

DIT:Planning Reform Submissions

From: Andrew Lehmann [REDACTED]@grainproducerssa.com.au [REDACTED]
Sent: Friday, 18 December 2020 12:49 PM
To: DIT:Planning Reform Submissions
Cc: SA Planning Commission; Caroline Rhodes
Subject: GPSA - Phase three Planning and Design Code submission letter
Attachments: 20201218 SAPC Submission Letter.pdf

[REDACTED] [REDACTED]

Dear Mr Lennon

On behalf of Grain Producers SA (GPSA), thank you for the opportunity to meet with you and your staff throughout 2020.

As discussed at the latest AGD, State Planning Commission and Rural Group Agencies meeting you will find GPSA's submission to the revised draft Phase Three (Urban Areas) Planning and Design Code attached.

If you have any concerns, please don't hesitate to contact Caroline or myself.

Regards,

Andrew Lehmann
Policy Director

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Mr Michael Lennon
Chair
State Planning Commission
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By email: DIT.PlanningReformSubmissions@sa.gov.au

18 December 2020

Dear Mr Lennon

On behalf of Grain Producers SA (GPSA), I wish to thank you for the opportunity to meet with you and your staff throughout 2020, alongside Primary Producers SA and the Crop Science Society. As discussed at the latest AGD, State Planning Commission and Rural Group Agencies meeting we wish to raise the following issues.

GPSA is the peak industry body for South Australian grain growers. GPSA is non-political and represents producers to government, the community and industry, including grain marketers, exporters, storage and handlers, researchers and farm input suppliers.

We develop and implement policies and projects that promote the economic and environmental sustainability of South Australian grain growing businesses.

GPSA's interest in planning law arises from concerns raised by members in relation to decisions with an adverse impact on existing broadacre agriculture. These decisions broadly include development approval relating to:

1. Housing development,
2. Energy projects, and
3. Changes to land use, including and especially the introduction of sensitive land uses.

We note that in our meetings with you, a number of issues were raised of relevance to our sector, including scope for value adding through the Code, the development of regional plans, and the review of Environment and Food Production Areas.

We genuinely appreciate your openness and transparency throughout this process, and welcome your direct engagement with our sector.

We also welcome the Online Planning & Design Code, which brings transparency and accessibility to this process for our industry,

Through this document, GPSA seeks to briefly set out concerns and provide input to the Commission for your consideration. We provide this document as a point of reference for the Commission to utilise when considering planning policies of relevance to the broadacre agricultural sector, to aid in understanding the issues facing broadacre agriculture that are relevant to development, and as a conversation starter noting the significant work ahead for the Commission.

ADVERSE PLANNING DECISIONS

Arable land comprises approximately 4% of South Australia. The relative scarcity of land that is suitable for cropping highlights the inherent necessity in ensuring that all planning and development decisions do not unreasonably restrict its use or threaten its viability.

Anecdotally, interface issues create substantial angst in agricultural communities and regions, particularly around townships, where there is urban expansion, and with the presence of different land uses (i.e. intensive agriculture).

Broadacre cropping activities occur in response to seasonal variations, including the timing and frequency of rainfall, temperature, atmospheric inversions, and pest issues.

In addition to day-to-day work, routine farm activities include spraying crops (January – September) with fertilisers, insecticides, and pesticides, sowing crops (April- June), the harvesting of crops (November – January), and burning of stubble (post-harvest). These activities generally require heavy machinery which creates large volumes of noise, dust, light, vehicle movements, and can also result in smoke or chemical spray. In addition, these activities can occur whenever there is a climatic or environmental advantage to doing so, including at night. There is often a seasonal urgency by which these activities are undertaken.

As a general rule, growers only conduct their activities when it is safe and effective to do so.



Picture 1: Seeding operations underway on the Yorke Peninsula

Growers have developed a variety of practices to minimise the impact of their activities, including buffer zones, chemical application/ spray drift minimisation practices,¹ and codes of conduct for harvesting and stubble burning.²

It is not always possible to prevent an impact on neighbouring properties, particularly when those properties are not broadacre farms.

¹ See: www.grainproducerssa.com.au/projects/hit-your-target/

² See: www.grainproducerssa.com.au/projects/know-your-code/

However, we do not believe the time urgency, general necessity, and mitigation efforts are well understood outside agricultural circles. This has the potential to create conflict and animosity amongst communities.

The necessity of these practices highlights the importance of the development of proper planning processes and development approval; through the recognition of existing agricultural industries and their practices, and ensuring that proposed developments are compatible with existing uses.

CASE STUDY 1 – SPRAY DRIFT

Broadacre growers generally implement buffer zones of 5 metres between crops to minimise chemical spray drift. However, this does little to minimise noise and dust which may also occur in the conduct of chemical spraying.

While this is not normally an issue for the vast majority of growers, it is of increased concern in and around the interface of rural townships and new housing developments (generally in the lower north).

The approval of housing developments adjacent to broadacre cropping industries has created conflict of the type referred to above. In the lower north, some producers have been forced to adopt buffer distances of 50 metres on their property from newly developed housing in order to minimise the impact of their activities. This comes at direct cost to producers in terms of lost yield and soil erosion from land that is unable to be cultivated.

Through the Valuer-General, landowners are generally able to claim a rateable exemption for land that is used as a buffer zone, however this only reduces the local government rates paid by producers.

GPSA would strongly encourage the Commission to adopt policies and procedures which enable producers to carry out their activities based on the existing and prior use of the land. Where township expansion or housing developments occur, any buffer zone should not be borne by the producer.

On this basis we welcome references in State Planning Policy 8: Primary Industry to “equitably manage the interface between primary production and other land use types, especially at the edge of urban areas,” and “identify and protect key primary production assets and secure strategic opportunities for future primary industry development.”

The proper implementation of these policies would ensure that the code recognises existing land uses and protects primary producers from changes of land use that are outside their control.

While land interface issues frequently occur in SA’s lower north, they do exist in some form across the state. In the mid-north, producers are confronted with interface issues as a result of renewable energy projects such as wind farms, which pose unique challenges and opportunities for agriculture. For some communities, they provide an alternative revenue source, while others cite impacts as a result of noise and vehicle access, as well as transmission lines.

Different forms of primary production situated in close proximity can also create tension in communities and over fences. SA’s lower north is home to substantial intensive animal production, including poultry and pork. Proximity to Adelaide, access to key freight routes, as well as access to feed grain from surrounding farms makes this region a logical home for this production type.

CASE STUDY 2 – INTENSIVE AGRICULTURAL PRODUCTION

South Australia's lower north is home to numerous intensive agricultural production facilities, including horticulture, poultry farms, and piggeries. Intensive animal production is a key user of grain as a production input (for animal feed).

However, intensive agriculture poses unique environmental and agronomic challenges for existing broadacre farmers situated nearby. For neighbours nearby it can restrict existing broadacre practices (due to chemical sensitivities and noise), and brings odour, and hazardous waste issues. When planning processes are not adequate it can also place unreasonable stress on local transport routes and water resources.

GPSA members have also reported an inconsistent approach to development approval of intensive production facilities. Producers have faced either resistance or unnecessary development conditions (such as colour, tree shading etc) on improvements to their facilities (such as sheds), while intensive production facilities have a streamlined approvals process despite being merit assessed.

With proper planning and foresight, intensive agriculture can be a welcome boost to a region by providing employment, development, revenue, and markets. Happy coexistence occurs between many different forms of primary production across the state, including broadacre cropping, horticulture, winegrapes, and animal production.

VALUE ADDING

Value adding is a critical component of SA's grains industry, and allows producers to seek new markets and premium prices for their goods. Value adding was recently identified as a key driver of growth in the grains industry, and regional SA more broadly.³

However, we note that there is a substantial disconnect between the 'value adding' enabled through planning, and the definition of value adding held by the industry. Recently introduced provisions for value-adding streamline the planning and development process for shops, accommodation, and beverage production associated with a primary production business. These include gin distilleries, cideries, and small accommodation providers such as farm stays. While these changes are welcome, they form a tiny percentage of the development that industry is trying to achieve.

The value adding enabled by the current Code streamlines development for end consumer businesses. We perceive it to be out of touch with the industry. Value adding from a grains perspective includes further intensive animal production, pulse fractionation, oat and oilseed processing plants, additional flour milling capacity, inland rail and associated container transport facilities.

We would welcome the Commission's consideration of planning and development processes that streamline approvals for developments that add real value to our industry, rather than city-centric developments in rural areas.

³ www.blueprint.grainproducerssa.com.au/wp-content/uploads/2020/09/SA-Grain-Ind-Blueprint_online.pdf, see p22.

REGIONAL PLANS & REVIEW OF ENVIRONMENT AND FOOD PRODUCTION AREAS

As part of our discussion on 9 October 2020, the Commission noted the imminent development of regional plans and the review of the Environment and Food Production Areas.

Given the nature, frequency, and type of adverse development decisions, we believe that the lower north/ Adelaide plains region would be a priority candidate for development of a new regional plan. Building a best practice framework suitable for this area will allow lessons learnt to be applied to other areas across the state.

We hope that this letter goes some way to outlining the nature of our industry and the importance of planning to our future economic and environmental sustainability.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Caroline Rhodes', followed by a period.

Caroline Rhodes
Chief Executive Officer

SUMMARY OF KEY PLANNING ISSUES PUT FORWARD BY MEMBERS

As discussed, GPSA and Crop Science Society members have identified a range of issues arising from poor planning and/or development decisions which have an adverse impact on their business.

In particular, the Crop Science Society has identified issues in the lower north, which are summarised below.

BAROSSA, LIGHT, AND CLARE VALLEY COUNCILS

Sensitive land uses (such as adjacent viticulture, horticulture) severely limit weed and pest control options for broadacre growers. Proximity between broadacre and sensitive industries means that broadacre growers are forced to use sub-standard and often more costly weed control measures to limit risk of damage to adjacent/nearby sensitive species.

Buffer zones can be implemented to reduce the likelihood of any impact, however this comes at an economic cost to the broadacre grower (through lost productivity). However, a number of broadacre growers in these regions report having sensitive land uses adjoining multiple boundaries, which limits the effectiveness of buffer zones and significantly increases the risk arising from activities that are considered normal in the broadacre sector.

To mitigate this, broadacre growers have risked legal consequences by intentionally applying chemicals against the directions provided on the chemical label, or are applying during high risk periods to reduce risk of detection by sensitive neighbours.

ADELAIDE PLAINS COUNCIL

The Council recently refused a development application by Agrisano Holdings Pty Ltd in relation to a proposed 20ha horticulture greenhouse facility development and associated infrastructure. We understand that this was initially assessed as Category 1.

Further, we understand that the Council rejected the application on the basis that, inter alia, no assurance could be provided that the development would not interfere with the day-to-day activities of established adjoining primary production land.

In refusing the application, the Council also noted the impact on local infrastructure including roads and existing traffic flows.

We understand that this matter now resides in an appeal to the Environment, Resources and Development Court.

BAROSSA COUNCIL

Developments that would be viewed in an agricultural context as “value adding” have been refused on character grounds, including a vineyard machinery workshop, farm machinery shed, and hay sheds.

We note that these activities stand in contrast to other developments, including gin distilleries which have received development approval.

We also note the irregular application of conditions similarly on character grounds. This includes requiring screening of sheds situated at a distance of 1 kilometre from a highway using vegetation, when wine tanks and associated infrastructure are situated alongside the highway with no such requirement for screening.

LIGHT COUNCIL

The Council has received complaints regarding excessive odours from an established piggery at She-oak Log by a newly established neighbouring vineyard development.