



5 April 2023

The Hon Tania Plibersek MP
Minister for the Environment and Water

Sent via email: Minister.Plibersek@dcceew.gov.au tanya.plibersek.mp@aph.gov.au

Re: Proposed development on Adelaide Park Lands impacting National Heritage Values

Dear Minister,

I am writing on behalf of a number of environmental organisations - Trees For Life, Conservation Council SA, Nature Conservation SA, Butterfly Conservation SA and the Adelaide Park Lands Association - in relation to the proposed relocation of the South Australian police mounted operations unit to Golden Wattle Park / Mirnu Wirra (Park 21 West) in the National Heritage-listed Adelaide Park Lands.

The proposed relocation of the South Australian Mounted Unit would result in the alienation from the Park Lands of eight (8) hectares, for the construction of permanent buildings, horse-stabling and other horse facilities. This compound would need to be surrounded by high security fencing rendering the entire area inaccessible to the public.

Heritage Values

The Adelaide Park Lands and City Layout were included in the National Heritage List by the Minister for the Environment, Heritage and the Arts, the Hon Peter Garrett AM, by gazette dated 4 November 2008. As you are aware, the National Heritage List contains places or groups of places with outstanding heritage value to Australia – whether natural, indigenous or historic or a combination of these. Approval under the *EPBC Act 1999* is required for any action occurring within, or outside, a National Heritage place that has, or will have, or is likely to have a significant impact on the National Heritage values of the National Heritage place.¹

There are obligations on the South Australian Government to protect those values under the *EPBC Act 1999* and for any proponents of major developments to refer “actions” likely to have a significant impact on a matter of national environmental significance (in this case being the nationally listed Adelaide Park Lands and City Layout).

¹ https://www.agriculture.gov.au/sites/default/files/documents/nes-guidelines_1.pdf see p. 1 & 19



We believe this proposed action would be wholly inconsistent with preserving a range of heritage values for which the Adelaide Park Lands and City Layout were listed, including it being:

...an exemplar of nineteenth-century planned urban centre... [demonstrating] principal characteristics ... including ... **expansive public open space for commons and public domains**. The expression of these features with their generous open space reflects the early theories and ideas of the Garden City movement of an urban area set in **publicly accessible open space** with plantings, gardens, designed areas and **open bushland**.

This proposal, to alienate the public from 8 hectares of currently available open space including highly valuable bushland, will have a significant and unacceptable impact on the Park Lands and should therefore be refused under the EPBC Act.

Biodiversity values

Mirnu Wirra is one of the most biodiverse patches of remnant vegetation in the Adelaide Park Lands, filled with rare wildflowers and other species.

Park 21W is formally recognised by Adelaide City Council as a key biodiversity area and Council has been managing this remnant vegetation for over 20 years. There are over 70 different types of plants, providing a sanctuary to many varied species of birds, reptiles, insects and other fauna (see attached Briefing Paper).

Specifically, it is home to the endangered ecological community Grey Box (*Eucalyptus microcarpa*) Grassy Woodlands and Derived Native Grasslands of South-eastern Australia that we believe may meet the criteria (in terms of patch size and condition) for protection under the EPBC Act. A proposal to destroy any part of this protected ecological community, which has already declined by more than 90% of its original distribution in South Australia², is unacceptable and should be refused under the EPBC Act.

One section of the proposed development contains a Bush For Life site that is cared for by Trees For Life volunteers. Together with other volunteers they have contributed thousands of hours of effort towards both protecting Mirnu Wirra's existing native vegetation, and increasing the biodiversity within this Park.

If this proposed development were to proceed, the ecological values of this part of the Adelaide Park Lands would be severely compromised.

World heritage bid

A fenced enclosure of 8 hectares within any part of the Adelaide Park Lands would severely compromise the heritage values of the entire Adelaide Park Lands. As a consequence, any seeking of World Heritage Listing, as also currently proposed by the SA Government, would be ludicrous. World Heritage Listing could offer significant benefits to our city, with international recognition and increased tourism a result of our significant

² <http://www.environment.gov.au/biodiversity/threatened/communities/pubs/86-listing-advice.pdf> - page 30



Colonel Light city layout much of which has survived since the layout was created in 1837.

Community Rally

Community outrage about this proposal was reflected in a public rally held on Saturday 1 April 2023 at Mirnu Wirra which was attended by over 500 people.

We request that you, as Federal Minister and as a matter of urgency, advise the South Australian Government that this proposal would severely compromise the heritage and ecological values of the Adelaide Park Lands and City Layout on which the National Heritage listing of the Park Lands and City Layout are based, is incompatible with the protection of an protected ecological community and will negatively impact the prospect of World Heritage listing with its potential to enhance future tourism.

We look forward to hearing from you. Please contact me on natashad@treesforlife.org.au or 0419807437 if you require any further information.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Natasha Davis".

Natasha Davis
Chief Executive Officer

Cc The Hon Ted Baillieu Chair, Australian Heritage Council
Email: ahc@environment.gov.au



Ms Natasha Davis
Chief Executive Officer, Trees for Life
5 May Terrace
BROOKLYN PARK SA 5032

natashad@treesforlife.org.au

Dear Ms Davis

Thank you for your email of 6 April 2023 to the Minister for the Environment and Water, the Hon Tanya Plibersek MP, concerning the proposed relocation of the South Australian Police Mounted Operations Unit in the National Heritage listed Adelaide Park Lands. Minister Plibersek has asked me to thank you for your correspondence and to reply on her behalf.

At the time of writing this letter, the department had not received a valid referral for the proposed relocation of the South Australian Police Mounted Operations Unit. The department is in regular communication with the relevant agencies in the South Australian government about their obligations and requirements under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for the proposed SA Police Mounted Operations Unit relocation.

Once a proposal is referred to the department, it will undergo rigorous assessment including a public consultation period in accordance with the provisions set out in the EPBC Act. I encourage you to monitor the department's website because once a valid referral is received it is made available for 10 business days for public comments.

The hard work that many South Australian volunteers and environmental organisations have been putting into the protection, maintenance, and improvement of the biodiversity within Adelaide Park Lands is appreciated.

On 8 December 2022, Minister Plibersek released the Australian Government's response to the independent review of the EPBC Act, the [Nature Positive Plan](#). Focusing on better environment and heritage outcomes, the Nature Positive Plan committed to establishing standards to underpin environmental law reforms. The initial standards for development include - matters of national environmental significance, First Nations engagement and participation in decision-making, community engagement and consultation, regional planning and environmental offsets. It also commits the government to ensuring that social (including cultural) and economic matters are accurately identified and transparently factored into decision-making.

Thank you again for bringing your concerns to the Government's attention.

Yours sincerely

Kylie Calhoun
Branch Head, Environment Assessments West (SA, NT, WA)
Nature Positive Regulation Division
18 May 2023