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State Planning Policies
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Submission on State Planning Policies

RE:STATE PLANNING POLICY 15: NATURAL HAZARDS

The Planning Policies and Planning Design code cannot protect all developments from natural hazards. In biodiversity settings many do not want the environment compromised. There is ongoing confusion and conflict due to a lack of clarity in the planning system, a lack of there being a Code of Practice for fire prevention on private land (facilitated by the fire and Emergency Services Act but still not created) and a lack of a reality check across Planning and CFS to acknowledge that the current frameworks are not achievable.

This matter needs to be addressed with the CFS and representatives of the State Bushfire Coordination Committee and Ecological Technical Working Group to settle on a realistic and honest position.

Key areas of improvement in the SPP

- This should be a legislated policy
- The SPP needs to be made relevant to apply to new multi dwelling precincts
- An additional sub policy is needed in rural, remote and wild locations, to encourage development in safer places with adequate asset protection zones, buffer zones and safe access.
- In the interests of keeping the risk real so that people understand the risk and take responsibility to manage their risk, a new sub policy is needed as follows:

In rural, remote and wild locations, identified at high risk that cannot be made safe all of the time, identify that the developer/occupier acknowledge responsibility for their safety, acknowledge that their property may not be protected by others, is treated as replaceable and that occupiers have established their own safety and survival plans.

- The Policy 2 should be expanded to recognise that planned evacuation must be a part of clarity in developments approved where they are not safe from natural hazards as follows: Policy 2
- Design and plan for development in accordance with a risk hierarchy of avoidance, adaptation and protection, or planned evacuation
- A new sub policy is required to stop the preventable and careless destruction of native vegetation and ecosystems which continues as a result of the Planning system being devoid of an ecological conscience for this planning aspect.

Add in: Protect the environment (native vegetation, trees, parks and other environmental assets, from poorly planned and located built infrastructure (including land divisions and tourism facilities) which then require further vegetation clearance, asset protection zones and buffer zones that were not identified in the original application for development approval.

- The non-statutory guidance not should not suggest unachievable outcomes. Revise to: Non-statutory Guidance Notes: - The Planning and Design Code should implement state policies through inclusion of policy that mitigates the adverse impacts from natural hazards **as far as practicable**, particularly flood and fire. Overlays will be used to identify risks relating to bushfire, flooding etc.

In relation to the State Bushfire Management Plan/Rural Fire hazard Plan planning and development approvals, it is acknowledged that:

- The CFS as Rural Fire Hazard Leader participates in the regulation of development in bushfire prone areas. Specifically, proposals to develop property within high bushfire risk areas are assessed against the bushfire protection planning provisions of the relevant local area development plan. This will include a referral to SACFS for advice on the degree of difficulty in protecting the building from a bushfire planning conditions required for bushfire safety.
- All new dwellings or tourist accommodation are assessed by SACFS for compliance against the Ministers Specification SA 78 using the Australian Standard AS3959. Key points address are:
 - Radiant heat levels that the building will be exposed to;
 - Water supplies for firefighting;
 - Safe fire vehicle access and egress.
- In addition, new buildings are assessed against the provisions of the building rules to ensure they are designed and constructed to provide an appropriate level of protection ranging from sparks and embers to direct flame contact. This requires a site assessment in accordance with AS 3959 – construction of buildings in bushfire prone areas.

- The building of residential and tourist accommodation in bushfire prone areas of the state are controlled under the Planning, Development and Infrastructure Act 2016 (PDI Act) through the declaration of Bushfire Protection Areas. The SACFS has input into changes to local government development plans and are directly consulted for land, or subdivision applications in these areas.

However, as a whole, the system **does not work** because:

- New land divisions are still being created in and against native vegetation in places that cannot be made safe even when extra ecosystem destroying asset protection zones and bushfire buffer zones are attempted.
- Individual dwellings are still being approved in rural and wild places without planning acknowledgement that they are not fire and hazard safe and cannot be made fire and hazard safe without excessive and significant landscape scale environmental and ecological harm. This does not suggest restricting approvals in these places, but there does need to be recognition in the planning framework that acknowledges the residual risk and limits environmental damage to immediate asset protection, not even expanding zones and road and track upgrades. Importantly, there is a need to guide the occupants of these structures to develop and practice their bushfire and other hazard survival plans, and be prepared to lose their assets in extreme events.

STATE PLANNING POLICY 7: CULTURAL HERITAGE

There is not sufficient detail in this policy to be meaningful.

It was not even clear whether this was the policy which referred to the character of established built forms in their landscapes and in suburbs. Apparently it does, but provides no state level strategic direction.

Obviously there is enormous importance to adequately deal with Aboriginal heritage and cultural issues which exist in the landscape, but I am not the one to comment on these matters.

On post European occupation and settlement heritage however, the very heart of what is good about Adelaide has been placed at unacceptable risk by the ad hoc approach to urban consolidation and failure to acknowledge and recognize the history of our built form within the environment.

Adelaide's colonial and federation buildings and suburbs are being systematically decimated to create Frankenstein like mismatches of character, whilst decimating established trees, gardens and biodiversity habitat. Whilst there is a heritage list, the vast majority of South Australia's colonial and federation built structures within their established environments (urban or rural) are not protected from destruction.

The SPP should properly describe how many suburbs will be potentially replaced and transformed into modern structures with token gardens and token greenery that will not support

any urban biodiversity. At the moment, there appear to be very few heritage buildings, places and suburbs across Adelaide that are safe against the level site brigade.

Kind regards

Tim Kelly

