

To: **State Planning Commission**

Date: **20 September 2018**

Subject: **Draft State Planning Policies for South Australia**

From: **Adelaide Plains Council**

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STATE PLANNING POLICY 1: INTEGRATED PLANNING

Adelaide Plains Council (APC) supports the overall objective of SPP1 for integrated planning.

The location hierarchy provided results in the APC area sitting within the 'Rural Areas' category based on the character description set out. This terminology is not consistent with APC's status within Greater Adelaide as a 'peri-urban' Council area.

Whilst APC supports the intent of Policy 2, the objective of the EFPA is to help protect vital food and agriculture land and contain urban sprawl by reducing the ability to subdivide land for housing in these areas. APC's Rural Living and Animal Husbandry Zones are not food production areas and it is considered that these areas should therefore not be included within the EFPAs. Ensuring there is a suitable mix of areas for residential and rural living lifestyles will help reduce the pressure on food production areas for residential uses as envisaged by Policy 3. As a consequence, APC is keen that an early review of the EFPA legislation be undertaken (prior to the 5 year requirement in 2021) to enable the impacts on planning and development within the Council area to be addressed and taken into account in the drafting of the Planning and Design Code.

Policies 4 and 5 are supported by APC.

In relation to Policy 7, car parking reductions should only be supported where genuine alternative means of safe and affordable transport options are already in place.

STATE PLANNING POLICY 2: DESIGN QUALITY

APC supports the inclusion of the ODSA Principles of Good Design and the objective ensuring that these are embedded within the planning system.

There is no specific reference to 'appearance' and 'character' and the elements that these terms encapsulate.

There is no direct reference to the incorporation of 'healthy by design' planning into development projects which is a missed opportunity to reinforce the links between good

design and public health.

The requirement for Regional Plans to identify where the character of neighbourhoods is likely to change or evolve is supported as this provides a clear understanding of how an area is intended to develop and grow for communities, residents and developers.

STATE PLANNING POLICY 3: ADAPTIVE REUSE

APC is very supportive of the adaptive reuse of buildings and spaces for appropriate alternative uses. The focus on reuse within the City of Adelaide should be widened to include all main streets and town centres, particularly to reduce vacancy rates, as it is the main streets of towns, however small, that give an area and its community vibrancy and vitality.

In relation to Regional Plans, setting out criteria for reuse rather than identifying particular buildings would prevent the plans becoming out of date too quickly. Caution will be needed when setting such criteria to ensure that adaptive reuse policies do not simply involve a lowering of planning and building standards to get an active use within a location or building, without due regard to the land use and the impact it may have on a locality.

STATE PLANNING POLICY 4: BIODIVERSITY

APC supports the recognition of the importance of biodiversity for the state in SPP4.

Remove words *'where possible'* from Policy 2 as this dilutes the significance of the policy and the mitigation hierarchy provides sufficient flexibility through the allowance of a minimisation strategy.

APC supports Policy 4 as this appropriately recognises the potential opportunities that exist for the development, access and use of high value areas which are compatible with conservation of the natural environment.

STATE PLANNING POLICY 5: CLIMATE CHANGE

APC supports the inclusion of an SPP on climate change.

Under Policy 1, a 'more compact urban form' is not necessarily carbon-efficient as this will depend upon a multitude of design variables. Suggest rephrase to *'Create carbon-efficient living environments through urban forms that support active travel, walkability and the use of public transport.'*

Policy 4 states that development in hazard-prone areas should be avoided, unless unavoidable. Unless the development already exists, in what circumstances is the development unavoidable? This phrasing of the policy almost gives a green light to develop in hazard-prone areas provided mitigation measures are implemented. If this is not the

intent of Policy 4, this should be reworded, potentially in a similar way to the mitigation hierarchy under SPP4 Policy 2.

Under the non-statutory guidance notes for Regional Plans, the requirement to *'identify potential mitigation measures'* does not seem appropriate. The onus should be on the developer to propose suitable measures to mitigate the risks of their development. Outlining mitigation measures in the Plan could be potentially limiting in terms of the measures that can be proposed, particularly in relation to more innovative technological solutions that cannot be envisaged at the Plan development stage.

STATE PLANNING POLICY 6: HOUSING SUPPLY AND DIVERSITY

APC supports the intent of the SPP and its policies, particularly those aimed at increasing the diversity and affordability of housing and facilitating an increase in aged care accommodation.

Objective 1 is awkwardly written. Suggest remove *'as, where and when required'* as this is not necessary.

APC supports Policy 3 which encourages the growth of towns and regional centres where there is demonstrated demand.

Further information is required as to what a *'planning policy bonus'* under Policy 7 would comprise. Where incentives are provided to encourage the provision of affordable housing, this should not have the unintended result of lowering planning and building standards, such as achieving high quality design.

STATE PLANNING POLICY 7: CULTURAL HERITAGE

The recognition of Indigenous cultural heritage sites and areas of significance is welcomed. This should also be reflected under the non-statutory guidance notes to understand how the policies will be implemented through the Regional Plans and the Planning and Design Code given the sensitivities surrounding the identification/mapping of aboriginal sites.

There is an opportunity to recognise the tourism opportunities available from the value of local heritage places in SPP7. Heritage has a significant local economic benefit and such benefits can help encourage heritage conservation as well as help communities achieve an appropriate level of access, use and development in relation to cultural heritage, which is compatible with the retention and protection of areas of significance.

STATE PLANNING POLICY 8: PRIMARY INDUSTRY

APC supports the focus of SPP8 which seeks to ensure that the state's primary industries are identified and protected.

The recognition of interface issues under Policy 2 is welcomed. This is a key issue for peri-urban Councils which have a number of competing land uses and the encroachment of residential uses onto primary production lands is an ongoing issue. In addition, the interface issues between different types of primary production including open field and enclosed horticulture must be considered so that new development does not detrimentally impact upon normal day-to-day activities (including chemical spraying) of established uses on adjoining land.

Reference to the food bowl is made on page 40 regarding 'Our Productive Economy' but despite stating that the state's planning system should recognise the importance of protecting the food bowl, this is not specifically identified within the SPP8 policies. APC considers that specific reference on the food bowl should be included within a SPP8 policy to ensure its importance is recognised and will be implemented via the Regional Plans and the Planning and Design Code. Reference to the Environment Food Production Areas under SPP8 should also be included.

STATE PLANNING POLICY 9: EMPLOYMENT LANDS

SPP9 provides important recognition of the need to provide a range of employment lands that can be protected from encroachment by incompatible development. The policies as they stand are supported, however, as recognised by SPP9, there are a wide range of sectors that fall under the term 'employment lands' and it will be necessary for Regional Plans and the Planning and Design Code to manage this hierarchy of uses – from office and professional services to urban employment zone / light industrial and commercial uses to heavy industrial uses.

Each have differing locational needs and impacts from only access and car parking for employees to noise and air quality concerns as a result of a heavy industrial use. A clear and consistent approach to dealing with the different range of interface issues is required from the planning system. This must be in collaboration with other key stakeholders such as the Environment Protection Agency to ensure the positive intent of SPP9 can be realised.

STATE PLANNING POLICY 10: KEY RESOURCES

The importance of the energy and mining industries for the state is recognised. SPP10 is largely focused on the facilitation of these operations and protection from incompatible land uses. Whilst this is supported, APC has noticed an increase in the granting of mining leases within its Primary Production Zone and as a consequence, there also needs to be protection for high quality areas of agricultural land within the state's food bowl from the proliferation of alternate uses, such as mining, which result in a loss of farming land.

A current absence of existing planning controls for mining operations means that the loss of valuable farming land for mining operations is a significant risk. Regional Plans and the Planning and Design Code need to find a balance between protecting existing land for

extractive industry and ensuring appropriate locations for new mining operations are made available. It is suggested that under the non-statutory guidance notes for the Planning and Design Code, the second sentence should be reworded to prioritise the protection of existing land for extractive industry as opposed to prioritising protection of all land for extractive industry, which is how it currently reads.

STATE PLANNING POLICY 11: STRATEGIC TRANSPORT INFRASTRUCTURE

APC supports the vision of an integrated, coordinated and sustainable transport system but for such a system to be successful, adequate infrastructure funding needs to be made available. Policy 3 states that an '*equitable contribution towards the provision of transport infrastructure*' should be enabled. What will this comprise?

Where regional and state transport networks will benefit from improved infrastructure provision, the onus should not be placed on Local Government or their communities to provide funds e.g. via Infrastructure Schemes. Adequate funding at the state and regional levels needs to be put in place to allow for a coordinated and planned approach of transport infrastructure upgrades to be undertaken.

The recognition that the negative impacts of transport on communities and the environment is welcomed, particularly the support for greening strategic transport corridors. This is particularly important when policies are geared towards the expansion and intensification of these routes.

Some of the policies seem slightly repetitive but do cover all the main issues that need consideration at the strategic level. Policies 2 and 9 could probably be combined as could Policies 4 and 8.

Why are seaports and airports specifically listed but no other strategic rail or road examples?

STATE PLANNING POLICY 12: ENERGY

The provision of sustainable, reliable and affordable energy options is vital for meeting the needs of key services and APC recognises the important role of planning in enabling all forms of energy infrastructure.

APC supports the objective and policies listed under SPP12 as high level strategic outcomes which will guide planning at the regional and local levels.

STATE PLANNING POLICY 13: COASTAL ENVIRONMENT

APC includes approximately 45 km of coastline, including four inhabited coastal settlements. There are also a number of additional uninhabited locations along the coast which are important areas for recreational activities for locals and visitors. A significant

majority of Council's coastline has also been identified for inclusion in the Adelaide International Bird Sanctuary (AIBS) National Park.

Balancing the competing demands of the coast as a valuable environmental, social and economic resource is an ongoing challenge and APC supports the dedication of an SSP to this area.

The recognition of tourism and other compatible economic development opportunities along the coast is supported. However, both Policies 4 and 5 appear pre-loaded towards pro-development outcomes. They promote development on the coast, in spite of there being potential environmental impacts or coastal hazards, as long as the development needs a coastal location. Many types of development could be argued to fall under this category, which may not have been envisaged by the policy writer.

The objective and policies do not give much consideration to existing development in coastal locations and the need for adaptation strategies to protect existing communities, buildings and infrastructure from the effects of climate change e.g. increased frequency of storm surge and king tide events. However, it is noted that this is reflected under SPP15.

Policies 2 and 5 under SPP15 Natural Hazards would be better replacements for Policies 1 and 4 from SPP13, which are poorly worded. For consistency with SPP15 Policy 1, should the risk hierarchy in SPP13 Policy 1 be *'avoidance, adaptation and protection'* rather than *'avoid, accommodate and adapt'*?

STATE PLANNING POLICY 14: WATER SECURITY AND QUALITY

APC is highly supportive of SPP14 which seeks to manage the state's water supply and mitigate the adverse impacts of development, whilst recognising water as one of our most valuable assets and its role in supporting the food industry.

The provision of a sustainable water supply is recognised as key to many of the state's most valuable industries. Continued funding for key water infrastructure projects, such as the NAIS, will be essential to supporting a strong economy for the state.

Policy 4 encourages a holistic approach to the provision of water supply, stormwater and wastewater infrastructure, which is key to managing water security and quality as well as environmental and amenity impacts.

Water Sensitive Urban Design (WSUD) is referred to in the accompanying text but not translated into the policy context. It is considered that Policy 3 could be amended slightly to include the encouragement of WSUD and other more innovative methods of reducing our water usage, though it is noted that WSUD is referenced under SPP5 Policy 5.

In addition, important water use reduction methods that can be employed at the local level such as requirements for rainwater tanks for new dwellings or the recycling of grey water, should be brought into the policy context to ensure that these water saving mechanisms will be reflected in Regional Plans and Code policies.

STATE PLANNING POLICY 15: NATURAL HAZARDS

APC supports the inclusion of an SPP on natural hazards. However, there are many similarities between the Legislated SPP5 and the Ministerial SPP15 and it may therefore be worth considering streamlining some of these policies to avoid repetition.

The objective is concise and the intent is clear.

The policies successfully highlight the risks associated with natural hazards and the focus the planning system should have in managing and reducing such risks.

Policies 2 and 5 would make good replacements for Policies 1 and 4 from SPP13 in relation to the risks to coastal environments, as they are more focused and better worded.

The direction for Regional Plans to avoid identifying new growth areas in locations impacted by natural hazards is supported.

STATE PLANNING POLICY 16: EMISSIONS AND HAZARDOUS ACTIVITIES

The objective successfully covers the two opposing elements of emissions and hazardous activities i.e. protecting communities and the environment from the risks associated with industrial development while ensuring that such industries remain economically viable.

The associated policies provide a clear direction for achieving the objective through zoning and policy means, which will provide a sound guide to planning at the regional and local levels.

The clear direction under the Regional Plan guidance notes to outline separation distances is welcomed as this will provide a straightforward mechanism by which to control some of the interface issues which result from adjoining land uses.

OVERALL COMMENT ON THE DRAFT STATE PLANNING POLICIES FOR SOUTH AUSTRALIA

The suite of policies sets out the state priorities from the 30 Year Plan and the Planning, Development and Infrastructure Act 2016 and therefore provides the key strategic planning goals for directing development assessment across the state.

Between the Legislative and Ministerial policies, all the key strategic planning issues seem to be reasonably covered, though the policies for some SPPs are clearer than others (see specific feedback above).

There is some concern as to how conflicts between policies will be reconciled. Page 11 of the document states that policies carry *'equal weight'* and the process of *'resolving potential conflicts and tensions should be undertaken as efficiently and transparently as possible'*. However, no guidance is provided as to how this might occur in practice.

Another key concern is that Regional Plans are set out as a critical part of the planning

system but in reality the Planning and Design Code will be launched from the SPPs without Regional Plans having been developed. This could result in key policies from the SPPs not being adequately implemented as important policy elements will only be 'fleshed out' and planned spatially at the Regional Plan stage.

The non-statutory guidance notes provided at the end of each SPP is a useful tool for understanding how the policies will be incorporated into Regional Plans and the Planning and Design Code. However, as set out above, the delivery of the reform agenda does not look like it will be in the ideal order for achieving the goals of the SPPs.