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Government of South Australia

Coast Protection Board

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Dear Sarah

I am writing to you in relation to the draft State Planning Policies (SPPs) for South Australia currently on public consultation.

The South Australia Planning Reform provides a significant opportunity for the Coast Protection Board (the Board) to help ensure important coastal matters are properly addressed in the new planning system.

With respect to key coastal matters of State interest, the Board supports the draft SPP in seeking the protection and enhancement of the coastal environment and ensuring development is not at risk of coastal hazards (including, coastal flooding, erosion, inundation, dune drift and acid sulphate soils). These two related coastal matters of State interest (coastal environment and coastal hazards) are largely addressed via draft "SPP 13 Coastal Environment" and "SPP 15 Natural Hazards". The Board has made some comments and suggested rewording (Attachment 1) to assist with the final drafting.

The Board understands that the Planning and Design Code will give effect to the SPPs and that "overlays" (which will take precedence over zones and general development policies) will be the primary Code mechanism to deliver and spatially express coastal SPPs, which can be applied to span multiple zones. The overlay function is a critical step in the reform process because it can spatially express sensitive coastal features and hazard areas (often interdependent) and deliver coastal SPPs via appropriate overlay policy settings.

The Natural Resources and Environment Policy Discussion Paper (p.22), also out on public consultation, suggests an overlay will trigger referral of certain development applications to the Board where required. This is important as it enables integrated specialised assessment to ensure coastal matters of state interest (as above) are addressed. In this respect, the Board will consider criteria to help inform the spatial extent of a coastal overlay (and policy mechanisms that might trigger a referral where an overlay is not practical). The Board will also conduct an audit of existing development applications to determine which applications can be excluded from referral (via appropriate policy settings) and which should be referred for specialised assessment.

The Board thanks the State Planning Commission for the opportunity to comment on the draft SPPs and looks forward to helping progress subsequent stages of the planning reform.

Yours sincerely

A handwritten signature in black ink, appearing to be 'A. Holmes', with a long horizontal flourish extending to the right.

Allan Holmes
Presiding Member
COAST PROTECTION BOARD

CC: David Speirs MP
Minister for Environment and Water

STATE PLANNING POLICY 13: COASTAL ENVIRONMENTS

The SPP 13 “Coastal Environment” is sound policy, ensuring an appropriate balance between development and the protection of the coastal environment. Suggested edits to this section as follows:

Introductory Text

Original text	Coast Protection Board comment
<p>Paragraph 3 – <i>The planning system aims to conserve the coastal environment, and at the same time enable existing settlements to be protected and ensure new development is sustainable and not at risk from coastal hazards.</i></p>	<p>Existing settlements should be “protected” where practical. However, there are specific cases where “protection” will be limited and or not sustainable. Rewording for consideration:</p> <p><i>The planning system aims to conserve the coastal environment, and at the same time enable existing settlements to be able to adapt to coastal hazards while ensuring new development is sustainable and not at risk.</i></p>
<p>Paragraph 4 – <i>Ensuring the continued access to the coast and foreshore also enables opportunities for the enjoyment of our communities and contributes to the population’s overall health and wellbeing. Development can enhance this through the provision of appropriate coastal infrastructure.</i></p>	<p>Planning should enable and enhance public access. However, “ensuring the <i>continued access</i>” in some specific cases may be inappropriate, costly and potentially unsafe. Rewording for consideration:</p> <p><i>Enabling public access to the coast and foreshore contributes to the population’s overall health and wellbeing. Development can enhance this through the provision of appropriate, environmentally sensitive coastal infrastructure.</i></p>

Policies

Original text	Coast Protection Board comment
<p>Policy 5 – <i>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.</i></p>	<p>Rewording for consideration:</p> <p><i>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 <u>avoided or mitigated</u>.</i></p>
<p>Policy 7 - <i>Ensure development maintains and enhances public access to coastal areas with minimal impact on the environment and amenity.</i></p>	<p>“Maintaining” public access in some specific cases may be inappropriate, costly and potentially unsafe. Rewording for consideration:</p> <p><i>Ensure development enables and enhances public access to coastal areas with minimal impact on the environment and amenity.</i></p>

STATE PLANNING POLICY 15: NATURAL HAZARDS

The intent of SPP 15 Natural Hazards is sound. However, the introductory paragraphs require rewrite for clarity. Furthermore, the proposed policies should ensure consistency with other SPPs, particular with respect to the hazard risk hierarchy. Suggested edits to this section as follows:

Introductory Text

Original text	Coast Protection Board comment
<i>Paragraph 3 - Climate change is expected to increase the severity and frequency of extreme weather events in South Australia. Higher temperatures will increase the frequency of extreme heat events and the intensity and frequency of bushfires. Likewise, storm events will increase and result in heavier and more sustained rainfall, high winds and coastal flooding through sea level rise and coastal erosion.</i>	Impacts from storm events that cause coastal flooding and erosion is likely to be <u>exacerbated</u> by sea level rise. Rewording for consideration: <i>.....Likewise, storm events will increase and result in heavier and more sustained rainfall, high winds and coastal flooding and erosion, which will be exacerbated by sea level rise.</i>
<i>Paragraph 4 - Sound planning and development decisions can help reduce the severity and impact of natural hazards together with disaster reduction strategies; the activities of emergency services agencies; and the resilience of affected communities, infrastructure and economic sectors.</i>	Paragraph 4 is unclear and requires rewrite. Furthermore, planning cannot reduce the “severity”, only the impact of natural hazards.
<i>Paragraph 5 - The planning system can be used to guide development away from known high hazard areas and ensure design and construction standards prepare new developments for natural hazard events. Development will not be permitted or will need to meet specific design standards in areas that are in high risk or vulnerable locations. They must also not result in ongoing cost burdens associated with their protection from the impacts of natural hazards.</i>	Paragraph 5 may be perceived as contradictory (guiding development away from and within high risk hazard areas). It could be better worded to reflect the relationship between development and an appropriate hazard risk hierarchy. Rewording for consideration: <i>The planning system can control development to avoid, accommodate and adapt to hazard risks. Development permitted in areas subject to hazard risks should not result in the broader community incurring the costs to protect, nor should the development increase the hazard risk on other land.</i>

Policies

Original text	Coast Protection Board comment
<i>Policy 2 - Design and plan for development in accordance with a risk hierarchy of avoidance, adaptation and protection.</i>	The proposed hierarchy of “avoidance, adaptation and protection” is inappropriate. Adaptation, or adapt, covers a range of potential

Attachment 1 - Coast Protection Board comments on the draft State Planning Policies

	<p>adaptation options, including protection. Therefore, “protection” should be deleted.</p> <p>The Coastal Environment SPP outlines a hierarchy of “avoid, accommodate, adapt”, which is acceptable from a coastal hazard perspective.</p> <p>The risk hierarchy should be consistent across all planning reform instruments and associated technical discussion papers. Further consultation with other relevant agencies may be required to clarify the hierarchy, e.g. CFS.</p> <p>Suggested wording could include:</p> <p><i>Policy 2 – locate and design development in accordance with a risk hierarchy of avoid, accommodate, adapt.</i></p> <p>Note, the word “locate” corresponds with “avoid” in the proposed hierarchy</p>
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Non-statutory Guidance Notes

Original text	Coast Protection Board comment
<i>Related SPPs – Coastal Protection</i>	<p>Amend to “<i>Coastal Environment</i>”.</p> <p>Please note, “Coastal Protection” is incorrectly referenced in several other SPP Non-statutory Guidance Notes. They should all be changed.</p>