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Engaging for Reform

Community Alliance  
South Australia



## SUBMISSION

### CONSULTATION DRAFT - STATE-PLANNING POLICIES FOR SOUTH AUSTRALIA

The Commissioner  
State Planning Commission  
GPO Box 1815  
Adelaide 5001

21 September 2018

Dear Commissioner and State Planning Commission  
Members.

The Community Alliance SA is grateful for the opportunity to make a submission on the consultation draft State Planning Policies for South Australia.

The Community Alliance SA is an umbrella organisation for resident and community groups from Adelaide and other areas of South Australia, whose aim is:

**'To Put the People Back into Planning and Development in  
SA'**

#### Consultation

In the consultation draft State Planning Policies document for South Australia, Commissioner Tim Anderson QC's message from the State Planning Commission says:

***'To be effective, these SPP's must reflect the planning aspirations of the communities they serve: how do you want your neighbourhood to look and function, what are the critical ingredients of a healthy, vibrant and livable community?'***

***We urge you to consider what is proposed here, tell us what you like, what you don't like, and if there is something more you'd like to add. We look forward to hearing from you. ”***

(page 3)

The Community Alliance SA wholeheartedly agrees with this statement.

“We look forward to hearing from you” but how much notice will you take of what we tell you Commissioner? Will you take up any of our suggestions? Will you acknowledge that you have accepted or rejected any of our suggestions?

The Community Alliance SA has made many submissions on a number of matters and we have absolutely no idea if our suggestions have ever been taken seriously or acted on. The evidence to date suggests that our representations have made absolutely no difference whatsoever.

It is apparent that deals have been done behind closed doors on developments, Likewise, legislation and policy has been developed behind closed doors and then put out for consultation. However, the State Planning Policies could have been developed collaboratively between government the community and industry.

Below is what Community Alliance SA members think about current government consultation practice:

***“ no matter what the people say about the draft State Planning Policies or what recommendations are made nothing will change.”***

***“Planning MUST incorporate effective consultation ie IAP2. Effective consultation at more than the “Consult and ignore” standard that currently exists.”***

***“IT IS A GREAT BIG SHAM. and they have to know that we the community have no confidence in the process.”***

***“A major concern with the Draft State Planning Policies is they are being set with a ‘token’ community consultation and once they are finalised there is no right of appeal, which defies the basis of our ‘democratic’ society.”***

***“Planning changes in SA are a bloody disaster, they are NOT assisting community, they lack planned infrastructure, they don’t care about history or heritage....they don’t care about people, all they care about is assisting their rich and ruthless development mates.”***

***“Listen to the community’s feedback and respond appropriately when you don’t agree with it or won’t be using it to make changes to development.”***

***“Consult all peoples within the community, not just developers, when planning new projects.”***

***“Firstly, consultation involves an on-going two-way conversation in which ideas are exchanged, listened to and then used to form policy. So far this has not happened effectively as community members have not been asked the above questions about their community’s aspirations and the quality and character of their suburbs.”***

***“We want a balanced approach to development that incorporates a stronger emphasis on community requirements.”***

***“We support citizens having a right to participate in decisions about their community not having decisions imposed by a bureaucratic machine. Neighbourhoods are about people who go to the school or church or kindy working bees, play on the local tennis club, work in their gardens, share fruit etc. & who have a sense of locality.”***

The Expert Panel on Planning Reform recommended to the government that the Community Engagement Charter should include assessment. The Community Alliance SA (CASA) has always supported that. CASA contends that until that is incorporated in the Charter it cannot deliver effective and genuine community consultation. CASA believe it is time to sit down with government, industry and the community to determine how this vital step in engaging the community should be implemented. This is where it really matters.

It all very well for the State Planning Commissioner to ask the people of South Australia *“To be effective, these SPPs must reflect the planning aspirations of the communities they serve: **how do you want your neighbourhood to look and function, what are the critical.**”*

***“To be effective, these SPPs must reflect the planning aspirations of the communities they serve: how do you want your neighbourhood to look and function, what are the critical ingredients of a healthy, vibrant and livable community” (page 3)***

Commissioner – the ball is in your court with this. When you have read all the submissions from the SA community what will you do with them? Will you consign them into a black hole never to see the light of day or will you act on some of them and tell us what suggestions you will adopt and why? Now that would demonstrate that you are fair dinkum about consultation. It would be a good start.

The Draft State Planning Policy Document (SPP) for consultation has not reached a statewide audience as the majority of SA citizens are unaware of the SPP's. A few residents groups have received the document as have all local councils and industry bodies. Although CASA supports “drop in” consultation sessions for members of the public very few people were aware of them. CASA suggests that before mandatory consultation occurs the proposed engagement plan should be tabled for councils, resident groups and industry to comment on and make suggestions for improvement.

## **Part 2: Our Population**

According to the Intergenerational 2015 Report, Australia's population is projected to be 40 million by 2055 – that is a mere 37 years away. An extra 17 million people of which about 1.5 million or thereabouts will add to the existing SA population of about 1.5 million or to put it another way – during the next 37 years Adelaide will double in size and become a city of around 2.5 million people and our regional towns will double according to the Australian Bureau of Statistics.

South Australia was founded in 1836, some 182 years ago and it

has taken all that time for SA to grow and develop into a city of about 1.26 million people with all the tens of thousands of houses, office buildings, shops, factories. Schools, hospitals, suburbs,, roads; ovals, playgrounds, open space, concert halls just to name a few of the huge number of developments.

**Adelaide will double in size but four times quicker.** This means that very good planning is imperative. The alternative would be chaos. We have to answer some important questions such as the following:

**Where should we put high rise and low rise residential developments?**

**What is the best way to handle urban infill?**

**What about open space for the future; where will it come from?**

**How do we plan for the next forty years,?**

**How do we fund roads, schools, libraries, and community centres?**

According to the *30 Year Plan for Greater Adelaide* low density is 1 to 2 stories, medium density is 3 to 6 stories, and high density being over 7 stories.

The SPP document specifies the outer suburbs will remain low density 1 to 2 stories, our middle suburbs medium density 3 to six stories, inner suburbs will be medium to high density 3 stories and over 7 stories and the city will be high density.

CASA points out that the Adelaide Metropolitan area has many historic Conservation Zones (i.e. Kensington) in the middle and inner suburbs. Does this mean that urban infill can take place in such areas? These suburbs are highly valued by the residents because the streets have mature trees, larger backyards, quiet neighbourhood, lovely 100 year old houses. Urban infill does not fit these areas and extreme care must be taken to preserve these areas. Does urban infill mean 6 story buildings in our middle and inner suburbs? The people of SA do NOT want this.

CASA argues that very good forward planning is essential and the people of SA must be able to have a conversation with government, the development industry and local government enabling orderly development to occur in targeted locations that

are broadly acceptable to the people of SA. We all need to determine where appropriate development should take place. Indiscriminate, opportunistic and ad hoc development must not occur anywhere and the SPP's must clearly articulate and facilitate that. Time is not on our side and appropriate forward planning is essential. SA needs excellent urban and town planning and NOT developer driven short term initiatives that maximize their profits but deliver poor quality buildings that cannot cope with climate change and make running a poorly designed building very expensive to run and maintain. The SPP's must mandate high quality building design. Currently SA is full of very energy **Inefficient** homes. Electricity is now very expensive.

Most importantly – what do the people of South Australia want Adelaide and our Regional Towns and Cities to look like? We must have a conversation about these matters and collaboratively do some very serious planning with government, industry and the people of South Australia. Is this what our State Planning Commissioner is recommending?

We only have a short time frame of 37 years in which to plan for our City and regions to double in population. This means another 735,000 people. The Community Alliance SA suggests this conversation must happen now.

When SA was founded in 1836 we had plenty of land to build our houses, schools, tennis courts, libraries, shops, town halls and our Parliament House.

We have now run out of land. We have to build up and bunch up somewhat but the question is where and how? We need to have a conversation about all this with all stakeholders and decide what is best for everyone in SA and not just for the privileged few.

### **Population Growth Projections for Adelaide**

**(Source: Australian Bureau of Statistics. Canberra)**

2015 Estimated population for Adelaide	1,325 million
2055 Estimated population for Adelaide	2,060 million
An increase of approximately	735,000

Over 40 years or	18,000 a year
2015 Regional SA population	385,000
2055 Estimated balance of SA	445,000
An increase of	60,000
Or approximately	1500 a year

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Where will 735,000 people be housed over the next 37 years? Where will the resources come from like cement, timber, and bricks come from? If we do not *plan properly then we plan to fail*. One of our members points out that 'expert' government demographers got it so wrong they were 40 years on the wrong side of population estimates for Australian growth. The exponential effects of this error will be catastrophic in terms of environmental impacts by 2050 - apart from costs of infrastructure.

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### **Part 3: Principles of Good Planning**

All the principles are supported, however the Community Alliance SA notes that they are not mandatory. There is no imperative that any of them will be complied with. CASA argues that all the principles must be mandated. For example the following principle has no hope of becoming a reality unless that is mandatory:

***“Particular effort should be focused on achieving energy efficient urban environments that address the implications of climate change”*** (page 15)

The word **SHOULD** must be deleted and the word **MUST** be inserted into each principle.

### **High Quality Design Principles**

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A CASA member groups points out that:

***“These principles are excellent, in principle, but only if implemented effectively. This requires the use of strong***

***specific language and criteria. rather than vague. The LGA's view of there being "no clear mechanisms to incorporate these (the very worthy design quality statements) within the planning and design code ... which raises uncertainty about the extent to which good design outcomes can be enforced in the planning system" is supported.***

***Furthermore the statement that "the SPP's are not to be taken into account for the purpose of any assessment decision or application." is worrying and confusing. The Good Design Principles and Targets can only be achieved through mandating the specific criteria, using the Principles and Targets, that developers are to meet when submitting plans.***

### **State Planning Policy 1: Integrated Planning**

The Community Alliance SA has argued for Integrated Planning since 2013. CASA supports this.

### **State Planning Policy 2: Design Quality**

CASA notes that this policy is aspirational and the principles/policies are not mandatory. We assert that unless design quality is mandated developers will continue to construct residential and commercial developments that are poor quality, energy inefficient, not sustainably built, and will not meet the challenges of well built homes that are designed to meet the effects climate change which we are all experiencing now. We must have energy and water efficient buildings now.

Home design quality must incorporate the following:

- Energy efficient building materials for walls and roof.
- Appliances and home electronics
- Insulation and sealing
- Space heating and cooling
- Lighting and sky lighting
- Water heating
- Windows doors and skylights.

## **State Planning Policy 4: Biodiversity**

A CASA member group is most concerned about biodiversity and considers species loss as most alarming:

**“Biodiversity loss is continuing at unprecedented rates which government has not attempted to address since Mike Ran’s fabulous 'motherhood' statement 'No species loss' but without policies to achieve saving any species. Could refer to Prof David Paton and his reports that migratory birds in the Coorong had exhausted food supplies, had inadequate food to breed this season and very likely 80% will not have sufficient body weight to make the flight home (Siberia, Japan) and will die from exhaustion over the ocean.**

**New Scientist 28/7/18 in article titled 'Life on the brink' reports a 50% reduction in animal population size between 1970 and 2012. 1375 bird species threatened with extinction, 5488 mammal species threatened with extinction - 25% of total surveyed. Biodiversity in steep decline and humans are to blame. Action needed to halt human population growth and protect biodiversity, most of which has need for separate spaces to humans.”**

Our environment needs biodiversity. The birds, animals and little insects all sustain our planets ecology and we need them all to survive. They do not need us humans.

## **State Planning Policy 5: Climate Change**

CASA acknowledges that climate change is a reality and we are all living with it now. CASA believes that the effects of climate change are very serious and all government policies must accommodate climate change, especially planning. CASA have argued above that all future development in SA must be designed enabling the effects of climate change to be minimised. Good appropriate design and quality is imperative. Cheaply constructed dwellings must be a thing of the past as there is no place for them. In addition all buildings must be appropriately located. The question is where and we all have to decide where are the most appropriate locations.

A CASA member asserts that:

**“Climate change - government has refused to act despite overwhelming proof and this is now alarming communities due to lack of leadership. Housing design needs to be low energy, sustainable and at 12 star rating of the present inadequate energy rating system. *Work on mitigating* climate change rather than making 68 councils adopt an 'adaptation' plan. Plain rubbish as we have already passed 1 degree warming and are headed into 5-6 rise where little will survive! Start heeding the realities of scientific evidence.”**

**Community Alliance member Coastal Ecology Protection Group makes the following contribution to this submission:**

1. The *Planning, Development and Infrastructure Act 2016 (PDI Act)* envisages that the State Planning Policies (**SPPs**) will play a critical role in the formation of future planning policy in South Australia.
2. Section 58 of the PDI Act provides that the SPPs “...will collectively set out the State's overarching goals or requirements for the planning system.”
3. Section 62 of the PDI Act provides that the Minister must ensure that there is a specific SPP (to be called the climate change policy) that specifies policies and principles that are to be applied with respect to minimising adverse effects of decisions made under the Act on the climate and promoting development that is resilient to climate change.
4. It is therefore clear that there is a particular emphasis in the PDI Act on a careful and fulsome planning policy response to climate change and development in areas most affected by climate change. It is clear enough that coastal environments will be one of those areas.
5. The submissions that follow are therefore directed at development (and other similar acts and activities) in coastal areas.

## Coastal environments generally

6. Coastal areas are arguably at most risk of damage and destruction by inappropriate development and the impacts of climate change.
7. Much more needs to be done to ensure that fragile, dynamic and long-standing coastal environments in our State are properly protected from inappropriate development, as exacerbated by future sea-level rise and coastal erosion.
8. The SPP's provide the first step towards appropriate and well-considered planning policies in the new Planning and Design Code under the PDI Act (**the Code**) which must be prepared by 2020, to recognise the risks and planning issues associated with coastal developments and potential damage they can cause to fragile coastal environments.
9. We now turn to the most relevant SPPs on the topic of coastal environments, that is, SPP's 5 (Climate Change), 13 (Coastal Environment) and 15 (Natural Hazards).

### SPP 5 – Climate Change

10. It is **beyond argument** that future planning policies (including high level policies such as SPP's) must consider the nature of coastal environments and their fragility and susceptibility to climate change.
11. Climate change and associated sea-level rise and increased coastal erosion are serious planning issues and will become increasingly so in the future. This is recognised by the requirement in section 62 of the PDI Act for a climate change SPP 7.
  - 11.1 Firstly, the acknowledgement in the preamble to SPP 5 that "what we plan for and development must take into account the best available climate science" is welcomed. However, in addition the precautionary principle and principles of ecologically sustainable development (ESD) ought to be recognised in respect of planning with respect to climate change in SPP 5.

- 11.2 Secondly, the single policy objective ought to recognise that development will also be sited, designed and assessed pursuant to the best available climate science by amending the objective where underlined:

Our greenhouse gas emissions are reduced and development that is climate-ready and designed, sited and developed having regard to the best available scientific information is promoted so that our economy, communities and environment will be more resilient to climate change impacts.

- 11.3 Thirdly, while the eight policies go some way to addressing the role of planning policy in addressing climate change impacts, these could be amended with the underlined additions below:

2. Ensure the design, siting and development of public places increases climate change resilience and future liveability.

3. Ensure the development of climate-smart buildings in appropriate locations that reduce our demand for water and energy and mitigate the impacts of rising temperatures...

12. We are concerned that some of the current planning policy in Development Plans (and the Planning Strategy) are somewhat tokenistic as it manages and controls development near coastlines and in response to future sea-level rise caused by climate change. It is critical that new policies under the Code are more direct and specific about appropriate development which ameliorates potential harmful impacts and decisions as to development in areas most affected by climate change, particularly coastal development.

13. The remaining policies 4, 7 and 8 all recognise that future decision making must consider the impacts of climate change and support development that does not increase vulnerability or exacerbate impacts of climate change. These policies are welcomed.

## **SPP 7 - Cultural Heritage**

### **Community Alliance SA member group Kensington Residents Association has made the following contribution on SPP 7:**

One of the main reasons our Association (Kensington Residents Association) was founded in 1977 was concern about the lack of recognition of the importance of Kensington's heritage buildings and the lack of protection for them. Throughout the last 41 years we have continued to fight for our heritage.

Not only do the majority of draft policies ignore or neglect the importance of our built heritage but the single policy related to built heritage is hopelessly inadequate. All it suggests is to *“support and promote the sensitive and respectful use of our culturally and historically significant places”*.

The document displays a total lack of balance when it comes to protecting our built heritage as there is not a single policy stressing the importance of preserving and protecting it for the benefit of current and future generations.

It has been suggested that issues relating to heritage and character will be addressed through the 'People and Neighbourhoods' Discussion Paper, and through the current Parliamentary Inquiry but this has not been clearly stated. If this is the case then preparation of the draft SPPs should have been deferred until after the discussion paper has been released and considered and the ERDC has completed its Inquiry.

Our Association agrees with NPSP's assessment as follows:

*“however the absence of policies relating to built heritage, in contrast to the extensive and detailed SPPs encouraging infill and development, creates a perception that the SPPs are heavily weighted towards development rather than heritage and character. The Council believes that this is an intentional strategy aimed at diluting the correct policies which relate to built heritage.”*

We note that the Guidance Notes suggest that the *“Regional Plans should implement state policies by recognising and supporting the appropriate conservation of areas and places of cultural and heritage significance.”* In addition the *“Planning and Design Code should implement state policies by identifying areas and places of*

*national, state and local heritage value and may include the identification of places or items, including the extent of their cultural heritage significance. The first version of the Code will incorporate the existing state and local heritage items currently listed in Development Plans.”*

Unfortunately the Regional Plans will not be in place before the Planning and Design Code will be formulated, therefore clear and strong heritage policies should be in place.

It is very disturbing that the consultation document makes no reference to Historic Conservation Zones and Contributory Items. Historic Conservation Zones and Contributory Items have been critical to the protection of our built heritage in our council area and throughout other inner suburban areas.

As mentioned above, Kensington was designated as an Historic Conservation Zone in 1994. Such zones are the foundation for preserving what we love and appreciate. Heritage is not just about landmark buildings but, more importantly, about groups of buildings that contribute to the character of an area. This grouping of buildings is at the core of Historic Conservation Zones. The loss of Historic Conservation Zones would weaken the existing controls that protect buildings from demolition and will see inappropriate infill development within historic areas.

The existence of Contributory Items within Historic Conservation Zones enables us to keep whole blocks intact. Unless Contributory Items are to be upgraded to Local Heritage items it is critical that Contributory Items are retained and continue to receive at least the same level of protection as they currently have under the Norwood Payneham & St Peters Development Plan.

In the Kensington Historic (Conservation) Zones we have 7 buildings, a bridge and a drinking fountain listed as State Heritage Items (highlighted in blue on the attached map), approximately 80 Local Heritage Items (highlighted in pink) and approximately 210 Contributory Items (highlighted in green).

The distinction between Local Heritage and Contributory status is difficult to understand and at times somewhat arbitrary. If a building contributes to the character of the streetscape it should be preserved, for to allow its destruction reduces that character. There are very significant inconsistencies in the classification of

items as Local Heritage or Contributory within Kensington. By way of example:

- one of the few remaining 1850s settlers' cottages is only classified as a Contributory Item;
- two identical adjacent 1870s dwellings built by the same builder: one is a Local Heritage Item, the other a Contributory Item.

There are other examples of serious inconsistencies and also a number of buildings that should have some sort of listing but for some reason do not. These buildings demand attention so as to protect and preserve them from demolition or inappropriate development.

Without all its Contributory Items, the Kensington HCZs would not have any integrity. In reality all Contributory Items in an Historic Conservation Zone should be reclassified as Local Heritage Items. If Contributory Item status is to be retained it needs a simple process to review the appropriateness of Contributory Item listing and to upgrade from Contributory to Local Heritage without going through the complex and time consuming Development Plan Amendment (DPA) process. The same applies for the nomination of items for either Local Heritage or Contributory status. We need a simple nomination process that any member of the public or organisation can use. The existing process precludes other than nomination through a DPA that must be initiated by Council. It is a serious anomaly as anyone can nominate an item for State Heritage listing but members of the public are unable to nominate an item for either Local Heritage or Contributory status.

Our Association supports without reservation the NPSP recommendation:

*It is exceptionally important that additional policies are included to illustrate support at State level for the retention and respectful development of and around valued built heritage – applying to both individual buildings and areas. The policies should define what constitutes historically significant places such as including State and Local Heritage Places as well as Historic (Conservation) zones and Contributory Items. The policies should also recognise the value of heritage to local communities, local identity,*

*tourism, retention of embedded energy and the economic contribution to both residential and commercial areas.*

All levels of heritage should be considered as important at the State level including Historic Conservation Zones and Contributory Items. However, Local Government should retain prime responsibility for local heritage listing, including of contributory items, in consultation with local communities. The determination of what constitutes local heritage is best decided by local communities.

Local heritage is what local people believe to be their heritage. Accordingly, different criteria are to be expected in different areas and between different councils. Diversity is important to local heritage. When it comes to local heritage, one size does not fit all. Protection of heritage should be absolute whatever the council area but the nature of local heritage is bound to differ widely. We do not believe local heritage listings should be determined based on the rarity of an example either within the local area or the broader area. To say that we have plenty of examples of a particular style of building within an area, and that they are over represented will eventually destroy the character of an area. What is important in our inner suburbs in particular, such as Kensington, is that we have an extraordinary collection of early buildings. From an international perspective, it could easily be argued that our grand public buildings, that are given state and national heritage recognition, are not particularly important examples compared to those that exist elsewhere. What is more important, is our collection of early stone buildings demonstrating the building techniques of the time in an emerging nation. It is imperative that all examples are retained.

### **ERDC Inquiry into Heritage**

At the start of this submission, we mentioned our recent submission to the ERDC Inquiry into Heritage and we have included large portions of that submission in this one. (Kensington Residents Association)

CASA notes that there are a number of other suburbs in the Adelaide Metropolitan area that have a number of similarities to Kensington such as Prospect, Unley, Parkside, Rose Park, Eastwood, Goodwood, and Walkerville.

## **SPP 13 – Coastal Environments**

### **Community Alliance member Coastal Ecology Protection Group makes the following contribution to this submission:**

14. The preservation of coastal environments is clearly critical to the amenity and future safety and security of a large portion of Metropolitan Adelaide. We welcome the policy statement that recognises that *“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.”*
15. Participation by the public and the opportunity for coastal developments to be subject to an appropriately high level expert scrutiny and, where appropriate, reviewed by courts must be recognised in appropriate cases. This will be relevant to the classification of coastal development in the new Code (i.e, as restricted development, etc.).
16. There is of course a need to balance the need for thorough and proper planning assessments and opportunities for appropriate public participation in the planning assessment process with the need to provide appropriately designed and sited coastal infrastructure.
17. Indeed, the disciplines of sedimentology, coastal geology, ecology, environmental science and similar disciplines will become increasingly important in the future in developing ways of preventing and minimising future damage and destruction to coastal environments. Proper expert assessment of coastal development is critical for any planning policy concerning coastal environment.
18. Recent decisions by the previous State Government as to development along the coast are most concerning and must be addressed and corrected in the SPP’s and the new Code (and any new regulations under the PDI Act). We refer to the following example of how coastal planning has failed in recent times and needs to be addressed in the new Code by requiring proper expert scrutiny:
  - 18.1 Judicial review proceedings in the Supreme Court of South Australia in 2017 by the Coastal

Ecology Protection Group Inc. emphasised the need for careful planning assessment and decision making with respect to development in fragile coastal areas.

18.2 The CEPG case concerned the proposed development of a recreational, shared-use path of at-grade concrete and elevated boardwalks along some 3.5 km of coastline between Grange and the Semaphore Park. The proposal was to locate the shared use path in a coastal dune system which had existed for centuries.

18.3 Prior to the proceedings being heard by the Supreme Court, the previous State Government resolved to introduce clause 19 of schedule 3 of the Development Regulations 2008. That clause exempted from the definition of "development", a "recreation path" as defined in clause 19. The exemption of a "recreation path" from being development means that such forms of development **would no-longer require any planning assessment whatsoever** under the Development Act 1993.

18.4 This is most alarming given the subsequent findings of the Supreme Court about the potential for a range of detrimental impacts that such developments could have on coastal environments, including vegetation and dune systems.

18.5 In the CEPG Case, the Supreme Court considered contested ecological evidence concerning the possible environmental impacts of the coastal path in a coastal dune system. After considering contested expert evidence of three such ecological experts, the Court relevantly found (amongst other things) that:

18.5.1 If a boardwalk were constructed on the seaward side of the Coast Protection Board's

(CPB's) 80 m<sup>3</sup> buffer zone, it would be at risk of break-up in storms unless the sand on the beach was replenished<sup>[1]</sup>

18.5.2 If a concrete path was located on the seaward side of the CPB's buffer zone, there would be an erosive effect during storms due to the interaction of the concrete path with waves. Further, chunks of concrete slab would cause damage to the dune system during storms. <sup>[2]</sup>

18.5.3 If a concrete path were located in the dune system, there would be a "very substantial risk of the path being broken up by storms and, in turn, causing damage to the dunes." <sup>[3]</sup>

18.5.4 There were at least 17 species of indigenous plants located in the swale of the coastal dune system between Grange and Semaphore Park that would be destroyed by the proposed coastal path in that case.<sup>[4]</sup>

18.5.5 The construction of the proposed boardwalk will result in a "permanent loss of vegetation within a 3 m width of the boardwalk and a total loss of 3.5 m..."<sup>[5]</sup>

18.5.6 The construction of a boardwalk would result in the destruction of coastal vegetation within a 6 metre-wide construction corridor.

18.5.7 While native vegetation could be reinstated by planting or natural revegetation, the latter would take many years and in either case, the vegetation re-planted will differ from the current native coastal vegetation.<sup>[6]</sup>

19. It is clear to us from the findings of the CEPG Case that there will often be multiple, complex environmental considerations and impacts from a range of public infrastructure and development similar to a recreation path when located in or near the coast.

20. These and many other forms of coastal development and infrastructure (including public infrastructure) must be subject to

a proper planning and environmental assessment, as an act of “development”.

21. Similarly, the SPP’s ought to recognise that most forms of development in and near coastal environments may well have important and often detrimental effects on those environments. Those impacts may well be exacerbated by future sea level rise impact on future coastal erosion. It is important for the SPP’s to recognise that this development must at the very least be **assessed and approved** following proper expert scrutiny under planning and environmental legislation before it takes place.
22. The CEPG case is but one example of the kind of issues that will arise increasingly more frequently for all forms of infrastructure and development (including that undertaken by the Crown and other State agencies and local government).
23. Further, simply because a development may be undertaken by a State Agency or some other local or State government authority does not mean that it should be subject to less scrutiny by the public or require less assessment against planning policies such as the future Code.
24. With the above in mind, we make the following particular comments on the Coastal Environment Policies in the SPP’s:
  - 24.1 We welcome the recognition in the policies (particularly policies 3, 4 and 7) for:
    - 24.1.1 the protection and enhancement of the natural coastal environment, including environmentally important features such as native vegetation (policy 3);
    - 24.1.2 the need to take into account projected sea level rise and coastal retreat when locating development (policy 4); and
    - 24.1.3 the need to ensure development maintains and enhances public access to the coast with minimal impact on the environment and amenity.

24.2 We suggest that the policies in SPP 13 must be improved with the following additions and new policies as shown underlined below:

8. *Locate low intensity recreational uses where environmental impacts on the coast must be avoided, or at worst will be minimal.*

9. Adopt the precautionary principle and principles of ecologically sustainable development in decision making for development or infrastructure on or near the coast, to ensure that development that may exacerbate coastal erosion or cause destruction or other detrimental impacts to coastlines does not occur.

10. Require the use of the best available scientific information when making planning decisions for development on the coast and when determining the appropriate location for development, to ensure that fragile coastal environments are protected from inappropriate infrastructure and development.

## **SPP 15 – Natural Hazards**

25. We welcome the recognition in SPP 15 that climate change will have a profound impact on South Australia, including by increasing the severity and frequency of extreme weather events, storm events and coastal flooding through sea level rise and coastal erosion.

26. We agree that the planning system and sound development decisions can help reduce the severity and impact of natural hazards.

27. We suggest that recognition of natural hazards and their impact on development is not only relevant to substantial development such as dwellings, community facilities or similar, but to all infrastructure located in coastal environments. All physical infrastructure has the propensity to exacerbate coastal erosion or itself be damaged or destroyed by more frequent storms or coastal erosion.

28. We make the following suggestions for additions to the policies that apply to SPP 15: Natural Hazards as shown underlined below:

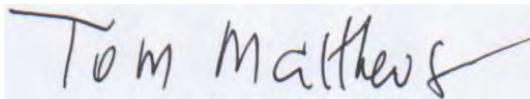
6. Recognise that public infrastructure and development must be sited and designed to avoid areas at risk of damage or destruction by coastal flooding, dune draft and coastal erosion.

29. We urge the State Planning Commission to seriously consider these submissions when finalising its SPPs and when preparing a future Planning and Design Code and any new regulations made in the future. (Coastal Ecology Protection Group)

In sum the Community Alliance SA is pleased to make this submission. We look forward to a response to our submission from the State Planning Commission.

If any clarification on the above is required please feel free to contact the undersigned.

Yours Faithfully

A handwritten signature in black ink on a light blue background, reading "Tom Matthews".

**Tom Matthews**  
**President**  
**Community Alliance SA**

**"Putting the People Back Into Planning  
and Development in SA**

*Engaging for Reform"*

[Www.communityalliancesa.org.au](http://www.communityalliancesa.org.au)

## Bibliography

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### Coastal Ecology Protection Group

CEPG case at [252]

<sup>[2]</sup> CEPG case at [253]

<sup>[3]</sup> CEPG case at [255]

<sup>[4]</sup> CEPG case at [241]

<sup>[5]</sup> CEPG case at [251]

<sup>[6]</sup> CEPG case at [250]

Community Alliance SA members – various, identities protected for their privacy.

“Consultation Draft State Planning Policies for South Australia”  
State Government of South Australia. Adelaide. 2018.

Kensington Residents Association

Fig Her/18 ADJOINS

THE PARADE

Fig Her/22 ADJOINS



12.9

11.3

11.3

12.8

12.8

12.10

PORTRUSH RD

BOWEN ST

PHILLIPS ST

MARCHANT ST

REGENT PL

THORNTON ST

HUGHES AVE

BRIDGE ST

GROVE PL

MAESBURY ST

WELLINGTON ST

KENSINGTON RD

BISHOPS PL

REGENT ST

HILL ST

SALTER ST

TRAM ST

BISHOPS PL

SHIPSTERS RD



Fig Her/24 ADJOINS

- State Heritage Place
- Local Heritage Place
- Contributory Item

Mixed Use Historic (Conservation) Zone  
11.3 Kensington

Residential Historic (Conservation) Zone  
12.8 Kensington 1  
12.9 Kensington 2  
12.10 Kensington 3

———— Policy Area Boundary  
- - - - - Development Plan Boundary



Scale 1:5000



# NORWOOD PAYNEHAM AND ST PETERS (CITY) STATE AND LOCAL HERITAGE PLACES AND CONTRIBUTORY ITEMS

Fig Her/23

Consolidated - 31 October 2013