

Role, goal and interest statement for the EPA's involvement in the South Australian planning system

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EPA 1080/16: This information sheet articulates the Environment Protection Authority (EPA) vision and core goals to frame its input to relevant planning matters

Introduction

The EPA has an important role to play at all levels of the planning system. Strong, articulated involvement at all levels leads to better environmental outcomes. However, the principal challenge for the EPA is that its formal influence occurs primarily at the last stage of the system—the development assessment stage. If the EPA has not been heard and hence been influential in the earlier policy development stages, its advice at the development assessment stage may conflict with policy positions adopted earlier in the system.

To aid clarity for government agencies, planning authorities, and the development community about what is to be achieved through the EPA's involvement and for it to participate effectively in the planning system, the EPA has identified and articulated its vision and core goals to frame its input to relevant planning matters.

The EPA's overarching goal for its interaction with the planning system, in relation to all aspects of that interaction, is to promote the principles of ecologically sustainable development (as defined in the *Environment Protection Act 1993*) by ensuring that its views on the matters within the scope of the Act are heard, understood and taken into account at each stage of the planning system, to the degree appropriate to the risk of environmental harm.

The following table shows each level of the planning system along with EPA's key interest and goal for its interaction.

Planning Strategy

Role (function or position)	Key interest (right, claim, or legal share)	Goal (the aim)	Priority
<p>Section 22 of the <i>Development Act 1993</i></p>	<p>High level promotion of the principles of ecologically sustainable development as identified in the objects of the <i>Environment Protection Act 1993</i> to ensure their inclusion in the volumes of the planning strategy.</p>	<ul style="list-style-type: none"> • Ensure all environmental issues are referenced to enable further consideration and expansion in other levels of the planning system. • Key development areas identified in plans are achievable and will not create land use conflicts. • Support and advocate the Environment and Conservation Portfolio's plans, positions and targets so that a holistic document is created. <p>How</p> <ul style="list-style-type: none"> • Documenting and actively communicating the EPA's position to enable a consistent message at all levels. • Providing formal comments to requests for comment. • Building relationships with key departments (including DPTI). • Educating planners and the wider development industry. 	<p>High</p> <p>The strategy sets the scene and scope of all future considerations.</p>

Structure Plan

Role (function or position)	Key interest (right, claim, or legal share)	Goal (the aim)	Priority
No statutory provision but some have been endorsed by Cabinet	A more region- or precinct-specific application of the objects of the <i>Environment Protection Act 1993</i> along with the targets and objectives within the volumes of the planning strategy.	<ul style="list-style-type: none"> • Ensure all environmental issues are referenced to enable further consideration and expansion in other levels of the planning system. • Key development areas identified in plans are achievable and will not create land use conflicts. • Cumulative impacts are considered and appropriately planned for. • Use relevant environmental information and Policy Position Statements to ensure the appropriate land uses are planned in appropriate locations. <p>How</p> <ul style="list-style-type: none"> • Documenting and actively communicating the EPA's position to enable a consistent message at all levels. • Providing formal comments to requests for comment. • Building relationships with key departments (including DPTI). • Educating planners and the wider development industry. 	High Many issues such as location of land uses become bedded down.

Strategic Direction Report (Section 30)

Role (function or position)	Key interest (right, claim, or legal share)	Goal (the aim)	Priority
<p>Section 30 of the <i>Development Act 1993</i></p>	<p>Ensure that all environmental issues within the scope of the objects of the <i>Environment Protection Act 1993</i> are identified and considered at this stage.</p>	<ul style="list-style-type: none"> • Advocate appropriate regional consideration of environmental issues such as stormwater management (including water sensitive urban development, waste management (hard waste and sewerage). • Review the proposed DPA schedule and flag those that may cause issue/concern and those the EPA would like to be intimately involved with; particularly where there would be a benefit to Council and the EPA if the EPA were involved early (adjacent an industry, within a Water Protection Area etc). <p>How</p> <ul style="list-style-type: none"> • Providing formal responses to requests for comment. • Building relationships with key departments (including DPTI). • Educating planners and the wider development industry. • Suitable support for planners/Councils through phone in service, website information. 	<p>Low</p>

Statement of Intent

Role (function or position)	Key interest (right, claim, or legal share)	Goal (the aim)	Priority
Section 25 of the <i>Development Act 1993</i>	<ul style="list-style-type: none"> • Ensure the proposed rezoning or policy change will not result in a situation where environmental nuisance or harm could occur. • Ensure adequate investigations are proposed to inform the proposed amendment; in particular site suitability (from an air, noise, site contamination perspective) and cumulative impacts. 	<ul style="list-style-type: none"> • Ensure all relevant environmental issues are identified to enable further consideration and investigation during preparation of the development plan amendment. • Key development areas identified in plans are achievable and will not create land use conflicts. <p>How</p> <ul style="list-style-type: none"> • Documenting a standard set of expected investigations. • Providing formal comments to requests for comment. • Building relationships with councils and DPTI. • Engaging with councils or DPTI early to advocate investigations of important issues. • Assisting councils and DPTI with access to appropriate environmental information (CARES, licensed sites, site contamination notifications etc) via meetings, phone or website. • Promoting the EPA's needs and aims by educating planners and the wider development industry. 	<p>High</p> <p>Appropriate investigations to inform rezoning areas and allow the development appropriate desired character statements, objectives and PDCs.</p>

Development Plan Amendment

Role (function or position)	Key interest (right, claim, or legal share)	Goal (the aim)	Priority
<p>Section 25 of the <i>Development Act 1993</i></p>	<p>Assess the adequacy of policy to ensure that it promotes:</p> <ul style="list-style-type: none"> • the objects of the <i>Environment Protection Act 1993</i>, including ecologically sustainable development • complies with any relevant environment protection policy • suitably separates or manages conflicting land uses. 	<ul style="list-style-type: none"> • Ensure appropriate policy is included in the development plan to enable environmental issues to be appropriately assessed at development application stage. • Key development areas identified in plans are achievable and will not create land use conflicts. <p>How</p> <ul style="list-style-type: none"> • Ensuring that appropriate policy is incorporated into the development plan to manage issues identified during investigations. • Providing formal comments to request for comment. • Building relationships with councils and DPTI. • Engaging with councils or DPTI early to advocate investigations of important issues. • Assisting councils and DPTI with access to appropriate environmental information (CARES, licensed sites, site contamination notifications, etc) via meetings, phone or website. • Promoting the EPA’s needs and aims by educating planners and the wider development industry. 	<p>Medium to High</p> <p>Each DPA is prioritised using a risk-based approach.</p> <p>Many issues such as location of land uses become bedded down at this stage.</p> <p>Zoning is used as an indication of likely approval by financial backers.</p>

South Australian Planning Policy Library (SAPPL)

Role (function or position)	Key interest (right, claim, or legal share)	Goal (the aim)	Priority
No statutory provision but has been endorsed by government.	Assess the adequacy of policy to ensure that it complies with any relevant environment protection policy, that it promotes the objects of the <i>Environment Protection Act 1993</i> , including ecologically sustainable development, and that it suitably separates or manages conflicting land uses.	<ul style="list-style-type: none"> • Ensure appropriate policy that will enable proper assessment of development applications is included in the SAPPL for incorporation into development plans. • When government releases new legislative instruments (related to EPA business), advocate for the inclusion of updated/new policy within the SAPPL (water sensitive urban design, noise, etc). <p>How</p> <ul style="list-style-type: none"> • Providing formal comments to request for comment. • Building relationships with DPTI and advocating for change when required. • Capacity building of planners and DPTI on environmental issues. 	<p>High</p> <p>The SAPPL is a government endorsed policy and influence at this level is critical.</p>

Development Application

Role (function or position)	Key interest (right, claim, or legal share)	Goal (the aim)	Priority
<p>Section 37 and 49 of the <i>Development Act 1993</i></p>	<p>Ensure that development is assessed and meet the objects of the <i>Environment Protection Act 1993</i>, any relevant environment protection policies, and the waste strategy for the State adopted under the <i>Zero Waste SA Act 2004</i> (if relevant).</p>	<ul style="list-style-type: none"> • Ensure development meets the objects of the <i>Environment Protection Act 1993</i>, including ecologically sustainable development. • Ensure development is assessed against and will meet the general environmental duty of the <i>Environment Protection Act 1993</i> and relevant environment protection policies, including cumulative impact of such development. • Ensure that the potential for environmental harm or nuisance is avoided and complaints are minimised in relation to any development that will be required to be licensed by the EPA. <p>How</p> <ul style="list-style-type: none"> • Providing formal comments to referrals. • Building relationships with councils, DPTI and DAC. • Engaging with applicants and/or consultants early to advocate investigations of important issues and provision of appropriate information. • Promoting the EPA's needs and aims by educating planners and the wider development industry; this is particularly important where the EPA only has advice rather than direction. • Finalising and promote policy positions on key environmental issues. 	<p>Low to High</p> <p>Each DA is prioritised using a risk-based approach.</p>

Major Development

Role (function or position)	Key interest (right, claim, or legal share)	Goal (the aim)	Priority
Section 46 of the <i>Development Act 1993</i> .	Ensure that development is assessed and meet the objects of the <i>Environment Protection Act 1993</i> , any relevant environment protection policies, and the waste strategy for the State adopted under the <i>Zero Waste SA Act 2004</i> (if relevant).	<ul style="list-style-type: none"> • Ensure development meets the objects of the <i>Environment Protection Act 1993</i>, including ecologically sustainable development. • Ensure development complies with the general environmental duty of the <i>Environment Protection Act 1993</i> and relevant environment protection policies. • Ensure that the potential for environmental harm or nuisance is avoided and complaints are minimised in relation to any development that will be required to be licensed by the EPA. • Ensure that key environmental issues are adequately covered in the assessment guidelines developed by DAC for each application. <p>How</p> <ul style="list-style-type: none"> • Providing formal comments to referrals. • Building relationships with DPTI and DAC. • Engaging with applicants and/or consultants early to advocate investigations of important issues and provision of appropriate information. • Promoting the EPA's needs and aims by educating planners and the wider development industry; this is particularly important as the EPA only has advice rather than direction. • Finalise and promote policy positions on key environmental issues. investigations of important issues. • Promoting the EPA's needs and aims with regard to the guidelines by educating and supporting DPTI planners. 	High when an activity of environmental significance is involved, otherwise medium

Further information

Legislation

[Online legislation](#) is freely available. Copies of legislation are available for purchase from:

Service SA Government Legislation Outlet
Adelaide Service SA Centre
108 North Terrace
Adelaide SA 5000

Telephone: 13 23 24
Facsimile: (08) 8204 1909
Website: <shop.service.sa.gov.au>
Email: <ServiceSAcustomerservice@sa.gov.au>

General information

Environment Protection Authority
GPO Box 2607
Adelaide SA 5001

Telephone: (08) 8204 2004
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Freecall: 1800 623 445 (country)
Website: <www.epa.sa.gov.au>
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