



# Environmental Defenders Office

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Via email [plansasubmissions@sa.gov.au](mailto:plansasubmissions@sa.gov.au)

## **Re: Amendment to the Planning and Design Code -Proposed Riverbank Precinct**

The Environmental Defenders Office (EDO) is the largest environmental legal centre in the Australia Pacific, dedicated to protecting our climate, communities and shared environment by providing access to justice, running ground-breaking litigation and leading law reform advocacy.

The EDO appreciates the opportunity to comment on this proposed Code Amendment which will alter policies affecting the parklands if approved. This is a complex proposal with long term consequences for one of our greatest assets. It is vital they are managed appropriately both for present and future generations. Unfortunately, there has been overdevelopment of the parklands by successive authorities and this amendment has the potential to exacerbate this situation by alienating additional land from public use-up to 70 hectares. In our view it is important for many reasons, including the need to ameliorate the impacts of climate change, to retain open spaces for the community and to enhance not detract from their unique features. Instead of further permanent and impactful buildings, public access and greening projects should be encouraged.

At the outset we submit there has been a flawed community engagement process and if the proposal is endorsed it will have considerable impacts on the rights of the community to comment on proposed development in the area. Fundamentally community engagement has not been consistent with the intent of the Community Engagement Charter. This was introduced to facilitate greater focus on community involvement in the policy formulation process but the process for this proposed amendment is flawed for the following reasons. The six week consultation period is inadequate for the community to be fully informed on such a significant proposal- there have been previous instances of longer periods and that could and should have happened in this process. In addition, the community should have been provided with all information including concept plans together with clear documents showing the potential impacts of development. In addition, there was a lack of early consultation with Kaurna members. Community forums were few in number and were on at limited times. Finally, the documentation does not make it clear that if the amendment proceeds the community will not be notified and therefore not be able to comment on future development proposals which is greatly at odds with the level of public interest in the future of the parklands.

The proposed amendment contradicts the 7 statutory principles of the Adelaide Park Lands Act 2005. It is also at odds with established principles in the Planning and Design Code. The proposal gives insufficient weight to the cultural and historical importance of retaining the parklands for public use which are reflected in the principles currently in the Code. It should be noted that the Code only

**T** +61 8 8359 2222      **W** [edo.org.au](http://edo.org.au)

**E** [melissa.ballantyne@edo.org.au](mailto:melissa.ballantyne@edo.org.au)

GPO Box 170, Adelaide SA 5001

ABN: 72002 880 864

came into full effect in March this year. For example, the Desired Outcomes in the Adelaide Park Lands Zone provide:

- a. A unique publicly accessible and well connected open space system, including the formal city squares, that creates a distinctive landscaped park setting for the City of Adelaide
- b. A range of passive and active recreational activities with a high level of amenity, including a safe and connected walking and cycling network, natural areas, sporting fields and club facilities, formal cultural gardens, public artwork and passive recreation areas, as well as opportunities to support a variety of temporary events, such as festivals, concerts and sporting events.

Further, the proposed building policies are inappropriate in terms of scale and height. The proposed Health Sub-zone, for example, would allow for a commercial multi-level car park up to 15 storeys which would have significant detrimental visual impact in the area. There would also be considerable impact on the setting of two state listed heritage buildings namely Adelaide Gaol and the Thebarton Police Barracks. The EDO suggests that it is much more appropriate to retain the historic olive groves and to promote this area as a site for passive and active recreation, and temporary entertainment events.

The proposed Entertainment Sub-zone provides a height guidance of up to 20 storeys providing a 'transition in scale towards the river'. However, the proposed Adelaide Riverbank Arena illustration consultation material provides no such transition in scale down to the river on Helen Mayo Park (Park 27). There is currently a narrow stretch of green parklands created from disused rail lands along the edge of the river. The continuity of this naturally landscaped walking path is included in an educational and regular Kaurua heritage interpretation tour to the western area south of the weir. This would be compromised by the siting of this large building. A further example is the change to the zoning for Botanic High School which proposes new building opportunities to replace open space. However, there are no details of an updated concept plan, nor any clear description of Desired Outcomes. Consequently, there is insufficient information for the community to provide informed feedback.

Please contact the writer via email should you require clarification of any of the matters raised in this submission.

Yours sincerely

**Environmental Defenders Office**



Melissa Ballantyne  
Managing Lawyer-South Australia