



State-wide Flood Hazard Code Amendment

Submission to SA Government
Department of Housing & Urban
Development
31 July 2026





Contents page

Introduction.....	1
1. Updated Flood Modelling	1
Climate Change Projections	1
Housing Supply Implications.....	2
2. Flood Code Provisions.....	3
Flood requirements need to be proportionate to the level of risk.....	3
Recognition of Existing NCC Framework for Flood Hazard Areas.....	3
Flood-free vehicle access requirements – Hazards (Flooding) Overlay	4
Conclusion	5



Introduction

Thank you for the opportunity to comment on the proposed State-wide Flood Hazard Code Amendment. HIA works closely with the SA Government to advocate for the best policy settings for the housing industry to deliver new homes across the state.

As the peak body for the housing industry, HIA represents the land developers, residential builders, and materials suppliers who work together to deliver those new homes, in well located and well-connected places. HIA is Australia's only national industry association representing the residential building industry. HIA represents some 60,000 member businesses nationally, who construct over 85 percent of the nation's new housing stock each year.

1. Updated Flood Modelling

HIA welcomes the significant reduction in the application of the Hazards (Flooding – Evidence Required) Overlay through improved flood studies and more detailed mapping.

Replacing precautionary overlays with better quality data and evidence is a positive outcome that should reduce unnecessary red tape, remove the need for costly flood investigations in some circumstances, and provide greater certainty to the housing industry. This has the potential to reduce development costs and support the more efficient delivery of new housing across the state.

Climate change projections

HIA recognises the importance of considering future climate conditions within flood planning. However, statutory planning controls should remain grounded in the best available and verifiable evidence.

Across Australia, some jurisdictions are increasingly considering planning horizons up to 2100. While such projections may have value for strategic planning purposes, caution should be exercised when they are used to justify development controls that have immediate impacts on housing supply, development feasibility and affordability.

HIA emphasises that a central consideration in any climate risk assessment or adaptation framework should be the lifespan of residential buildings under the National Construction Code and associated Australian Standards (AS1170). Residential buildings are designed using a 50-year structural design life.

As such, homes constructed today will ultimately be renovated, redeveloped or rebuilt, providing future opportunities to incorporate updated climate science, revised flood modelling and more accurate evidence than is available today.

There has also now been a high-profile example where a local government in South-East Queensland has faced strong community opposition after implementing restrictive planning controls based on high-emissions climate scenarios. Recent experience in Logan City Council highlighted the challenges that can arise when long-term climate projections are translated directly into planning restrictions that affect existing homeowners and development opportunities, which this Council now trying to reverse aspects of this planning amendment.



While future climate risk should be considered, HIA believes recent examples reinforce the importance of ensuring climate adaptation measures remain balanced, proportionate and responsive to observed evidence, while maintain housing opportunities.

Recommendations: Climate Change Projections

HIA recommends that:

- **Climate projections extending to 2100 or beyond are not used the basis for immediate residential planning and development controls.**
- **Planning policy should recognise the 50-year design life and renewal cycle of residential housing under the National Construction Code and associated Australian Standards.**
- **Adoption of updated Australian Rainfall and Runoff calculations and climate assumptions should be carefully considered, noting the significant increases in stormwater infrastructure requirements, development costs and housing costs that are emerging in some jurisdictions.**

Housing supply implications

South Australia continues to face significant housing affordability and housing supply challenges. Every planning reform should therefore consider not only its resilience benefits, but also its implications for housing delivery.

While planning controls can be an effective mechanism for managing flood risk, they should not be implemented in isolation from broader housing objectives. Where additional flood controls result in land being constrained, development yields being reduced or housing opportunities being lost, there is a risk of creating unintended consequences for housing availability and affordability.

HIA supports the adoption of a no-net-loss principle for housing supply. Where flood planning controls effectively sterilise land or reduce housing opportunities, governments should identify equivalent opportunities elsewhere through rezoning, infrastructure investment or alternative growth areas. Without replacement capacity, planning reforms designed to improve resilience may simply shift costs elsewhere in the housing system.

Recommendations: Housing Supply

HIA recommends that:

- **Any reduction in residential development opportunities resulting from flood planning controls is offset through equivalent housing opportunities elsewhere.**
- **The State Government adopts a no-net-loss approach to housing supply when implementing future flood or other natural hazard reforms.**
- **The impact on housing supply, housing affordability and development feasibility forms part of future flood planning reviews.**



2. Flood Code Provisions

Flood requirements need to be proportionate to the level of risk

The Code Amendment introduces greater reliance on concepts such as "tolerable flood risk" and "intolerable flood risk" and seeks to align South Australia's approach with contemporary flood risk management principles. HIA supports these concepts in principle and acknowledges that they have an important role to play in planning decision-making.

However, the practical application of risk-based planning frameworks often appears inconsistent with the language used to describe them.

This issue is particularly relevant within areas affected by the Hazards (Flooding) Overlay. While the Overlay applies to areas identified as being subject to intolerable flood risk, many of these locations may already contain established residential development and households that are lawfully residing within those areas.

In these circumstances, the planning system should already accept the presence of those households. HIA therefore questions whether the same level of restriction should apply to relatively modest home improvements that do not create an additional dwelling, introduce an additional household or materially alter the overall flood risk profile of the site.

A proposal for an additional bedroom, extension to a living area or similar home improvement does not increase the number of households exposed to flood risk. Rather, it allows an existing household to continue occupying and adapting their home to changing needs and circumstances.

If the Code is to genuinely adopt a risk-based approach, there should be a clear distinction between development that introduces additional households into a flood-affected area and development that accommodates households already residing there. Planning controls should focus on development that materially increases exposure to flood risk rather than limiting reasonable improvements to existing homes.

Recognition of Existing NCC Framework for Flood Hazard Areas

The Code Amendment should also recognise that Australia already has a nationally developed framework for building within flood hazard areas.

The National Construction Code and the ABCB Handbook for Construction of Buildings in Flood Hazard Areas are based on a practical risk-management approach that has been developed specifically to enable development to occur safely in flood-prone areas.

Importantly, the NCC does not proceed on the basis that development should be prohibited simply because flood risk exists. Rather, the framework recognises that flood risks can be appropriately managed through building design and construction measures.

A key principle underpinning the NCC and ABCB guidance is that habitable areas are located above the defined flood planning level, while non-habitable areas such as garages, carports, storage areas and similar ancillary structures may be located below the flood planning level where designed and constructed accordingly.

The framework recognises that different parts of a building perform different functions during a flood event and therefore require different responses. This distinction is particularly important when considering additions and alterations to existing homes.

Where a proposal involves a non-habitable structure, or a modest extension to an existing dwelling that can be designed consistently with NCC flood provisions, planning controls should work with that framework rather than creating additional barriers that effectively override it.



Similarly, where homeowners are seeking to extend existing homes to accommodate changing family circumstances, consideration should be given to whether the proposal can safely achieve the outcomes already contemplated by the NCC, rather than applying blanket restrictions simply because the property is located within a flood overlay.

HIA believes the planning system should complement the nationally recognised building standards framework rather than create a second layer of regulation which may result in outcomes that conflict with the intent of the NCC and ABCB guidance.

This is particularly relevant given the stated objective of the Code Amendment is to introduce a more risk-based approach to flood management. The NCC already provides a practical example of risk-based regulation by distinguishing between habitable and non-habitable building elements and ensuring building responses are proportionate to the level of risk.

Recommendations: Recognition of the Existing NCC Flood Principles

HIA recommends that:

- **The Code expressly recognises the flood-management principles embedded within the National Construction Code and the ABCB Handbook for Construction of Buildings in Flood Hazard Areas.**
- **Planning controls align with the NCC approach of locating habitable areas above the defined flood level while allowing appropriately designed non-habitable structures below that level**
- **Development assessment gives greater weight to whether a proposal can safely achieve NCC flood protection outcomes rather than relying solely on overlay-based restrictions.**
- **Planning controls complement, rather than duplicate or undermine, the nationally recognised building standards framework for development in flood-prone areas.**

Flood-free vehicle access requirements – Hazards (Flooding) Overlay

PO 6.1 and PO 6.2 of the Hazards (Flooding) Overlay are intended to ensure safe evacuation and emergency access during flood events. HIA supports that the proposed Code Amendment provides greater flexibility for certain non-habitable structures through existing deemed-to-satisfy pathways and the proposed DTS/DPF 6.2 provisions.

However, concerns remain regarding the application of PO 6.1 and PO 6.2 to habitable additions associated with existing dwellings.

Where a dwelling already lawfully exists within a flood-affected area, flood-free vehicle access requirements can become a significant constraint on relatively modest home extensions such as an additional bedroom, living room extension or similar improvement.

Importantly, these proposals do not create a new dwelling, introduce an additional household or materially alter the overall flood risk profile of the site. The family already lives in the flood-affected area and the extension simply allows that household to continue occupying and improving their home.



This distinction is important. The case for applying flood-free vehicle access requirements to new dwellings, subdivisions and developments that introduce additional households into flood-affected areas is readily understood. In those circumstances, the planning system is making a conscious decision to increase population exposure and additional scrutiny may be warranted.

A different situation exists where an existing household seeks to improve or expand a home that is already established within a flood-affected area. A family seeking an additional bedroom for a growing household should not be viewed in the same manner as a proposal introducing another dwelling or another family into a flood-prone location.

Consistent with the broader objective of a risk-based planning framework, assessment should focus on whether a proposal materially increases flood risk exposure. Where no additional household is created and the overall risk profile of the site remains substantially unchanged, a more proportionate approach should be available.

A family seeking an additional bedroom for a growing household should not be viewed in the same manner as a proposal introducing another dwelling or another family into a flood-prone location. A more nuanced and proportionate approach would be more consistent with the broader principles underpinning a risk-based planning framework.

Recommendations: Flood-Free Vehicle Access

HIA recommends that:

- **PO 6.1 and PO 6.2 are reviewed as they apply to habitable additions associated with existing dwellings.**
- **The Code distinguishes between developments that introduce additional households into flood-affected areas and extensions to existing homes.**
- **A more proportionate assessment pathway is provided for home extensions that do not create an additional dwelling or household.**
- **Regulatory controls focus on developments that materially increase exposure to flood risk rather than improvements to existing homes.**

Conclusion

HIA supports the intent of the Code Amendment to improve the consistency and quality of flood hazard mapping across South Australia and to ensure development appropriately responds to flood risk.

However, it is important that new planning controls are implemented in a practical and proportionate manner that reflects the realities of existing communities, recognises the needs of homeowners already residing within flood-affected areas, and supports the continued delivery of housing across the state.

HIA looks forward to continuing to work with the Department for Housing and Urban Development to ensure the new flood planning framework is implemented in a manner that achieves improved resilience outcomes while avoiding unintended consequences for housing supply, housing affordability and existing homeowners.