



Adelaide Park Lands Association

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Response: New Women's and Children's Hospital, Number 2023/09606
Invitation to comment

<https://epbcpublicportal.awe.gov.au/all-referrals/project-referral-summary/?id=8cfc5e7d-5e27-ee11-9965-000d3a794b49>

SUMMARY

- It is appropriate that this matter has been referred under section 68 of the Commonwealth EPBC Act.
- The New Women's and Children's Hospital project would have a 'significant impact' on a matter of national environmental significance.¹
- The fact that part of the project is proposed to be constructed within an area of land excised from the National Heritage listing Adelaide Park Lands and City Layout map, is relevant. However, of equal relevance is that 2.85ha of the total hospital footprint (half) is to be sited on land designated as Park Lands and defined as project works to be located within the National Heritage place as shown in the Adelaide Park Lands and City Layout map.²
- This submission proposes that the action (the whole of the hospital development project proposal to be sited in the Adelaide Park Lands) be categorised as "Clearly Unacceptable" because of its profound and egregious impact on protected matters.

¹ In which at least five criteria are affected, warranting the referral: please see DASH assessment extract in Appendix 1.

² See Commonwealth "EPBC Act Public Portal", Attachment 12, 'Description of proposed works.pdf', areas highlighted to access park lands captured in the Adelaide Park Lands and City Layout map, comprising: 1. Landscaping/outdoors: 10,860m²; 2. Hospital: 4391m²; 3. Car park: 5035m²; 4. Central energy plan/fire pump: 2473m²; 5. Gaol Road and Loading Dock: 5765m² = total area 28,524m² ie, 2.852ha.

Particulars

- This submission draws on the web site's Attachment 4: *National Heritage Impact Assessment, 'New Women's and Children's Hospital Project, DA 214098, Issue M', 14/7/23, DASH ARCHITECTS.*
- This is a key reference source because Commonwealth Heritage listing issues identified by the expert staff of this South Australian organisation are explored in detail.
- The DASH ARCHITECTS assessment does not comment on which category should apply to this assessment.³ However, given that the assessment's explorations and conclusions are so comprehensive, and so unequivocal in terms of impact, this submission urges DCCEEW to adopt the "Clearly Unacceptable" category as the best-informed and therefore most appropriate option.⁴
- It is curious that, on the Canberra website noted above, the Government of South Australia summary 'Description of Project' makes no reference to this Attachment 4, *National Heritage Impact Assessment*. This is a critical reference, and some of its findings are damning (for the State Government) with regard to the project's capacity to negatively impact on protected matters.

On the matter of impact and effect on National Heritage listing values, this submission summarises several observations. To be able to refer to relevant background, an extract from the DASH report appears in Appendix 2 of this submission. In reference to that text, this submission proposes that:

- The impact on National Heritage values would be considered 'significant'.
- One or more of the National Heritage values would be notably altered, modified, obscured or diminished.
- In fact, if the project goes ahead, it would be inconsistent with six of the heritage values listed under the Act. Several are also specifically referred to in the DASH Assessment chapters, in particular:
 - the Park Lands 'historic pattern of development'⁵
 - the effect on values in proposing a multi-storey car park (eight levels) and an energy plant.

The DASH authors also list some measures it recommended to its client, the Government of South Australia, to avoid or reduce impacts.

However, despite a claim that "It is understood that the Project Team has now committed to these strategies" (page 106) the details remain unclear. In fact, the advice apparently has had effect only in relation to one built-form aspect.⁶

In any case these matters attempt to meet a specific State Government request to mitigate already identified impacts of the project on National Heritage values.

A claim suggesting that the mitigation measures are likely to be successful appears insubstantial.

³ DASH extract: page 119: "The purpose of this NHIA is to inform the self-assessment process to inform whether a Section 68 referral under the EPBC Act is warranted. Importantly, this assessment does not consider whether or not the Action should be considered Clearly Unacceptable, Controlled, or otherwise. The responsibility for this subsequent assessment remains vested with DCCEEW." (page 119)

⁴ Please refer to the summary extract from the DASH report, referred to in Appendix 2 of this submission.

⁵ Page 89: Proposing to site a new hospital in Park 27 being inconsistent with the historic pattern of development, and Page 95: "A small portion of Kate Cocks Park will also be encroached upon by the new hospital building. This change in use from an agistment to an institutional building is inconsistent with the National Heritage values of the Park Lands."

⁶ "While many aspects of the 'project fundamentals' were established prior to the provision of this advice, it was likely influential in amending and developing the proposed facade treatment to the proposed carpark structure." Section 10.3.2, Specialist advice, page 102.

Matters relating to siting, setout, visual impact, physical impact, use, and access deliver a very clear illustration as to the project's major inconsistencies with the National Heritage values.

Each of these criteria highlight the obvious extent to which the hospital project proposal fails. (These guidelines are extracted and presented in Appendix 2 of this submission.)

CONCLUSION

In conclusion, this submission strongly recommends that the Commonwealth Government reject the proposal.

In the recent history of development projects proposed for the Adelaide Park Lands, this proposal is grossly at odds with the National Heritage values and, as such, is "Clearly Unacceptable" because of its likely profound and egregious impact on protected matters.

Shane Sody, President



28 October 2023

About the Adelaide Park Lands Association

Our Association was founded in 1987 as a non-profit community based organisation - a 'watchdog' to guard Adelaide's greatest treasure: the world-unique, National Heritage-listed Adelaide Park Lands.

But we are much more than a watchdog. We offer a focal point for South Australians to explore, be inspired by, protect and restore the Open Green Public spaces that are matched nowhere else in the world.

Our support comes from a broad cross-section of the South Australian community, across the political spectrum - people who Love Your Park Lands, as Open, Green, Public spaces.

On 28 October 2023, our newsletter subscription list contained 3,884 active subscribers.

Our following on Facebook was 5,217, and on Instagram 1,452.

Our list of full (paid-up) members contained 558 names.

These numbers do not include sponsors, donors and subscribers to separate feeds for our Adelaide Park Lands Art Prize competition.

This is **what we do**: "Explore, Inspire, Protect, Restore".

www.adelaide-parklands.asn.au/what-we-do



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APPENDIX 1

Extract: page 117: DASH ARCHITECTS, *National Heritage Impact Assessment, 'New Women's and Children's Hospital Project, 14/7/23*

10.5.1 Significant Impact Criteria

“When considered against the SIG 1.1 Guidelines Significant Impact Criteria the proposed new Women's and Children's Hospital was assessed as having a potential significant impact on the following:

SIG 1.1 Significant Impact Criteria

Criteria

Extend, renovate, refurbish or substantially alter a National Heritage place in a manner which is inconsistent with relevant values

Discussion

The hospital building and car park are inconsistent with open, low-scaled landscaped attributes of the place.

Criteria

Involve activities in a National Heritage place with substantial and/or long-term impacts on its values

Discussion

The impacts on the Park Lands are long-term impacts

Criteria

Involve the construction of buildings or other structures within, adjacent to, or within important sight lines of, a National Heritage place which are inconsistent with relevant values

Discussion

The hospital building and car park are inconsistent with open, low-scaled landscaped attributes of the place.

Criteria

Make notable changes to the layout, spaces, form or species composition of a garden, landscape or setting of a National Heritage place in a manner which is inconsistent with relevant values

Discussion

The hospital and carpark building have the potential to impact on the legibility of the 1837 Plan and encircling Park Lands

Criteria

Notably diminish the value of a National Heritage place in demonstrating creative or technical achievement

Discussion

The construction of the 10 storey hospital building and the 7 storey (above ground) carpark within the encircling parklands will likely result in long term impacts to the legibility of Light's Adelaide Plan

APPENDIX 2

Extract: page 119: DASH ARCHITECTS, *National Heritage Impact Assessment, 'New Women's and Children's Hospital Project, 14/7/23*

1. When assessed against the SIG 1.1 Guidelines it was found that the proposed new Women's and Children's Hospital within Park 27 (Tulya Wardli) (and surrounding excised land) has the potential to result in significant impacts to the National Heritage values of the Adelaide Park Lands and City Layout by impacting the following attributes of the place of identified National Heritage value:
 - Physical expression of Light's 1837 Adelaide Plan
 - Legibility of encircling Park Lands
 - Definition of the inner and outer park lands boundary
 - Diversity of use of the place for recreation, sports, events and meeting spaces

These attributes are associated with the following identified National Heritage values of the place:

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.

Criterion (b)

The place has outstanding heritage value to the nation because of the place's possession of uncommon, rare or endangered aspects of Australia's natural or cultural history.

Criterion (d)

The place has outstanding heritage value to the nation because of the place's importance in demonstrating the principal characteristics of: (i) a class of Australia's natural or cultural places; or (ii) a class of Australia's natural or cultural environments.

Criterion (f)

The place has outstanding heritage value to the nation because of the place's importance in demonstrating a high degree of creative or technical achievement at a particular period.

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.

Criterion (h)

The place has outstanding heritage value to the nation because of the place's special association with the life or works of a person, or group of persons, of importance in Australia's natural or cultural history. (Page 119, DASH Assessment)

APPENDIX 3

Extract: pages 108–109: DASH ARCHITECTS, *National Heritage Impact Assessment, 'New Women's and Children's Hospital Project, 14/7/23*

10.4 Step 4: Significance of Impacts

Question 4: Are any impacts of the new Women's and Children's Hospital to the National Heritage listing of the Adelaide Park Lands and City Layout likely to be significant impacts?

Note: In order to decide whether an action is likely to have a significant impact, it is necessary to take into account the nature and magnitude of potential impacts. In determining the nature and magnitude of an action's impacts, it is important to consider matters such as:

- the sensitivity of the environment which will be impacted
- the timing, duration and frequency of the action and its impacts
- all on-site and off-site impacts
- all direct and indirect impacts
- the total impact which can be attributed to the action over the entire geographic area affected, and over time
- existing levels of impact from other sources, and
- the degree of confidence with which the impacts of the action are known and understood.

A 'significant impact' is an impact which is important, notable or of consequence, having regard to their context or intensity.

The SIG 1.1 Guidelines provide a guidance for assessing whether an impact is considered 'Significant'. Its definitions state:

What is a significant impact?

A 'significant impact' is an impact which is important, notable, or of consequence, having regard to its context or intensity. Whether or not an action is likely to have a significant impact depends upon the sensitivity, value, and quality of the environment which is impacted, and upon the intensity, duration, magnitude and geographic extent of the impacts. You should consider all of these factors when determining whether an action is likely to have a significant impact on matters of national environmental significance.

For National Heritage places it goes on to note: Significant impact criteria

An action is likely to have a significant impact on the National Heritage values of a National Heritage place if there is a real chance or possibility that it will cause:

- one or more of the National Heritage values to be lost
- one or more of the National Heritage values to be degraded or damaged, or
- one or more of the National Heritage values to be notably altered, modified, obscured or diminished

The guidelines go on to note:

National Heritage places with cultural heritage values

An action is likely to have a significant impact on historic heritage values of a National Heritage place if there is a real chance or possibility that the action will:

- - permanently remove, destroy, damage or substantially alter the fabric of a National Heritage place in a manner which is inconsistent with relevant values
- extend, renovate, refurbish or substantially alter a National Heritage place in a manner which is inconsistent with relevant values
- permanently remove, destroy, damage or substantially disturb archaeological deposits or artefacts in a National Heritage place
- involve activities in a National Heritage place with substantial and/or long-term impacts on its values
- involve the construction of buildings or other structures within, adjacent to, or within important sight lines of, a National Heritage place which are inconsistent with relevant values, and
- make notable changes to the layout, spaces, form or species composition of a garden, landscape or setting of a National Heritage place in a manner which is inconsistent with relevant values.
- restrict or inhibit the continuing use of a National Heritage place as a cultural or ceremonial site causing its values to notably diminish over time
- permanently diminish the cultural value of a National Heritage place for a community or group to which its National Heritage values relate
- destroy or damage cultural or ceremonial, artefacts, features, or objects in a National Heritage place, and
- notably diminish the value of a National Heritage place in demonstrating creative or technical achievement

These above guidelines assist to understand the threshold for when an impact becomes a significant impact. Common attributes include “**notable**”, “**substantial**”, and “**important**”.

APPENDIX 4

Extract: page 102: DASH ARCHITECTS, *National Heritage Impact Assessment, 'New Women's and Children's Hospital Project, 14/7/23*

10.3.2 Specialist Advice

“DASH Architects, the authors of this NHIA and specialists in the National Heritage values of the Adelaide Park Lands and City Layout, was engaged during part way through the design phase of the project to assist the consulting team to better understand the National Heritage values of the Adelaide Park Lands and their attributes of heritage value.

This advice extended to the provision of design guidelines to assist in mitigating potential adverse heritage Impacts. These guidelines included:

Siting: The new infrastructure should be sited to maintain the clear delineation of the encircling Park Lands.

Setout: Visual definition of the inner and outer edges of the Park Lands, and creates a contrast between the City Layout and the Park Lands

Visual Impact:

Any new infrastructure should 'nestle' into the Park Lands setting and be visually discrete.

Physical Impact: Any development should seek to minimise the physical impacts on the Park Lands

Use: Impacts to the recreational use of the Park Lands should be minimised.

Accessibility: The development should maximise community access and use.