notified of on boundary developments by the Relevant Authority.	45
Planning, Development and Infrastructure Act 2016 – Accredited Professionals		
5.	<i>Phase 1</i> The Accredited Professionals Scheme and associated Regulations should be amended to remove the ability for building professionals to issue planning consents.	51
	<i>Phase 2</i> Only Planning Accredited Professional Level 1 (Assessment Manager) practitioners may determine minor variations.	52
6.	The Government, through Planning and Land Use Services, works with Assessment Managers to identify, and develop guidelines for minor variations which may be implemented by the State Planning Commission.	53
7.	The e-Planning system should require a Relevant Authority to record when a minor variation has occurred.	54
8.	There should be automatic mutual recognition for related professional bodies.	55
9.	Accredited Professionals must be audited more frequently than once in every five (5) years.	56
Planning, Development and Infrastructure Act 2016 – Impact Assessed Development		
10.	Impact Assessed (Declared) development assessment is returned to a whole of Government process.	59
Planning, Development and Infrastructure Act 2016 – Infrastructure Schemes		
11.	A Government business unit should be established to manage and implement infrastructure schemes.	61
Planning, Development and Infrastructure Act 2016 – Local Heritage in the PDI Act		
12.	Local heritage should be removed from the <i>Planning, Development and Infrastructure Act 2016</i> and incorporated into the <i>Heritage Places Act 1993</i> , thus aligning State and local heritage listing processes.	64
13.	Section 67(4) and 67(5) of the <i>Planning, Development and Infrastructure Act 2016</i> should be repealed, or otherwise never turned on.	65

Planning, Development and Infrastructure Act 2016 – Deemed Consents		
14.	Increase the assessment timeframe associated with Performance Assessed development applications to 30 business days for complex applications, thus increasing the time available before a Deemed Consent may be issued.	69
15.	The Deemed Consent provisions should apply to land division applications.	71
Planning, Development and Infrastructure Act 2016 – Verification of Development Applications		
16.	The State Planning Commission should prepare a Practice Direction regarding verification.	74
17.	The requirements of Schedule 8 of the <i>Planning, Development and Infrastructure (General) Regulations 2017</i> should be reviewed to ensure that a Relevant Authority is provided with sufficient information to assess the nature of the application and assessment pathway, at the time of verification.	75
18.	Increase the verification timeframe to align with development application complexity.	76
19.	19.1 If an application is verified in less time than the legislated verification timeframe allows, any additional time available to verify the application should be added to the associated development assessment timeframe.	77
	19.2 If the legislated verification timeframe is exceeded, any additional time taken to verify the application should be deducted from the associated development assessment timeframe.	78
20.	Land division verification should be recentralised.	79
Planning, Development and Infrastructure Act 2016 – Minor Variations to Development Approvals		
21.	The State Planning Commission investigate the cumulative impact of multiple minor variations and provide further guidance as to when a minor variation should and should not occur.	82
22.	Minor variations to a planning consent once Development Approval has been issued should only be assessed by the relevant council.	83
Planning, Development and Infrastructure Act 2016 – Other		
23.	The State Planning Commission should review the size and purpose of catalyst sites.	85
24.	Demolition of all dwellings should be recorded on the e-Planning portal.	86
25.	Local government and State government collaborate to review and redevelop the Local Design Review Scheme.	87
26.	The State Planning Commission investigate implementing a land supply and demand monitoring program.	88
27.	The State Planning Commission should review and amend the Community Engagement Charter to provide guidance on First Nations engagement.	89
28.	The State Government should investigate and consider how planning is dealt with in out of council areas.	90
29.	The State Government, through Planning and Land Use Services, should aid and guide those Relevant Authorities struggling to verify and assess development applications within the prescribed timeframes.	91
Planning and Design Code – Character and Heritage		
30.	The State Government, through Planning and Land Use Services, prepare a template set of design guidelines for character and historic areas.	97
Planning and Design Code – Character		
31.	The Expert Panel supports the State Planning Commission’s proposal to require a replacement building to be approved prior to demolition being able to occur in Character Areas.	99
32.	The role of Representative Buildings should be reviewed.	100

Planning and Design Code – Heritage		
33.	To facilitate greater adaptive reuse of heritage places, the Planning and Design Code should include a broader range of possible land uses for heritage places than those listed in the relevant zone or subzone.	102
34.	The State Government resource the identification and assessment of heritage that is not within a council area.	103
35.	On the basis that local heritage is transitioned to the <i>Heritage Places Act 1993</i> , the places currently identified as local heritage should be reviewed to ensure they meet all relevant criteria.	104
Planning and Design Code – Tree Policy		
36.	The State Government review and refine the intersection between the <i>Planning, Development and Infrastructure Act 2016</i> and <i>Native Vegetation Act 1991</i> to remove confusion within the community and development sector, to ensure native vegetation is retained.	111
37.	The Planning and Design Code policy should support design innovation to enable the retention of trees.	112
38.	Extend the application of the Urban Tree Canopy Overlay to all new allotments in the Master Planned Neighbourhood Zone.	113
39.	Extend the Urban Tree Canopy Overlay and the Regulated and Significant Tree Overlay to townships and address any anomalies in current township mapping for this purpose.	114
40.	The Urban Tree Canopy Off-set Scheme fees are increased.	115
41.	The Government investigate what additional and/or alternative penalties are available for tree damaging activity to disincentivise poor behaviour.	116
42.	Investigations be undertaken to establish an independent arboriculture advisory body to provide advice on applications pertaining to significant trees.	117
43.	Apply the tree regulations to all State Government projects.	118
44.	The Government investigate what opportunities and mechanisms are available to encourage tree retention and planting on private land.	119
Planning and Design Code – Infill Policy		
45.	General infill design guidelines should be prepared in conjunction with industry to demonstrate and promote different styles and types of infill development.	124
46.	The Planning and Design Code policy pertaining to strategic sites should be reviewed, and non-planning mechanisms should be investigated to assist with creating strategic sites.	127
47.	The Planning and Design Code provisions pertaining to Private Open Space should be revised.	128
48.	The storage policy identified for apartments should apply to all forms of residential development.	129
49.	A basic landscaping plan should be provided for all infill developments to document how the soft landscaping requirements of the Planning and Design Code are to be adhered to.	130
Planning and Design Code – Car Parking Policy		
50.	The minimum garage dimensions should be increased.	134
51.	The requirement to provide undercover car parking should be removed from the Planning and Design Code, but provision of space for a covered car park should still be made available behind the face of the dwelling.	136
52.	The State Planning Commission consider producing Local Road Design Standards for local roads.	137
53.	Electric Vehicle charging stations should generally be an exempt form of development, but investigations should be undertaken to determine in which locations they will be considered development.	138
54.	Car Parking Offset Funds should be permitted to be used to build active travel infrastructure.	139

Planning and Design Code – Other		
55.	The Affordable Housing Overlay should apply to all residential, neighbourhood and activity centre zones.	143
56.	The State Planning Commission prepare guidance material which indicates the role of planning in managing climate change and identifying how climate change is already included in Planning and Design Code policy.	144
e-Planning/PlanSA – Improvements Identified in Discussion Paper		
57.	An independent user experience review of the PlanSA website is undertaken, following which the website interface is updated to be more user friendly and intuitive, acknowledging the various capabilities of users.	150
58.	Create a simplified online submission form which does not require an applicant to have a PlanSA account and login.	151
59.	Increase relevant authority data management within the Development Application Processing system.	152
60.	Build Inspection Clocks into the Development Application Processing system.	153
61.	A non-refundable lodgement fee should be paid at submission of a development application to 'lock in' the version of the Planning and Design Code to be used for assessment.	154
62.	Enable elective concurrent verification and assessment for Deemed-to-Satisfy development applications.	155
63.	Investigate the implementation of automatic assessment Deemed-to-Satisfy development applications.	156
64.	Investigate the development of a mobile application to improve the mobile accessibility of the e-Planning system and PlanSA website.	157
e-Planning/PlanSA – Additional e-Planning Improvements Identified Through Public Consultation		
65.	Build into the e-Planning system an option for an assessing officer to record why a development moved from Deemed-to-Satisfy into Performance Assessed.	159
66.	The online version of the Planning and Design Code should be reviewed by an editor and graphic designer.	160
67.	PlanSA undertake further engagement with Relevant Authorities to develop a more flexible workflow within the e-Planning portal.	161
68.	Document management capabilities should be introduced into the e-Planning portal.	162
69.	Increase the file upload capacity of the e-Planning portal.	163
70.	Referral agency advice should only be published on the public register following a decision being made on a development application.	164
71.	The e-Planning system be reviewed to ensure fees are being consistently applied and appropriately distributed.	165
Part 5 – Other		
72.	All matters identified in the Minor and Operational Recommendations table be referred to the Department for Trade and Investment for further investigation and implementation, where appropriate.	169 and Appendix 8