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Mr Steve Campbell
Multiple Land Use Team
Department of State Development
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December 18, 2015

Feedback on South Australian Multiple Land Use Framework

Dear Mr Campbell,

The Nature Conservation Society of South Australia (NCSSA) thanks you for the opportunity to provide feedback on the draft South Australian Multiple Land Use Framework. As South Australia's primary nature conservation advocacy organisation, NCSSA has an active interest in the protection and conservation of South Australia's natural resources, particularly nationally and state listed threatened plants, animals and ecological communities and the management of protected areas.

Although we support the general intent of the draft Framework, we strongly believe that without legislative change and further broadening of the scope of the document that it will not achieve the desired outcomes of environmentally sustainable land use and long-term protection of our precious natural resources. We strongly recommend that further detail is provided about the following issues:

- provide further emphasis on the importance of the State's natural assets in underpinning our long-term prosperity;
- describe how the goal of ecologically sustainable development (ESD) will be achieved via state, regional and local policies and planning decisions;
- demonstrate a commitment to undertake independent baseline studies of the environmental qualities of catchments/landscapes to inform the framework;
- describe how potential cumulative impacts of development will be addressed over time; and
- outline how the framework will contribute to improving key indicators for the next State of the Environment Report.

Our comments on specific parts of the draft South Australian Multiple Land Use Framework are outlined below. If you would like to clarify or discuss any of the points raised, please contact me on (08) 7127 4633 or via email at nicki.depreu@ncssa.asn.au

Yours sincerely,

Nicki de Preu

Conservation Ecologist
Nature Conservation Society of South Australia

NCSSA comments on the draft South Australian Multiple Land Use Framework

Page 3: What do we want from a multiple land use framework?

We support the general intent of the draft Multiple Land Use Framework (MLUF) that “seeks to outline South Australia’s commitment to applying leading practice engagement principles for government, community, business and industry when considering multiple land use interests in the decision-making process”. We acknowledge that the draft state framework is based on the National Framework and is intended to be used where land access and land use conflict has the potential, real or perceived, to arise. At present the draft framework has been developed primarily with the minerals and energy resources sectors in mind and, although is an area of concern, we strongly recommend the framework is further broadened to include all activities where there is a potential conflict between land uses. The last sentence of this section should acknowledge that the framework will ensure better outcomes for the environment as well as communities and landholders.

Page 4: Our vision

We support the listed aims of the MLUF, in particular the intention to recognise and genuinely consider the interests of multiple land users within existing legislative processes. We strongly recommend that this section of the MLUF contain an additional point regarding the need for the principle of inter-generational equity - that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations. It is vital that the MLUF address this issue, particularly in relation to land use change where permanent and irreversible impacts may result from certain land use activities.

Page 5: Guiding Principles

We recommend the following points to improve the guiding principles in order to achieve the vision and desired outcomes of the MLUF:

Principle 1 - Accountability

We recommend this principle is expanded to incorporate more than just the decision-making process. Proponents of land use change need to provide clear and concise information on the social, cultural, economic and environmental changes that will occur as a result of the land use change. This will both add to the value of the engagement process, as well as form a basis for future monitoring and compliance to ensure accountability.

Principle 2 - Best use of assets

This principle needs further clarification about how competing land uses will be evaluated in terms of their benefits. For example the benefits of the natural environment to our health and wellbeing and supporting ecosystem services (i.e soil and catchment protection) is becoming increasingly evident yet is not properly valued or accounted for in an economic sense. There are also significant benefits to agriculture and horticulture from native insects and birds that pollinate crops and control agricultural pests and the provision of these ecosystem services needs to be better considered in terms of their economic value.

Principle 3 - Co-existence

This principle is critical to the long-term success of the MLUF. Although the intent is worthy, in practice this rarely occurs despite the examples provided in the case studies. Recognising, acknowledging and respecting the interests of other interested land users is a fundamental premise of the framework but this principle also needs to make clear that equal weighting is given to all legitimate land uses. There should also be some acknowledgement that there are some areas where multiple land use is inappropriate due to their unique species assemblages, conservation significance, primary production or heritage value. An additional area of consideration for this principle is that some land-uses are more sustainable with regard to the natural resource base, while other land uses are non-renewable and permanently remove or degrade a finite resource.

Principle 4 - Efficient processes

Although we support the need for efficient processes and a rigorous, scientifically based risk assessment process we do not support the general intent of this principle to reduce red-tape and allow for fast-tracking of projects that will have long-term and potentially irreversible impacts on natural resources.

Principle 5 - Evidence based

We support the need for an evidence based approach for decision making in relation to multiple and sequential land use outcomes but also recommend adherence to the precautionary principle where scientific information is lacking on the potential impacts of a particular land use. We also strongly recommend this principle identifies the need for a strategic approach to risk-assessment that considers the cumulative risk of an individual proposal or a number of proposals over a larger geographical area. For example new or upgrading of regional infrastructure (i.e. pipelines, port facilities, and road/rail corridors) necessitated by development proposals requires thorough assessment prior to planning approvals, rather than on an ad-hoc basis as typically eventuates. Also, streamlining regional development requirements is strongly needed to ensure operational efficiency and to avoid duplication and over-capitalisation. An example of this is the ad hoc nature of proposed development across Eyre Peninsula notably mining, ports and other infrastructure proposals. The full impacts of many proposals are not considered individually or collectively. Many communities are concerned at the impact of these proposals on their farming lands and water supplies. The lack of strategic assessment is in part due to lack of integration with natural resource management and water catchment plans. The problem is heightened by the fact that government departments, agencies and boards have differing areas of responsibility.

Principle 6 – Equity

This is a key area where the framework requires further detail about how decisions will be made about competing land uses and sequential land use outcomes. At present the mining and energy sector are provided with a number of exemptions and protections that result in other legitimate land uses being considered as a lower priority. If this principle is to be adopted it will require legislative change so that land use for mining and energy is not given a higher ranking than all other land uses. We also recommend this principle incorporate the concept of inter-generational equity that is a fundamental principle of ecological sustainable development.

Case studies

We support the use of case studies to provide examples of areas where the principles of multiple and sequential land use are being applied. We recommend the MLUF provide further information about how the selected case studies have addressed the guiding principles, possibly through a web link.

We also recommend the case study for the Gawler Ranges National Park could be substantially improved though the inclusion of additional information about the other land uses for the area including tourism and nature conservation. Although the park was established in 2002 through the purchase of former pastoral properties to protect diverse and relatively intact vegetation it also provides important habitat for a range of nationally and state listed species and ecological communities with conservation significance. The park also contributes significantly to the local economy through tourism and recreation that should be considered as an additional land use in the case study.