



Adelaide Park Lands Association

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ADELAIDE PARK LANDS ASSOCIATION SUBMISSION ON THE DRAFT ADELAIDE PARK LANDS HERITAGE MANAGEMENT PLAN

The Adelaide Park Lands Association (APA) was founded in 1987 as the Adelaide Park Lands Preservation Association (APPA), as a non-profit community-based organisation and ‘watchdog’ to guard and defend the Adelaide Park Lands. On 18 April 2021, our members voted to change our name from the “Adelaide Park Lands Preservation Association” to the simpler “Adelaide Park Lands Association”. The change was formally registered by the Office of Consumer and Business Affairs on 10 August 2021.

In this sense the existence of APA itself is a recognised National Heritage Value under Criterion (a):

the place has outstanding heritage value to the nation because of the place’s importance in the course, or pattern, of Australia’s natural or cultural history

and Criterion (g):

the place has outstanding heritage value to the nation because of the place's strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.

To quote the relevant gazetted values under the above criteria:

Criterion a extract: *The Adelaide Park Lands is also significant for the longevity of its protection and conservation. The establishment of the Park Lands Preservation Society in 1903, along with successive community organisations marks a continuing pattern in community support for safeguarding the significance of the Park Lands for the Adelaide community.*

Criterion g extract: *... the latest in a long history of community groups dedicated to protecting the Adelaide Park Lands. These have included the Park Lands Defence Association (1869-87), the Park Lands Preservation League (1903, 1948) and the National Trust of South Australia. The longevity of the involvement of community groups in campaigning for the protection and safeguarding of the Park Lands is exceptional.*

First and foremost, reference under Criterion (a) should be to the 1903 Parklands Preservation League, (see <https://trove.nla.gov.au/newspaper/article/55429848>) while under Criterion (g) it should be to the “Adelaide Park Lands Preservation Association” or to the current “Adelaide Park Lands Association” (ie “Society” was never correct). It is suggested that a recommendation be made to amend the NHL gazetted notice to that end, or at least to acknowledge the mistakes somewhere in the HMP.

www.adelaide-parklands.asn.au

1. INEFFECTIVENESS OF MULTIPLE MANAGEMENT PLANS

Most of the recommendations of the draft Heritage Management Plan (HMP) are wholeheartedly endorsed, however APA requests that the following issues be clearly identified in the document (possibly in Chapter 6), and policy to address them also considered. The Burra Charter Process requires that issues be identified ahead of policy making, so identification or discussion of the following is considered essential to the integrity of the document.

- Despite establishment of the *Adelaide Park Lands Act 2005* and National Heritage Listing in 2007 the Adelaide Park Lands and City Layout faces ongoing conservation and management challenges.
- There is a lack of coherence between National, State, and local legislative frameworks
- There is a lack of shared policy for multiple land managers
- The planning system is dictating changes to cultural landscape management policy
- A lack of public scrutiny of heritage impact assessments including impacts on Kurna Country; and
- Special State legislation can and does override the Adelaide Park Lands Act (eg *New Women's and Children's Hospital Act 2022*, *Adelaide Oval Redevelopment and Management Act 2011* and *South Australian Motor Sport Act 1984*).

1.1 Zoning and the Planning & Design Code

Under the *Planning, Development & Infrastructure Act 2016*, when the State Government wants to build over the Adelaide Park Lands, it simply changes the zoning of the Park through a state-controlled Code Amendment process, so that whatever it wants to build is permitted in the zone. This is occurring right now with the [Adelaide Aquatic Centre Code Amendment](#). (Tail wagging the dog effect.)

1.2 Community Land Management Plans

The Adelaide Park Lands are considered “community land” under the *Local Government Act 1999* and so must be covered by Community Land Management Plans. However the plans are routinely changed retrospectively (or simultaneously) by the City of Adelaide in response to State Government projects, initiatives or directions. (Tail wagging the dog effect.)

1.3 Adelaide Park Lands Management Strategy

The most comprehensive planning document for the Adelaide Park Lands is the Adelaide Park Lands Management Strategy, which must be updated at least once every five years. The Strategy is prepared by Kadaltilla / Park Lands Authority, and does not come into effect unless it is endorsed by both the City Council and the State Planning Minister. However the State Government has repeatedly ignored the provisions of this Strategy (and ignored both the City Council and the Park Lands Authority, too) when it decides that it wants to build on the Park Lands. The strategy is then altered to suit the government's ambitions. (Tail wagging the dog effect.)

1.4 Heritage Standards Delaying State Heritage Listing

We are told that one of the reasons why the Adelaide Park Lands have not been accepted for State Heritage listing is that there is no State Heritage Management Plan (known as Heritage Standards) for the Park Lands. This has been used as an excuse since the State Heritage Council recommended State Heritage listing back in December 2018, despite the fact that established practice has enabled the extensive listing of state heritage areas and places ahead of/without the drafting of management plans or heritage standards.

2. ALIGNMENT OF STATE LEGISLATION BOUNDARY AND NATIONAL HERITAGE LISTING BOUNDARY

APA notes that the most contentious recommendation from a community perspective will be the proposal to align the state Adelaide Park Lands Act boundary with the National Heritage listing boundary (as this results in a significant reduction in described and legislated park land), and suggests that there should be extensive consultation on this proposal ahead of any redefinition

Better wording for that recommendation might be:

“**In consultation with the broader community** Kadaltilla / Park Lands Management Authority should review and consider redefining the boundary of the Adelaide Park Lands under the *Adelaide Park Lands Act 2005* to align to the National Heritage List boundary.”

3. BETTER GUIDANCE ON EPBC ACT REFERRAL PROCESS

APA also asks for consideration of the following amendments to the proposed recommendations:

- to insert some discussion or description about how to relate the values and attributes of the National Heritage listing to development applications for projects (especially for buildings and other infrastructure) that are regularly proposed for the Park Lands (especially by the State Government);
- to identify and give examples or guidelines on the assessment of significant impact, including incremental impacts that become significant over time. Refer following table:

Table 1 – Examples of actions that would or would not require a self-assessment

CATEGORY A ACTIONS Actions that should be self-assessed in terms of their impacts to the National Heritage values of the Park Lands, and that may require referral	CATEGORY B ACTIONS Actions that are unlikely to have any impact on the National Heritage values of the Park Lands, and would not likely require a self-assessment
Significant infrastructure, such as rail, tram, helipad Change of land use and associated landscape character Major road alignment or widening and new roads, including elevated roads Permanent road closures New buildings and additions to existing buildings (greater than 30m ²) New bridges or footbridges Open air car parks Any new development within the squares, including buildings, structures, fences and plazas Extensive landscaping, including additional hard surfaces, or new or enlarged areas of biodiversity management Utilities infrastructure, including above ground pipelines and telephone towers	Minor infrastructure, such as street furniture, lighting or traffic lights Below ground infrastructure, including cabling, pipelines & water recycling outlets Small sized signage, including Council Signage Interpretative or way-finding signage New pedestrian or bicycle paths (less than 1.5m wide) Visually permeable fencing below a certain height that does not exclude public access Post-event landscape remediation works Maintenance of existing buildings (i.e. reroofing, painting) or minor works (i.e. installation of solar panels) Installation or maintenance to sport or exercise equipment, including goal posts and oval markings Minor landscaping (i.e. planting and

<p>Any development described in an approved master plan</p> <p>Public artworks, monuments, statues and plaques</p> <p>Land division</p> <p>Major changes to the River Torrens basin or other major riparian works</p> <p>Any encroachment in the street grid</p> <p>Solid fencing</p> <p>Large loss of open green space</p> <p>Land use adjacent to the Park Lands that may impact on views and vistas (eg building height limits)</p>	<p>paving in association with a redesigned playground or returfing an existing oval)</p> <p>Toilet blocks (if in accordance with COA design guidelines)</p> <p>Minor riparian works, such as replanting aquatic vegetation, installing bird netting or pollutant traps</p> <p>Temporary structures for events</p>
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Source: Issues and Opportunity Analysis: Adelaide Park Lands (DASH Architects)

- to provide clear information on how bodies such as the City of Adelaide and/or APA might instigate federal referrals or Ministerial intervention under the EPBC Act where the proponent of a development (such as the State Government) may neglect to do so

4. RECOMMENDATIONS TO ACKNOWLEDGE AND SUPPORT ROLE OF COMMUNITY ADVOCACY AND VOLUNTEERISM AS A NATIONAL HERITAGE VALUE

- recommendation to encourage volunteerism, and community involvement (both APA and Kaurna people and organisations) including support for existing programs such as [APA's Guided Walks](#) and Park Ambassador programs;
- to alter the following recommendations on the grounds that there is some tension with the need to restore and protect areas of native vegetation and re-generation, while noting that activation can also often be an excuse for privatisation, even if through the temporary fencing off of parks and squares
 - 2.1.5 Identify areas at risk of encroachment within the Park Lands and prioritise these for activation projects and events to encourage community use, appreciation, and connection with the Park Lands.
 - 2.3.2 Identify areas at risk of alienation and prioritise these for activation projects and events to encourage community use, appreciation, and connection with the Park Lands.

APA suggests that, rather than suggesting "activation projects" for alienated sites, perhaps better wording might be:

“Identify areas at risk of alienation/encroachment and prioritise these **for restoration projects, cultural programming and temporary events** to encourage community use, appreciation, and connection with the Park Lands.”

5. FURTHER RECOMMENDATIONS

In addition to the above APA also suggests inclusion of the following recommendations:

- that the P&D Code include an overlay for all levels of heritage listings in South Australia: World; Commonwealth; National; State; and Local Heritage, and that these heritage places are also identified in appropriate spatial mapping.
- tracking of cumulative impacts be undertaken with specific reference to the National Heritage listing boundary of the Park Lands in a methodical and measured fashion that considers:
 - potential impacts;

- historical trends;
- projected trends, with established 'bandwidths' that are considered to be consistent with the heritage values of the place;
- periodical review of both the cumulative effect of potential impacts; and
- periodical review of projections and 'bandwidths'.
- an analysis be undertaken to establish the carrying capacity for the Park Lands which defines the extent and character of sympathetic development consistent with the protection of National Heritage values, (recognising that the Park Lands are likely already close to capacity)
- consideration be given to undertaking a strategic assessment under the EPBC Act, as a higher level strategic planning process for the National Heritage place. This might include the carrying capacity analysis recommended above.
- a review be undertaken to establish how City, State and Commonwealth systems can achieve greater coherence in the protection and management of the National Heritage place, including with regard to heritage impact assessment. This would assist in identifying owner and proponent obligations under the EPBC Act.
- make all heritage impact assessments prepared by relevant heritage experts publicly available.

Finally, we ask the report's authors, Swanbury Penglase, to arrange a meeting or workshop with APA representatives before finalising the HMP document.