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 Chair – State Planning Commission  
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**Planning and Design Code**

Thank you for the opportunity to provide input on the revised draft Planning and Design Code. As commented in our previous submissions, this is an area of great interest and importance to our member groups and we are keen to be involved in policy development in this area.

We have reviewed the revised draft Code and responses to our previous submissions as follows:

Our recommendation	Response
<p>Offered to facilitate <b>workshops in key horticultural regions</b> to discuss viable block sizes and subdivision restrictions</p> <p>These could incorporate some discussion of “right to farm” issues and the balances required</p> <p>Also suggested a review of provisions in the Act relating to Environment and Food Production Areas, particularly restriction of subdivision in those areas</p>	<p>No response</p>
<p>A streamlined assessment process for greenhouses and other horticultural buildings (covering both development approvals and Building Code requirements); with <b>approval requirements to be reviewed for the Northern Adelaide Plains, as a pilot region, with industry, PIRSA, local government/planners and PlanSA</b></p> <p>This would include consideration of recognition of accepted industry practices (e.g. codes of practice) and audited QA systems</p> <p>Also proposed a Regional Assessment Panel for Northern Adelaide local government areas (Playford, Adelaide Plains, Light and Barossa) incorporating industry expertise</p>	<p>No response</p> <p>No response</p>

<p>Horticulture to be classified as Accepted Development in Rural and Rural Horticulture Zones, with consideration to be given to extending this to any other relevant zones – and Accepted Development Classification Criteria to be identified in consultation with industry, PIRSA and local planners from key horticultural areas</p>	<p>Remains as “Deemed To Satisfy” in the Rural and Rural Horticulture Zones – <i>please refer to comments below</i></p>
<p>Queried the merit and justification of the Peri-Urban Zone</p>	<p>Name has changed to Adelaide Country Zone</p>
<p>“Protective tree netting structure” to be changed to “Protective horticultural netting structure” or “Protective crop netting structure” (strongly recommended)</p> <p>Remove Sloping Land, Water Protection Area and Water Resources Overlay exceptions for protective netting structures being categorised as Accepted Developments – also River Murray Flood Plain Overlay</p> <p>Remove any overlays without very strong justification for additional protection or criteria (including from a cost:benefit perspective)</p>	<p>Unchanged</p> <p>Have been removed</p>
<p>Raised concerns about the combination of Designated Performance Features with Deemed to Satisfy Criteria which are very prescriptive (thresholds)</p> <p>Offered to provide input into the development of Designated Performance Features, as well as Deemed to Satisfy Criteria</p>	<p>Seems unchanged</p> <p>No response</p>
<p>Remove requirements for horticulture to be sited on land with a slope not greater than 10% or not within 50 metres of a watercourse or native vegetation</p>	<p>The requirements remain for Rural and Rural Horticulture Zones</p>
<p>Restrictions on excavation or filling of land should only apply to major earthworks</p>	<p>Seems unchanged</p> <p>e.g. There is no excavation or filling of land – for Farming as Accepted Development in the Rural Zone</p>
<p>Raised the importance of workers being able to be housed in proximity to their work</p>	<p>Workers’ accommodation seems to be Performance Assessed in both Rural and Rural Horticulture Zones (as are detached dwellings and land divisions), while tourist accommodation appears in both Deemed To Satisfy and Performance Assessed categories for both Rural and Rural Horticulture Zones</p>
<p>Vertical integration needs to be taken into account, including farmgate sales etc</p> <p>Flexibility required to allow for new enterprises and trends</p>	<p>?Farmgate sales probably covered by “Shop”?</p> <p>?Noting that the Rural Industry total floor area thresholds (for Deemed to Satisfy) are 500msq for the Rural Zone and 350msq for the Rural Horticulture Zone</p>
<p>Raised concerns about excessive buffer zones and the need to recognise the expertise and jurisdiction of the APVMA and PIRSA’s Rural Chemicals unit</p>	<p>The Performance Outcome below seems to be only for the Hills Face Zone?</p>

	Horticultural activities located within 300m of a dwelling, tourist accommodation or any other sensitive receiver incorporates a suitably sized vegetated buffer area/strip to minimise any adverse impacts from the horticultural activity (including noise, chemical spray drift and run-off).
Raised the need to enforce cleaning up of abandoned blocks and feral trees	? A search for the words “abandoned” and “feral” came up with no relevant provisions ?
<p>Definitions:</p> <ul style="list-style-type: none"> <li>Workers’ accommodation – remove “on a temporary basis” from this definition</li> <li>Renewable energy facility – changes recommended</li> <li>Solar power facilities – changes recommended</li> <li>Recommended that an overarching definition of Agriculture or Primary Production (with a range of sub-sets) might be more logical than the Farming definition</li> </ul>	<p>Seems unchanged</p> <p>“more than 5MW” not added but other changes have been made to this definition</p> <p>Other changes not made</p>
Specific references to breweries, cideries, distilleries and wineries be amended to the more inclusive “beverage production facilities”	The term beverage production has been incorporated into the Code, particularly in the specified outcomes
200 and 250 metre square floor area thresholds need to be increased significantly, as they are out of step with the scale of operations	Agricultural buildings are still limited to 200m <sup>2</sup> but a new category for larger scale industry (without DTS limitations) has been included in rural industry

As mentioned also in the submission by the Apple and Pear Growers Association of SA and the Cherry Growers Association of SA, not only are horticultural developments categorised as “Deemed to Satisfy” development (rather than Accepted Development like other farming activities) but overlays are likely to push horticultural developments into the Performance Assessed category.

As pointed out in that submission:

“These criteria are excessive and would preclude a significant portion of current horticultural developments and potential area in which future developments could occur. They also do not take into account modern horticultural practices and do not appear to be developed on a strong evidence-basis.

It is overly burdensome to force horticultural developments into Performance Assessed pathways, particularly when so much effort has gone into creating streamlined pathways for urban developments and when other developments such as farming are also afforded streamlined pathways. Further, with very restrictive DTS/DPF criteria, developers would potentially be required to invest significant effort into demonstrating that the performance outcomes can be still be met for what should be considered straightforward developments.”

In particular, the DTS/DPF criteria for horticultural activities of a slope not greater than 10% and not occurring within 50m of a watercourse or native vegetation have been raised by us in previous submissions, as well as by the Apple and Pear Growers Association of SA (APGASA) and Cherry Growers Association of SA (CGASA) submission.

We also concur with the APGASA and CGASA submission that some of the DTS/DPF criteria for shops, tourism and function centres are very limiting, including the thresholds for floor areas, accommodation

areas, seat numbers and display areas external to a building. We support the call for further consideration to be given to these criteria to enable reasonable developments commensurate with industry requirements.

We would like to reiterate our offers to:

- facilitate workshops in key horticultural regions to discuss viable block sizes and subdivision restrictions;
- collaborate on a Northern Adelaide Plains pilot project to explore a streamlined assessment process for greenhouses and other horticultural buildings (covering both development approvals and Building Code requirements) between industry, PIRSA, local government/planners and PlanSA;
- provide input into the development of Designated Performance Features, as well as Deemed to Satisfy Criteria, and the potential establishment of a Regional Assessment Panel for Northern Adelaide local government areas.

Please don't hesitate to contact us with any queries and we look forward to greater engagement on this important issue.

Yours sincerely



Trevor Ranford (HCSA Secretary)  
For and on behalf of Angelo Demasi  
President  
Horticulture Coalition of South Australia

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