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## **RE: Revised Planning and Design Code Consultation**

Thank you for the opportunity to provide feedback on the revised draft Phase Three Planning and Design Code.

Previously, I provided feedback during the Phase Two and Phase Three consultation. In addition, I have sought improvements in the area of planning and bushfire risk, and a general improvement for a 'develop on cleared land principle' for significant developments including tourism developments and solar farms.

In regard to the revised Phase Three Planning and Design Code, I note that there are no substantial improvements to address improvements for safer bushfire resilient developments, and a more integrated approach that doesn't result in significant native vegetation clearance and environmental harm as incidental harm to an approved development.

The Phase 3 Planning Design Code has basically adopted a like for like transition for bushfire and planning issues in the new Code and overlays. There are no major or structural changes to for clarification of the different types of bushfire zoning (planning zones, bushfire management zones including defendable space, asset protection, bushfire buffer and strategic risk management zone and related dimensions and the role that such zones perform.

With climate change already causing major bushfire impacts to landscapes and community vulnerability, there is an urgent need to review the role of planning and how it impacts with, zoning subsequent fire management zones and community expectations.

Post 2000 examples of land divisions in and adjacent to native vegetation and high fire risk locations demonstrate the need to tackle the bushfire and planning issue as a matter of priority. In fact, this task is nearly fifty years overdue.

The guide: Bushfire Protection in South Australia for the 1970s recognised the risk of bushfire on small townships, on the outskirts of large townships and to urbanised communities in forested environments. described that:

"the preparation of a typical township protection plan involves:

- Defining a major perimeter fuel break around the town. Existing natural features may be incorporated into the plan and where necessary, improved upon and linked by construction of special breaks.

And

- Reducing Fuel outside the perimeter break but adjacent to it"

These recommendations from the thinking 50 years ago recognise the need for what we now identify as an asset protection zone or strategic risk management zone close to the built assets with further fuel reduced bushfire buffer extending beyond.

Since that guide was written in the mid 1970s, the Planning system has permitted continued development including land divisions and tourism developments in and against native vegetation without adequate asset protection zones and extended bushfire buffer zones.

There is systemic risk that is unnecessarily built into many developments because the State Government has not developed safe planning principles. Instead, there is an over reliance on post development clearance of native vegetation to establish fuel reduction zones after the development is established, and to prescription burn ever larger amounts of native vegetation in the hope that this will reduce bushfire risk to built assets. However, there are limitations to the effectiveness of prescription burnt areas as they do not typically limit the spread of fire in extreme and catastrophic conditions, plus fine fuels in, weeds and grasses return relatively quickly, and where the canopy cover is significantly damaged, areas can become even more flammable with accelerated growth in the shrub layer.

It is disappointing but not surprising that even after a terrible summer which resulted in significant bushfire impact on communities and loss of assets including in tourism developments, that the Planning Design Code has not sought to make significant improvements. Updating the bushfire overlays will not make a meaningful improvement in planning decisions.

For single dwellings and small scale occupied structures built in locations that are not safe and are unlikely to ever be safe, there needs to be a discussion and acknowledgement of the risk. Whilst all landholders and occupiers in such locations should have a Bushfire Survival Plan, some may intentionally seek to accept a higher risk of bushfire impact to maintain the environment. In other locations there needs to be some agreement on the extent of environmental clearance and prescription burning around single dwellings built in unsafe places.

It is particularly concerning is the disintegration of native vegetation overlays from the bushfire risk overlay. If not done well such an approach may result in the continuous and cumulative destruction of native vegetation incidental to approved development, and it may not even be recorded as land clearance. The mal-approval pathway would come from native vegetation being noted but not influencing the approval of a development, and the Fire Management overlay requiring the clearance of vegetation as incidental. If there is no point which says the development should not proceed or that vegetation clearance is not permitted then the clearance will take place.

## **RECOMMENDATIONS**

- 1. That there be a scheduled timeframe to prepare a detailed Practice Guideline for Bushfire and Planning that will include structured consultation with community.**
- 2. That there be facilitated workshops to explore options for better safer land divisions and tourism developments which do not result in cumulative incidental destruction of native vegetation.**

3. That there also be facilitated workshops on the planning implications for single dwellings and small scale occupied structures in rural areas and on lifestyle blocks in and against native vegetation.
4. That the government give due consideration to the concept of a '*develop on clear land principle*' for human settlement land divisions and tourism facilities for safe development to be more achievable and to reduce the collateral native vegetation clearance that happens as incidental to planning decisions.

Of the many examples of post 2000 dangerous development, I will simply show one example from Port Lincoln that is steadily destroying a small area of remnant native vegetation and is placing the development and occupiers at risk. If an adequate asset protection zone and bushfire management zone was established, the remnant would be destroyed with a few trees and grassland remaining. This is the direct result of bad planning.

Encroachment into native vegetation is approved with zero responsible thinking about the fire risks and assessment of adequate asset protection zoning and a bushfire buffer zone as part of the development approval.

The vegetation will continue to be thinned and cleared to support the bad planning.

Not safe, will never be safe. Prescription burning south of Port Lincoln will not make this safe.



Yours sincerely

A handwritten signature in black ink that reads "Tim Kelly". The signature is written in a cursive, slightly slanted style.

Tim Kelly