Ms Sally Smith  
Executive Director, Planning and Land Use Services  
Department of Planning, Transport and Infrastructure  
GPO BOX 1815  
ADELAIDE SA 5001

Dear Ms Smith

Productive Economy Policy Discussion Paper

Thank you for the opportunity to comment on the Productive economy policy discussion paper. The EPA recognises the economic benefits of supporting good, clean and environmentally sustainable development in South Australia. We know that sustainable outcomes are not only good for our environment and public health, but they also drive innovation, attracting investment.

The EPA is pleased to see the inclusion of low carbon and circular economy as a key trend influencing change.

Specific comments and responses to discussion questions, where relevant, are discussed below:

Theme 1 – Supporting and growing key industries
Sub theme 1.1 - Primary industries

Discussion Question – Should the Code include a 40 metre interface buffer between rural and residential, but allow a smaller buffer distance if it can be justified?

This may be problematic. A 40 metre buffer may be effective in reducing the impact of chemical spray drift, but is unlikely to be effective in reducing the impacts of odour, dust or noise from broad-scale cropping or grazing activities, intensive agriculture or bulk handling operations. In addition, a small (<40m) buffer to residential development may hinder value-adding and innovation in primary production in some areas.

The EPA has published an ‘Interface between land uses’ position statement. The position statement identifies matters to consider in determining an appropriate separation distance for a range on land use interface scenarios (including primary production and residential) such as the types and levels of noise and air emissions associated with the land use, the scale of operations, topography, and meteorology. The EPA’s position statement could be adapted to become a Practice Guideline under the new planning system to assist in the evaluation of Code-assessed development.

The EPA notes the consultation draft of the Outback Code already includes a 40 metre buffer provision (Interface between land uses general provision DTS 9.1). As outlined above, this may be a simplistic response with problematic consequences both in terms of supporting growth in primary industries and in safeguarding potential future residents.
Discussion Question – Does policy regarding subdivision and minimum allotment sizes need to be reviewed and strengthened?

Potentially. However, the discussion paper does not clearly identify the policy problem. Any review of primary production minimum allotment size should be targeted at supporting primary production, (particularly if on high value agricultural land) and value-adding opportunities, rather than short term financial returns for land owners.

Sub theme 1.3 - Mining and exploration

Discussion Question – Should undeveloped strategic mineral resources be identified and protected from urban encroachment and other incompatible development?

Yes. The EPA understands that strategic mineral resource areas have already been identified by the former Department of State Development in their report ‘Identification of strategic mineral resource areas in South Australia’ (July 2015). The extent to which undeveloped resources are protected from encroachment through the Planning and Design Code (the Code) should be based on an evaluation of the importance of the resource to the state’s economy against other land use scenarios. Given minerals make up around 40% of the State’s current total exports a compelling economic case would need to be made for not protecting the resource from encroachment.

Theme 2 - Linking people to jobs, goods and services
Sub theme 2.2 – Employment lands (industry, manufacturing and commercial)

Discussion Question – Should there be a more flexible approach to encouraging a wide range of land uses in non-residential zones – with a land use genus, impact and design focus, rather than strict land use definitions?

As identified within the discussion paper, certain development (such as new housing) in innovation districts may offer superior financial returns for the land owner but inferior economic outcomes for the State. State significant operations and industries and industry clusters should be protected from incompatible development so a flexible approach should only be considered in this context, while safeguarding potential future residents.

Theme 3 – Providing infrastructure to enhance our liveability
Sub theme 3.1 – Renewable energy

Discussion Question – How should planning policy respond to growth in renewable energy – what issues should be addressed?

Planning policy alone cannot practically deal with all renewable energy technologies. Consistent with the objects of the Planning, Development and Infrastructure Act 2016 (see s.12(1)), the Code should link to other laws of the State. Renewable energy technologies with a lower environmental risk should be dealt with by the relevant authority and assessed against relevant Code policy. Technologies with a higher environmental risk should be referred to the EPA for technical assessment against the provisions of the Environment Protection Act 1993 (EP Act).
Beyond wind farms (and conventional gas and diesel-fired generation) there are a number of emerging energy generation and storage technologies in SA including large-scale solar photovoltaic, concentrated solar thermal, pumped hydroelectricity energy storage, and chemical batteries (such as lithium-ion). Of these emerging technologies, concentrated solar thermal and pumped hydro have the greatest potential to cause environmental harm in the EPA’s view. These technologies, when proposed at a scale exceeding 30MW, will be captured through a new referral to the EPA as identified in Part 8 of the consultation draft of the Outback Code.

Large-scale solar photovoltaic and chemical battery storage facilities have a low potential for harm and could be efficiently assessed by the relevant authority through standard policy in the Code. Example issues to be addressed through Code policy for lower risk technologies are outlined in Attachment 1.

**Sub theme 3.2 – Adaptive reuse**

**Discussion Question – Should existing unused farm houses be able to be separately titled to allow their adaptive reuse and facilitate economic growth?**

This may be problematic. This scenario could create the same land use interface issues identified in our response to the 40 metre buffer discussion question above. In addition, separately titling farm houses could contribute to water quality impacts through the increased number of onsite wastewater systems and associated land application of effluent particularly in water protection areas (proclaimed under s.61A of the EP Act and identified in State Planning Policy 4: Water quality and security).

For further information on this matter, please contact James Cother on [contact details redacted] or [contact details redacted].

Yours sincerely

[Signature]

Kathryn Bellette

DIRECTOR STRATEGY AND ASSESSMENT

ENVIRONMENT PROTECTION AUTHORITY

Date: 19/2/19
Attachment 1: Suggested environmental policy areas for low risk code-assessed energy proposals

<table>
<thead>
<tr>
<th>Pollutant or waste hazard</th>
<th>Impact type</th>
<th>Environmental objectives</th>
<th>Potential for environmental harm</th>
</tr>
</thead>
<tbody>
<tr>
<td>Large-scale solar photovoltaic</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sun tracking motors generating noise</td>
<td>Noise</td>
<td>General compliance with Environment Protection (Noise) Policy 2007</td>
<td>Unlikely to extend beyond environmental nuisance as panel movement only occurs during daytime hours.</td>
</tr>
<tr>
<td>Generation of noise from solar inverters and transformer stations</td>
<td>Noise</td>
<td>General compliance with Environment Protection (Noise) Policy 2007</td>
<td>Consistent with any electrical substation in South Australia, this component has a low potential for environmental harm.</td>
</tr>
<tr>
<td>Release of a washdown water to land or waters from panel cleaning</td>
<td>Water quality</td>
<td>Prevent discharge of a class 1 pollutant (e.g. washdown water) - Environment Protection (Water Quality) Policy 2015</td>
<td>Low potential</td>
</tr>
<tr>
<td>Chemical batteries (including lithium-ion, advanced lead-acid and sodium-sulphur)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Containment loss leading to release of chemical liquids to surface and potentially ground waters</td>
<td>Water quality</td>
<td>Bunded in accordance with EPA Liquid storage guidelines: Bunding and Spill Management, and relevant Australian Standards</td>
<td>Low potential for environmental harm</td>
</tr>
</tbody>
</table>