

PLANNING REFORM –

COMMENTS ON THE [DRAFT STATE PLANNING POLICIES FOR SOUTH AUSTRALIA](#)

Submission due 21st September 2018.

Prepared for submission on behalf of the Conservation SA (Conservation Council of SA Inc.)

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Introduction

The Conservation Council of SA Inc. (now rebadged Conservation SA) is an umbrella organization with 60 NGO member groups including Native Conservation Society, Friends of Parks groups, urban community organizations, to name a few across a broad spectrum of conservation oriented clubs and associations. It provides facilities for meetings, seminars and other events at the Joinery in Franklin Street while being recognized in state legislation bodies; providing nominees for a number of statutory bodies in South Australia including the EPA and the Pastoral Board of SA. A representative and elected Conservation Council holds regular meetings and is responsible for advocating for environmental management and care through events, advocacy and research. As a peak conservation body in South Australia it plays an important role in advising government on environmental matters and issues.

Thank you for the opportunity to comment on the State Planning Policies. The State Planning Commission is to be congratulated on undertaking the following aims, stated in the preamble to the release of the state planning policies draft document for consultation:

The new Act is being applied at a pivotal moment in the evolution of South Australia's history including:

- *restructuring of the State's economy and trade*
- *ever-changing demographic make-up*
- *the universal impact of new technologies*

- *the fundamental need to conserve, in all respects – natural systems, cultural and built heritage, productive lands, liveable and vibrant neighbourhoods and communities.*

In turn, these trends are leading us to live and work differently. Our cities, regions and towns can respond in a variety of ways, and we can influence this change positively through good planning.

*The draft State Planning Policies (SPPs) presented here, are key instruments in our new planning system. In preparing these policies, **the Commission considered the major challenges facing our State– including climate change, energy demands, infrastructure efficiencies, and affordable housing.***

The range of economic, social and environmental challenges are considerable. However South Australia has in the past been able to deliver a balanced, simplified planning system that was hailed at one time as the best in the country in terms of balance and equity. Over time, the Development Plan based system has become increasingly complex and not provided a great deal of certainty to guide development while during the same period our state economy, employment opportunities and employable people have declined. A new planning system that provides clearer policies to enable sustainable development and reduce the confusion of the current system is strongly supported.

Thank you for the opportunity to comment on the draft consultation document.

The FRAMEWORK

This section outlines the sequence of planning structures proposed, partly in process currently:

Does the following satisfactorily address the fact that development decisions will be guided by a system that provides certainty? For example :Page 9: Referrals to statutory bodies: *Prescribed*

bodies will have the power of direction meaning that direction may be given to a planning authority to refuse, approve, or add conditions to, a planning consent; this may be necessary when additional assessment or protection is needed, there is a level of risk to life or property, and /or the assessment requires expertise available at the state level (eg for the management of specific hazards such as bushfire, flooding or coastal erosion).

With the removal of advisory comments where referral is required to a state department, replaced by the power of direction (especially direction to refuse), the directive approach eliminates the planning authority's ability to enable adjustments that would improve the overall development under consideration. Also if the planning authority is to be the decision making body, having regard to the Code and Regional Plan, is this not arbitrary control by a state agency, when the panel (now overwhelmingly of specialist membership) is subject to a Code of Conduct that requires full consideration of all factors?

Further on this aspect – on Page 11, Managing Competing Systems states *'the process of resolving potential conflicts and tensions (of state policies) should be undertaken as efficiently and transparently as possible and must involve consultation with the local community.*

But what if agency directions, result in an arbitrary decision without the ability of the planning authority to consider fundamental issues outside of the directive agency's brief -such as climate change, biodiversity, design factors, affordable housing, greening Adelaide, disability access, open space etc – when other policies are considered by the planning authority to be more relevant? The solution offered states: *To resolve these, specific regional and local circumstances are to be considered.* How will that happen in practise when many major and regular development proposals alike inevitably demonstrate impacts upon existing amenity or impacts upon neighbouring zones? Will the expert panel inspect the subject land before it makes a decision? In the absence of notification to adjoining owners, who will be affected in some way that evades the attention of the assessment report author, how will the Panel be able to deduce local circumstances? It is hoped that impacts on adjoining zones can be considered- will the Planning and Design Code (the Code) address this aspect?

It is understood that State Planning Policies (SPPs) provides a guide for the formulation of the Code and Regional Plans - but will not apply to the assessment of development proposals, as the statutory requirements for development assessment bodies are provided in the Regional Plans and the Planning and Design Code (the Code). However, the SPPs must be considered in the formulation of Regional Plans and the Code.

In practise, the current composition of planning assessment bodies of predominantly professional people will need to be able to consider specific regional and local circumstances by including people who live in the locality and may be affected economically, socially or environmentally by a development. Appreciating local circumstances quite often relies on local input as well as the planner's assessment report. By eliminating state policies from the assessment process (as currently applicable to State Planning Strategy and development plans – now the SPPs, a single state wide Code and Regional Plans) and removing the majority of notification and representation rights, the ability to intervene where decisions are at variance from the Code or regional plan (statement of policy based on State SPP's) appears to lie at the State level, either with the Minister or the Governor. There is no substantive legal right by third parties to raise issues or appeal a decision in the process of assessing the merit of a development proposal. This is a serious flaw within the framework that the State Planning Commission is obliged to operate. The third party exclusion to the assessment process eliminates the right for genuine planning concerns by people directly affected by a development to be raised, or considered by a court of law.

Added to this is a departmental comment expressed that policies and the Code contents can be 'tweaked' and reviewed as the staged planning reform is rolled out. This further suggests a lack of detail in identifying initial policy, direction and consequent lack of certainty for both developers and members of the community.

Reliance is placed on professional practice circulars, overlays etc to be developed. With the challenges of adapting to global marketing and economic changes, planning policies must be directed at developing resilience in the future. Engagement with all stakeholders is crucial to maintaining community confidence in the planning system. Within the planning structure, many of the state policies within the consultation document fail to respond clearly with guidance consistent with the policy preamble quoted above. As a planner engaged in development assessment, policy research and many community consultation processes for Development Plan Amendments and heritage listings at both state and local council levels over a long career I welcome a more user friendly and responsive planning system, so feel obliged to make the point that certainty of policy must be clear, rather than vague, to assist with interpretation into practice-before commenting on the draft State Planning Policies.

GENERAL COMMENTS.

A new planning system seeks to simplify planning, make it easier to approve developments, but also has the opportunity to provide clear guidance on the many challenges our communities face. It is submitted that the current process should result in defensible policies addressing the Commission's major challenges above; if the policies are less anthropocentric in approach.

The regular reviews of planning present an opportunity to introduce innovation and consideration of the varied landscapes within all regions, their economic and social characteristics and social structures.

Why then, are emerging technologies and technological capacities of the state not the subject of a detailed SPP? Should the planning system accommodate low, medium and high level growth scenarios and policies to respond to each level, given many factors outside of the state influence upon population trends? For example, why not identify the opportunities provided by the current global waste crisis? Permit and encourage waste processing industries to retrieve precious and reusable components? Policies identifying where and how the knowledge for this opportunity be sourced, and include consideration of state and local councils establishing a world best recycling retrieval and processing system. SA led the way with the first container deposit legislation in Australia back in the 1970s, and could build on this with further employment and recycling opportunities as part of a number of related state policies. A state policy to encourage technology based industries would focus on future opportunities and encourage development in appropriate locations.

With increasing energy demands, the development of solar and other alternative sources including landfill site retrieval of gas could be further encouraged by planning policies identifying location, transport, infrastructure and incentives.

PART 1 – THE ROLE OF STATE PLANNING POLICIES IN THE PLANNING SYSTEM, HOW TO INTERPRET THE SPPS AND MANAGING COMPETING STATE POLICIES

The section emphasizes that all regional plans and the Code will have to comply with all objectives and policies of the SPPs but not development assessment, decisions for which will have regard to the Regional Plan and relevant Code provisions and Overlays. It is intended the latter documents will specifically provide variations or further detail. Further - this section addresses referrals, the role of the Commission in assessment for infrastructure proposals. What is lacking is the role of the local government authority in this process, which is puzzling if local councils continue to take responsibility for urban infrastructure of roads, pipes and wires and the grass roots administration of the planning system.

Elsewhere in the preamble it is stated

The SPPs provide a range of benefits, including:

√√ A clear planning vision for South Australia

The SPPs identify key planning interests of the State Government, as well as the goals and aspirations of the new planning system.

√√ Enact the Principles of Good Planning

PART TWO – OUR POPULATION

This section provides an overview of demographic trends and challenges posed by the brain drain from South Australia in search of employment elsewhere, the projected growth estimates and population profiles dominated by an ageing population. While providing a snapshot of the existing population I submit that as a policy document, this discussion draft should appropriately look at generally planning for low, medium, and high growth projections and suggest how planning can adjust to possible trends and challenges.

Why not identify opportunities to influence where people choose to live, reviving existing centres outside of the city-state mentality of planning at present? Greater Adelaide consumes land that is within the Adelaide hills, with cooler temperatures and better rainfall than other parts of the state. Such land is food productive, but has been rezoned to enable the last crop on the land, that of housing, at the expense of food production and other soil based alternative uses. In the future, this will be regarded a waste of productive land. Ways to identify employment potential, in servicing the profile of an ageing population, accessing existing underutilised townships for revival to take the pressure off the metropolitan area (low growth scenario), identify urban renewal opportunities-including public open space requirements, revival of underutilised assets and reinvigoration of rural communities? Is the only solution to aspire to growth at all costs-This section sets the scene, but where are the sign posts to possible futures, and ways to respond to them?

PART 3 - PRINCIPLES OF GOOD PLANNING

It is stated that

‘The Principles of Good Planning are introduced in the Planning Development and Infrastructure Act 2016. Embedding them within the SPPs will ensure they carry through to all levels of the planning system.

√√ Consistent and transparent decision making

The document states : For the first time, the SPPs express state agency policy positions for the planning system in one place. This will simplify how the community, industry, local governments, agencies and other bodies identify and interpret them.'

These principles are clear and comprehensive. Each sector of the chart identifies what needs to be considered.

Comment: rather than use the usual 'should be' why not state the policies as definites? Previous planning terminology is full of 'shoulds' and surely the positive verb such as **must** indicates a committed policy statement rather than being suggested?



PART 4 - OUR TARGETS -Comment:

The diagram indicates a number of separate topics – broadly expressed but sitting out in space in isolation of each other. For example, how will a long term focus be reconciled with sustainability and business facilitation?

If all policies have equal weighting yet cover conflicting issues, how will regional plans and a generalist code assist in decision making? The use of overlays that are not available as yet will also need a balanced assessment, taking into account local impacts. And how will the SPPs express state agency positions leading to ‘consistent and transparent decision making’ when there are conflicting agency advices and limited real engagement?

For example, consider environmental management of the Great Artesian Basin water resources versus the allocation of water extraction involved in the expansion of mining. The scientific knowledge of the Great Artesian Basin is a work in process of this complex ground water, taking up a third of the continent with the recharge area located in eastern Australia. Mining water extraction allocations are enormous, possibly at the expense of overusing artesian water resources and the consequent sustainability of the resource. How will future planning contribute to a sustainable use of ground water, essential for a sustainable pastoral industry and other arid land industries ?

State government legislation appears committed to sidelining local and neighbouring people with the legislation exempting the community from being notified or having a right of representation when developments are proposed. In the absence of notification for public and local comment, will assessment bodies be able to understand the context and potential impacts or benefits likely to result from an application? Few agencies have direct contact with the members of the public they serve. With the minimisation of public notification for proposed developments, and the proposed assessment of applications via a raft of varying levels of delegations to date, a planner preparing assessment reports will be open to questions regarding inclusiveness and transparency from the general community. To silence public participation on this process is contradictory to the terms ‘open and transparent’, and to the more general references to ‘resilient, healthy and prosperous communities’ (Objective 4) p22.

PART 5 LEGISLATED STATE PLANNING POLICIES

SPP 1 – Integrated Planning

- The objective and policies 1-7 are supported and laudable, namely planned growth connected existing infrastructures, and protection of environment and food production areas; and
- Managing growth in an orderly sequence,
- planning growth to protect areas of high value horticulture tourism and landscape character areas.
- Policy 8 – concern with reference to the statements regarding the location of high rise development in the Park Lands Frame as well as CBD and other strategic locations where the interface with lower rise areas can be managed. The policy needs review. There are locations outside the city that are close to public transport and capable of high rise housing with space surrounded capable of interface

with surrounding lower rise housing. Interfacing between high and medium rise development needs further consideration, with opportunities in the middle ring of metro Adelaide, mostly in post-industrial and aged housing areas that would be preferable in order to avoid introducing high rise development within the city park land Frame. Planning considerations should include the distinctive morphology of the City of Adelaide Plan as a unique example of town planning heritage- and seek development to reinforce the distinction between institutional buildings and Park Land and retain high rise in the business and trade Core area of the city. State governments have a crucial role in determining integrated planning in appropriate areas and defending the city from opportunistic incursions into the city's distinctive morphology of central business activity surrounded by a ring of park lands if Adelaide is to retain elements that distinguish it as unique in its history and town planning by Colonel Light. Many world cities are realising that the globalisation of city building design destroys distinctive character and identity.

- Please refer to the Biodiversity SPP – Adelaide Park Lands should be protected for its role in maintaining and restoring levels of biodiversity in a city setting, carbon dioxide sequestration and in providing green space for passive and active recreation.

It is suggested the importance of land capability analysis and the identification of infrastructure capabilities to support new housing areas and food production (pre-requisites to integrated planning) be included.

SPP 2- Design Quality- all policies are supported in the main - BUT are not road systems part of design quality? What connection is there between the current design and expenditure on major road systems and good design policies 2, 4, and 5?

How can design quality provide adequate responses to climate variations and the predicted temperature rise trends? Refer to integrated planning – design quality relates to more than buildings and landscaping. Most car parks are heat sinks – and better design for shelter from extreme weather and temperatures as predicted increases in temperatures should be considered. Design quality should also address minimum dimensions required for paths, walkways, sight lines, access to handles and switches as part of the design of new buildings to accommodate all users.

SPP3-Adaptive Re-use- and the reference to the value of embodied energy is supported. Building and industrial waste of materials used in construction could be incorporated into a recycling scheme to reduce the use of excess waste – and the linkage to Policy -Employment Lands might reference waste treatment industry opportunities?

SPP 4- Biodiversity- as with Climate Change, the use of 'must' rather than 'should' is warranted, given the rate of species extinction in South Australia and Australia wide. Retention of habitat

through development providing green space, retention and planting of trees and/or connective green corridors is essential, to complement the protection of existing stands of habitat – including exposed soil, grasses and trees as natural systems.

SPP 5– Climate Change

The policies for climate change are supported. It is suggested the picture of trees as illustration could be accompanied by text outlining how trees contribute to lowering temperatures through shade and transpiration – a more direct addition to the policy of the need to integrate trees of suitable species into the environment.

Objective 2 states *Policy responses that are founded on best scientific knowledge.*

The policies are supported but tend to be rather vague. Where are the references regarding climate change, sustainable water and energy in related policies? While there are a list of reference sources at the rear of the draft, some extraction of specific actions or specific notes are relevant to guide proposed Code contents, overlays and planning guides.

The strategies omit to acknowledge existing knowledge systems and data sets outside of DPTI – for example CSIRO, DEW, EPA, academic and eminent scientific research regarding climate variations on food production, public health, building techniques and biodiversity.

Objective 3 *Resilient, well -functioning natural systems and sustainable productive landscapes*

Objective 4 Resilient, healthy and prosperous communities

The above are possible if the system retains an inclusive process in both policy and development control. State and local government, developers, householders and allied professions all should play a role in planning policy and development assessment, the latter which tests the robustness of the State policies.

Recommend that policy 8 to be less general re the impacts of climate change – known trends or climatic variations are extreme weather events, average temperature rises – all need specific guidance on planning responses to deal with current climatic trends. The references cited provide more specific guidance, and presumably these publications will guide the Code provisions and regional plans?

PART 6 -MINISTERIAL SPP'S

Policy 6- Housing Supply and Diversity

The objective is for *'diverse affordable well serviced and sustainable housing and land choices provided as where and when required.*

Policies under this heading canvass a range of related approaches to meeting the objective. Inclusion of a reference to adaptive reuse, considerations of land capability, landscape values and climate change policies should be included with reference to policies 2 and 3 – for a number of existing country centres have available facilities to utilize/adapt under or disused assets. Historic rural centres such as former rail centres should be considered given the housing stock and embodied energy these well-constructed buildings represent. With respect to P.3 - there may be other considerations regarding expansion outside of existing development areas where land capability analysis would be warranted in order to relate to policies covering food productive land and the need to consider interface between conflicting land uses.

Principle 5 refers to affordable housing. Missing is an acknowledgement that affordable housing must be subject to minimum standards of design, with adaptable dimensions to enable access and living spaces that can accommodate a range of occupant mobility and owners in the future.

Policy 7 There is no mention of how to ensure affordable housing is not capitalized upon when apartments and other habitation are transferred from one owner to the next. It appears that affordable housing financially can only operate as intended when involving PP partnerships. My concern with this principle is the trend to remove minimum design standards when providing affordable housing in high rise and other large housing projects (refer to Ministerial DPA re the former Parkside Asylum site as most of the design guidelines are exempted and do not apply to affordable housing). All habitations should comply with providing adaptable living space referred to in the comment above re P.5. Minimum dimensions for wheelchair access to areas and cupboard/handle heights provided at design build stage cuts future costs for adaptation and access variations.

Can there be a policy reference to the opportunities for various funding options for affordable housing to avoid re-sale profiteering?

Policy 7: Cultural Heritage

We acknowledge that many Aboriginal nations are the original owners and occupiers of the land comprising South Australia and that their cultural and heritage beliefs are important to people living today.

We also acknowledge our post-colonial heritage, and the value associated with places that reflect the achievements and aspirations of past communities.

The state's prospects and progress are intertwined with the unique heritage character of places, including landscapes, buildings, and places and items of historic value.

The preamble statement to Policy 7 above indicates a significant opportunity for the planning system to address an integrated approach to state heritage at both state and local levels. The objective refers to conserving 'places of cultural heritage significance and heritage areas 'for the benefit of present and future generations'. Attendant policies however are limited to three fairly vague policies that cite but do not demonstrate the sentiment of '*sensitive and respectful use of our culturally and historically significant areas* (p1) and *recognition and protection of indigenous cultural heritage and areas of significance*(P2)–

Recommended

Policy 7 be expanded to recognize the social, environmental and economic opportunities that could arise from recognizing an inclusive narrative of Aboriginal Cultural Trails, identifying the role of current generation descendants of SA tribes to interpret their culture and incorporating this recognition with expanded policies related to the protection and management of post settlement heritage areas. Beyond demolition control evinced by listing at both state and local heritage lists being proclaimed or transferred into the Design code, there are not many incentives or readily available guidelines for owners of heritage places to be assisted in the conservation and care of their heritage asset.

The importance of heritage in social and economic opportunities needs acknowledgement and encouragement through the many cultural celebrations of SA history. Policies for the identification and protection of heritage lands, structures and landscapes should be considered, beyond the related SPPs cited, namely Design Quality, Adaptive reuse, and Housing Supply and Diversity.

The SPP 2 policy cited above is potentially capable of a wider interpretation into policies that support for the inclusiveness of Australian cultural heritage (both Aboriginal and post - colonialization evidence within the state being acknowledge and encouraged.

Currently the heritage in both State and Local heritage listings is uneven in content, and while the current criteria for local heritage listing is under review, there is a need to examine ways in which owners, developers and communities are supported by legislation and planning policies. Further development of the cultural heritage policy is recommended with a wide range of input from people supportive of recognizing the potential of heritage (not just in listing procedures but incentivizing the potential to achieve the objective as an inherent component of sustainability, biodiversity, employment and training opportunities, and social resilience). Policy 7, although limited in scope at present, is strongly supported and provides a basis for more detailed policy development and Regional Plan/Code guidance.

Policy 8: Primary Industry

The preamble Primary Industry states in part:

The land, water and marine resources used by primary production are subject to increasing demands and more complex community expectations. The industries themselves are also experiencing continual pressure for change. As a result, primary industry's contribution to the state and regional economies cannot be taken for granted. These circumstances require a land use planning framework that is relevant and responsive to industry needs and aspirations, and that is capable of:

- protecting key assets and securing emerging strategic opportunities
- creating local conditions that support new and continuing investment in primary industry while seeking to promote co-existence and avoid land use conflicts
- enabling business growth, adaptation, innovation and diversification that is ecologically and socially sustainable.

The policies for Primary Industry are fully supported, given world population growth and the capacity of the state to produce food and produce from different regions for local consumption and export. Particularly, as per a quote:

The supply of minerals is finite. The need for food is unending

The impact of drought and unseasonable or no rain impacts heavily on primary producers and is beyond the control of planning policy. However, policies that address flexibility in land uses or

identify complying uses consistent with maintaining rural resilience should be investigated. Possibly the Arid Area Regional Plan can provide policies following community and industry consultation regarding a policy Supporting Resilience. Areas for consideration include movement systems, transport modes, distribution and sales of rural goods and produce. Consideration should be flagged or identifying complying activities not required for planning approval,

Policy 9: Employment Lands

Preamble

Patterns of production and employment continue to change as the services, information and communications technology; health sciences; and knowledge industries replace traditional manufacturing as key economic drivers. Our planning system must recognise and enable these changes by allowing the continuation and diversification of existing industries and the development of new industries.

It is therefore vital to ensure the availability of a diverse range of well-serviced and strategically located employment lands to maximise certainty for the community and provide greater security for investment.

For example, the changing structure of retailing requires a range of different formats and methods of distribution of goods and services, land to accommodate large format outlets and the revitalisation of main streets and mixed-use precincts.

Added to the designated employment lands, consideration is suggested for small scale employment choices, such as home-based employment, with minimal impact on residential amenity. Small rural fabricators within farm workshops and townships can collectively add up to an economic cluster so planning laws should contemplate flexible land uses to assist with local training and employment opportunities. Collectively, home-based employment is an alternative that involves less commuting at peak hours, efficiencies of power consumption, enables families to meet needs economically and maintains connections within family structures and social support.

The protection of viable and established industry from encroachment by incompatible adjoining development is critical. This is of importance to many of our state's most significant industrial operations, including industries such as large-scale mining, manufacturing, chemical handling, waste management, and energy generation.

Please refer to the quote under Policy 8 above. Mining has been a major economic driver since 1837 in this State, but the long term sustainability of the arid lands for food production must be acknowledged and a balance found between pastoralism and the exploitation of water given the implications of climate change, temperature rise and existing water resources. Elsewhere development at the edges of neighbouring zones however should take into account any possible amenity impacts and the development of housing should not be zoned or allowed near major industries (as in Port Adelaide).

The objective and policies are strongly supported as quoted:

Objective

Employment lands are protected from encroachment by incompatible development and are supported by appropriate transport systems and infrastructure.

Policies

1. Enable opportunities for employment that are connected to, and integrated with, housing, infrastructure, transport and essential services.
2. Support state-significant operations and industries and protect them from encroachment by incompatible and/or more sensitive land uses.
3. Support and promote adaptable policies that allow employment markets to evolve in response to changing business and community needs.
4. Promote new, latent and alternative employment by enabling a diverse range of flexible land use opportunities.
5. Protect prime industrial land for employment use where it provides connectivity to freight networks; enables a critical mass or cluster of activity; has the potential for expansion; is connected to skilled labour; is well serviced; and is not constrained by abutting land uses.
6. Allow for competition within the retail sector by providing an appropriate supply of land for all retail formats in areas that are accessible to communities.
7. Support sustainable tourism where the social, cultural and natural values underpinning the tourism developments are protected to maximise economic growth.
8. Strengthen the primacy of the city centre as the cultural, entertainment, tourism and economic focus of Greater Adelaide. Enhance its role as the centre for peak legal, financial and banking services, specialty health and medical services, higher education, the arts, and high-quality specialty retailers that contribute to Adelaide City's attributes as a destination.
9. Encourage the development of vibrant employment and residential mixed-use precincts where conflicts between uses can be managed.
10. Plan for employment and industrial precincts that improve economic productivity, are protected from encroachment, connect to efficient supply chains, and minimise transport impacts on existing communities.

Policy 10: Key Resources

This policy concentrates on mining and extractive industries. The title should be corrected to refer specifically to resources including the state's natural resources of water, clean air, marine and land species, sunlight, soil and vegetation – all key resources for South Australia. The policies seek to protect long term supplies and the exploitation of accessible mineral resources, without reference to environmental resources underlying the industry. Consideration of regional biodiversity, native

vegetation retention etc during infrastructure development, pre-mining and post-mining activities should be acknowledged. Fragile environments are capable of outlasting active mining extraction if the industry is responsible for site decontamination and clean up, as required by the EPA.

It is suggested that the policy be amended to Mining and Extractive Industries and include direct reference to environmental management and rehabilitation responsive to existing landscape, vegetation and biological species, with related environmental policies included in the reference list.

Policy 11: Strategic Transport Infrastructure

Objective

Land development policies are integrated with existing and future transport infrastructure, services and functions to preserve and enhance the safe, efficient and reliable connectivity for people and business.

Policies

1. Enable an efficient, reliable and safe transport network connecting business to markets and people to places (i.e. where they live, work, visit and recreate).
2. Promote development that maximises the use of existing and planned investment in transport infrastructure and services.
3. Enable equitable contribution towards the provision of transport infrastructure and services to support land and property development.
4. Support the long-term sustainability and management of transport assets and the various modes that use these assets.
5. Minimise negative transport-related impacts on communities and the environment.
6. Enable and encourage the increased use of a wider variety of transport modes including public transport, walking and cycling to facilitate a reduced reliance on private vehicle travel.
7. Allow for the future expansion and intensification of strategic transport infrastructure and service provision (corridors and nodes) for passenger and freight movements.
8. Identify and protect the operations of key transport infrastructure, corridors and nodes (passenger and freight).
9. Enable development that is integrated with and capitalises on existing and future transport functions of transport corridors and nodes.
10. Plan development to take advantage of emerging technologies, including electric and alternative fuel vehicles, autonomous vehicles and on-demand transport opportunities.

Comment: Support for policies 1,2, 5, 6, 9, and 10. Policy 3 raises the question regarding the extent of 'equitable contribution towards the provision of transport infrastructure and services to support land and property development'. The policy is unclear. Presumably equitable distribution of costs associated with major reworking of key transport infrastructure is shared between Commonwealth

and State. An explanation of the term is desirable within the preamble to this policy to clarify who should be paying. To date, expenditure on road systems continue, to the detriment of adjacent housing development and the removal of viable business premises, community assets, housing and vegetation in the path way of adding land to expand and speed up traffic lanes. Surely this set of policies should considering- reducing air and water pollution and public health impacts of concentrated road transport, avoiding hostile environments for residents and provision of alternative commuting via walking, cycling and connecting to adjacent facilities across the transport corridor. Commitment to developing rail and energy efficient transportation systems as alternatives to existing overloaded urban road corridors would better address the current negative impacts upon urban environments and healthy living. In order to avoid destroying existing investment in housing and business impacted by large scale rapid transport corridors, policies 5, 7 and 8 need to identify options. Policy 8 should look to the future rather than state the existing situation.

Policy 12: Energy

Objective

The ongoing provision of sustainable, reliable and affordable energy options that meet the needs of community and business.

Policies

1. Support the development of energy assets and infrastructure which are able to manage their impact on surrounding land uses, and the natural and built environment.
2. Support and promote alternative sources of energy supply at the neighbourhood level.
3. Facilitate access to strategic energy infrastructure corridors to support the interconnection between South Australia and the National Electricity Market.
4. Ensure development in the vicinity of major energy infrastructure locations and corridors (including easements) is planned and implemented in such a way as to maintain the safe and efficient delivery and functioning of the infrastructure.
5. Ensure renewable energy technologies support a stable energy market and continued supply and do not adversely affect the amenity of regional communities.

The policies are supported. It is suggested that the non-statutory guidance note for Regional Plans should be translated as a general policy 6 to reinforce the intent. be managed.

Non-statutory Guidance Notes

Regional Plans should implement state policies by identifying areas subject to coastal hazards such as sea level rise, flooding and storm surge. Areas where growth is envisaged should be identified as well as areas for conservation or of high landscape value.

The Planning and Design Code should implement state policies through appropriate Zoning and Overlays that clearly identify coastal hazards, areas of conservation value, recreation reserves and locations for coast-dependent industries.

The reason for the suggestion is that Policy 1 infers there is no environment that cannot be 'supported and managed by a company' if it demonstrates the capacity to do so. I suggest the wording should be stronger. Extreme weather events around the globe have impacted on established plants with wider consequences beyond the ability of a corporate entity to remediate or repair. State level policy is recommended to clarify environmental limitations given current climatic trends. This would include clear guidance for location of future development.

Policy 13: Coastal Environment

Objective

Protect and enhance the coastal environment and ensure that development is not affected by coastal hazards.

Policies

1. Ensure development is not at risk from current and future coastal hazards (including coastal flooding, erosion, inundation, dune drift and acid sulphate soils) consistent with the hierarchy of avoid, accommodate and adapt.
2. Balance social and economic development outcomes in coastal areas with the protection of the environment.
3. Protect and enhance the natural coastal environment and its resilience to a changing climate, including environmentally important features, such as mangroves, wetlands, sand dunes, cliff tops, native vegetation and important habitats.
4. Locate development in areas that are not subject to coastal hazards unless the development requires a coastal location and suitable hazard mitigation strategies are in place, taking into account projected sea level rise and coastal retreat.
5. Facilitate sustainable development that requires a coastal site, including eco-tourism, aquaculture, marinas and ports, in areas adjoining the foreshore, where environmental impacts can be managed or mitigated.
6. Maintain or enhance the scenic amenity of important natural coastal landscapes, views and vistas.
7. Ensure development maintains and enhances public access to coastal areas with minimal impact on the environment and amenity.
8. Locate low intensity recreational uses where environmental impacts on the coast will be minimal.

Comment

The coastal policies are positioned around two objectives – firstly the protection and enhancement of the coastal environment, and secondly, ensuring development is not affected by coastal hazards.

Accompanying policies however are unacceptably ambiguous. For example, Policy 1 than refers to ensuring development, consistent with the hierarchy of avoid, accommodate and adapt (inferring a range of development options) should be located in areas subject to coastal hazards, **unless the development requires a coastal location?** This policy is not supported. It isn't certain enough. The qualification negates the need to locate development away from coastal locations subject to coastal processes which in future are predicted to include sea level rise, increased incidence of extreme weather events. While public access to coastal areas is protected (P.7) and suggests facilitation of sustainable development in areas adjoining the foreshore (P5) and protection of coastal areas is referred to in P3, the reference to 'balancing' social and economic outcomes in coastal areas with protection of the environment'(P 2) compromises the objective to protect and 'enhance' the coastal environment. Specific language recommended to P.3 should be 'Identify and Protect 'rather than

‘Protect and enhance’ for if no go areas include the coastal areas subject to significant risk these should be initially identified as suggested in the text in subsequent provisions and overlays; and protected ; rather than the somewhat ambiguous “protect and enhance’ – it being not really clear what is meant by ‘enhance’. These identified areas should be properly protected and exempted from consideration of social and economic outcomes (p 2) The costs of coastal damage to infrastructure and buildings when extreme events occur are exceptionally high and risks associated with ‘balancing out’ and justifying private development at significant risk is irresponsible.

Policy 14: Water Security and Quality

Objective

South Australia’s water supply is protected from the adverse impacts of development.

Policies

1. Provide for the protection and security of the state’s water supply to support a healthy environment, vibrant communities and a strong economy.
2. Prioritise the protection of water supply catchments including:
 - a. The Mount Lofty Ranges Watershed
 - b. Water Protection Areas under the *Environment Protection Act 1993*
 - c. The River Murray Protection Area under the *River Murray Act 2003*
 - d. Prescribed water resources and wells under the *Natural Resources Management Act 2004*.
3. Provide for infrastructure and land use policy that aims to decrease flood risk and improve water quality and urban amenity.
4. Ensure our water supply, stormwater and wastewater infrastructure meets the needs of a growing population and economy while balancing environmental outcomes.

While the above policies are supported, some review of land uses within South Australia’s existing water catchments areas and all sources of water needs to occur. Incremental development of water reliant industries such as wineries within catchments should be reviewed and managed sustainably to protect water quality. Although P.4 alludes to this aspect, the balancing act between growth and protection of a finite water resource within catchments (and desalination) could include reference to dual reticulation of potable and non-potable water in future urban development and other treatment and

reuse /recycling options to benefit a whole of catchment management approach. This would include WSUD principles being identified as a common planning resource for future urban and rural areas in whole of catchments areas, from source to sea. Treated urban waste providing treated non-contact water to a standard for rural irrigation, and trash removal and removal of petrochemicals from stormwater runoff of road surfaces would avoid adverse impacts to the end of the catchment in the marine environment. Identification of future economic and social benefits arising from clear policies at this stage of planning for sustainable use and reuse of water resources should be considered. While non-statutory guidance notes (see below) allude to the role of regional plans, it is submitted that the SPP's should be more specific about future responses to the challenges identified in the introductory content of the consultation document for State SPP's.

Non-statutory Guidance Notes

Regional Plans should implement state policies by identifying areas for the growth and location of future development and associated short and long-term water infrastructure requirements and serviceability. Regional catchments should be identified to understand the upstream and downstream impacts. Watershed areas should be identified and mapped.

The Planning and Design Code should implement state policies through the inclusion of an Overlay to ensure development mitigates adverse impacts on our water supply. The Code should also promote water sensitive urban design and effective stormwater management.

Policy 15: Natural Hazards

These policies are clear and fully supported.

Policy 16: Emissions and Hazardous Activities

Objective

Communities and the environment are protected from risks associated with emissions, hazardous activities and site contamination, whilst industrial development remains viable.

Policies

1. Ensure our communities and the environment are protected from risks associated with emissions and radiation activities while ensuring that industrial and infrastructure development remains viable through:
 - a. Ensuring appropriate zoning and mixed uses are compatible
 - b. Avoiding establishing incompatible land use interfaces through encroachment on industrial sites by maintaining adequate separation distances
 - c. Incorporating engineering controls into building design where emissions or impacts are unavoidable
2. Ensure risk posed by known or potential contamination of sites is adequately assessed and managed to enable the appropriate development and safe use of land.

The hazardous waste and emissions policies are supported, with the suggestion that with respect to policy 1 (b) a firmer statement replace the existing words, namely: 'Ensuring adequate separation distances around industrial sites to avoid polluting adjacent land'.

IN SUMMARY

Conservation SA strongly advocates that

- a creditable planning system requires a rigorous ethical approach. Good planning seeks to accommodate competing interests and rights within a set of balanced policies, based on analysis of environmental, social and economic trends and responsive to avoiding adverse impacts upon living environments, biodiversity, land capability and natural resources.
- The inclusion of land capability analysis as a foundation for future development policies
- Recognition that an ethics-based planning system provides certainty to developers as well as protection of existing urban and rural amenity in recognition of existing investments and urban fabric valued and articulated by the community.
- State planning principles be improved by clearer, more directive statements regarding future development and environmental management.
- An additional policy addressing Emerging Technologies and how progressive start up innovative industries can be encouraged by opportunities of forward planning.

- Review of Heritage policy - there is an absence of a robust policies acknowledging the value of heritage in community and owner awareness, and associated tourism in the Heritage policy that is regrettable. The preamble is interesting and appears to foreshadow a more culturally integrated process for Aboriginal and non-Aboriginal heritage and culture? It is hoped this aspect can be further developed with policies that expand on the policies that would move an integrated approach forward in planning for heritage, taking into account all views of the community and business operators (including banks and the ATO) about incentives, collaboration and support for owners. Some of the opportunities may be further considered in the review of the policy with reference to the Planning Review findings and following the findings of the Parliamentary Committee of Enquiry on heritage.
- References to respective policies and legislation while useful, are not comprehensive and need review/ expansion.
- Mining legislation has precedence over other state legislation, so the role of planning needs to be clear in the context of existing mining regulation and about at what stage planning processes should interact with the relevant agencies.
- Environmental policies also need to be referenced with in related SPPs that address future development. It is important to acknowledge consideration of underlying regional environmental risks, providing a basis for environmental issues added to the core challenges identified by the Commission.
- Housing densification to date has resulted in greater stormwater runoff, excess suburban street parking making circulation constrained, and a significant reduction in private green space and vegetation. Better designs are required to achieve sustainable high and middle rise housing - and it is hoped that the affordable housing options will reconsider the current trend to urban environments that are greener.

Yours sincerely,

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