



# COUNCIL AGENDA & REPORTS

for the Special meeting

Tuesday 26 October 2021  
at 5.00pm

in the Colonel Light Room,  
Adelaide Town Hall



Members - The Right Honourable the Lord Mayor, Sandy Verschoor (Presiding)  
Deputy Lord Mayor, Councillor Couros  
Councillors Abrahimzadeh, Donovan, Hou, Hyde, Khera, Knoll,  
Mackie, Martin, Moran and Snape.

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1. Acknowledgement of Country

At the opening of the Council Meeting, the Lord Mayor will state:

'Council acknowledges that we are meeting on traditional Country of the Kurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kurna people living today.'

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.'

2. Acknowledgement of Colonel William Light

Upon completion of the Kurna Acknowledgment, the Lord Mayor will state:

'The Council acknowledges the vision of Colonel William Light in determining the site for Adelaide and the design of the City with its six squares and surrounding belt of continuous Park Lands which is recognised on the National Heritage List as one of the greatest examples of Australia's planning heritage.'

3. Apologies and Leave of Absence

Nil

4. Reports for Council (Chief Executive Officer's Reports)

Strategic Alignment – Enabling Priorities

4.1. Riverbank Precinct Code Amendment – Draft Submission [2021/01631] [Page 2]

4.2. Representation Review - Endorsement of Submission to Electoral Commission of South Australia

*To be distributed separately*

5. Closure

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# Riverbank Precinct Code Amendment – Draft Submission

**ITEM 4.1** 26/10/2021  
**Council**

Strategic Alignment - Enabling Priorities

**Program Contact:**

Lara Daddow, Acting Associate  
Director, Park Lands, Policy &  
Sustainability 8203 7884

2021/01631  
Public

**Approving Officer:**

Tom McCready, Acting Director  
City Shaping

## EXECUTIVE SUMMARY

The Riverbank Precinct Code Amendment was released on 15 September 2021 by the State Government for six (6) weeks of public consultation with submissions due by 27 October 2021. The purpose of this report is to enable Council to consider and endorse the Draft Submission to State Government on the Code Amendment for submission within the consultation period on 27 October 2021.

The Riverbank Precinct adjacent the River Torrens / Karrawirra Parri is central to the Adelaide Park Lands and City Layout. The Adelaide Park Lands (and City Layout) is regarded as the most complete example of nineteenth-century colonial planning. The historical layout also remains clearly legible today and is also the only Australian city to be completely enclosed by park lands. The Adelaide Park Lands are Nationally Heritage listed and of great Kaurna significance, they are unique and valuable green space which provide a significant cooling effect for our city, provide habitat for our valuable flora and fauna, and should be protected for the benefit of future generations.

A series of major projects in the Riverbank Precinct have recently been announced by State Government, including the new Women's and Children's Hospital, a Riverbank Arena, and various built form "activations" along the riverbank. The Riverbank Precinct Code Amendment by the State Government is drafted to facilitate these proposed developments and also envisages additional land uses and built form (including multi-storey buildings in some locations) not envisaged within the current Adelaide Park Lands policy.

The Draft Submission is informed by The Committee workshop feedback, and advice from the Adelaide Park Lands Authority, Reconciliation Committee and internal Administration consultation.

## RECOMMENDATION

### THAT COUNCIL

1. Notes the advice from the Special meeting of the Adelaide Park Lands Authority, held on 14 October 2021 has been incorporated into Council's draft submission.
2. Notes the advice of the Special meeting of the Reconciliation Committee on 21 October 2021, has been incorporated into Council's draft submission.
3. Notes the letter from the Chief Executive, Attorney General's Department (AGD) as per Attachment A to Item 4.1 on the Agenda for the Special meeting of the Council held on 26 October 2021 in response to a City of Adelaide request for an extension of time to provide a submission on the Riverbank Precinct Code Amendment, including required additional information and feedback on referral under *Environment Protection and Biodiversity Conservation Act 1999* (Cth).
4. Notes that the obligations referred to in section 4(2) of the *Adelaide Park Lands Act 2005* (SA), requiring having to "have regard to" and "seek to apply" the statutory principles, have not been fulfilled by the Attorney General's Department as the Designed Entity for the Riverbank Precinct Code Amendment.
5. Notes that State Government has not fulfilled its obligations as required under the *Planning, Development and Infrastructure Act 2016* (SA), for the Riverbank Precinct Code Amendment to be informed by full and proper investigations relating to the State Planning Policies and other reasonable investigations of the locality.

6. Endorses Attachment B (City of Adelaide Submission to State Government Riverbank Precinct Code Amendment) to Item 4.1 on the Agenda for the Special meeting of the Council held on 26 October 2021.
  7. Approves the Lord Mayor write to the Premier of South Australia (cc'd to Minister for Planning and Local Government, the Minister for Environment and Water, the Chief Executive of the Attorney General's Department and the State Government's Planning and Land Use Services) to outline and provide Council's submission on the Riverbank Precinct Code Amendment.
  8. Approves the Lord Mayor write to the Minister for Planning and Local Government, seeking that an independent review of the Community Engagement Charter processes and its effectiveness is undertaken urgently with respect and reference to:
    - 8.1. All designated instruments under the *Planning, Development and Infrastructure Act 2016* (SA); and
    - 8.2. The Riverbank Precinct Code Amendment.
  9. Approves the Lord Mayor write to the State Planning Commission, AGD, Minister for Planning to invite them to undertake a site visit of the Adelaide Park Lands with the Lord Mayor, Councillors and key staff.
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## IMPLICATIONS AND FINANCIALS

City of Adelaide 2020-2024 Strategic Plan	<p><b>Strategic Alignment – Enabling Priorities</b></p> <p>Outcome 1: Thriving Communities - 1.1 Leverage the Adelaide Park Lands to promote health, wellbeing and lifestyle experiences.</p> <p>Outcome 3: Dynamic City Culture – 3.1 Support, promote and share Aboriginal and Torres Strait Islander cultures and pay homage to the Kaurna people as traditional owners</p> <p>Outcome 3: Dynamic City Culture - 3.2 Pursue world and state heritage listing for the Adelaide Park Lands and City Layout.</p> <p>Outcome 4: Environmental Leadership - 4.5 Enhance biodiversity in the Park Lands and connect our community to nature</p> <p>Outcome 4: Environmental leadership - 4.8 Protect and conserve the heritage listed Adelaide Park Lands</p>
Policy	<p>This report will consider the feedback to be provided to the Riverbank Precinct Code Amendment which proposes change to the Planning and Design Code. The Planning and Design Code sets out the policies which development applications are assessed against.</p> <p>The proposed policy may allow for current State Government envisaged projects, such as a Transit Hub associated with the new Women’s and Children’s Hospital, an arena and other built form which is not contemplated by either the Adelaide Park Lands Management Strategy or the Adelaide Park Lands Community Land Management Plan.</p>
Consultation	Not as a result of this report
Resource	Not as a result of this report
Risk / Legal / Legislative	This report sets out the legislative provisions relevant under various pieces of legislation including under the <i>Environment Protection, Biodiversity and Conservation Act 1999</i> , <i>Adelaide Park Lands Act 2005</i> and the <i>Planning, Development and Infrastructure Act 2016</i> .
Opportunities	Not as a result of this report
21/22 Budget Allocation	Not as a result of this report
Proposed 22/23 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Not as a result of this report
21/22 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report
Other Funding Sources	Not as a result of this report

## DISCUSSION

1. This report describes the Riverbank Precinct Code Amendment which was released for consultation by the State Government on 15 September 2021 and includes a Draft Submission for Council's consideration.

### Background

2. The *Planning, Development and Infrastructure Act 2016* (SA) (PDI Act):
  - 2.1. PDI Act establishes the Planning and Design Code.
  - 2.2. The Planning and Design Code can be amended through a Code Amendment process.
  - 2.3. All development applications are considered against the version of the Planning and Design Code in place at the date of lodgement of an application.
3. The Riverbank Precinct Code Amendment (the Code Amendment) (the subject of this report) proposes amendments to the Planning and Design Code to introduce planning policies that will be used in the assessment of development proposals, such as those listed in point 4, and possibly others within the area.
4. A number of current and upcoming significant proposed development projects within the Riverbank Precinct have previously been presented to Council (Link 1 view [here](#)).
5. All proposals are located within the Adelaide Park Lands and subject to provisions of the *Adelaide Park Lands Act 2005* (SA).
6. It is understood the proposed changes to development policy in the Riverbank Precinct Code Amendment are intended to enable the proposed development projects and further possible development, including:
  - 6.1. New Women's and Children's Hospital, associated transit hub/car park, stormwater detention and road infrastructure
  - 6.2. Proposed Riverbank Arena
  - 6.3. Activation of the Torrens Lake and Riverbank
  - 6.4. Consideration of the land use needs of the existing Adelaide Botanic High School.
7. Assessment of each proposal will be undertaken as a separate process, following the finalisation of the Code Amendment, and lodgement of specific development applications for each development.

### Riverbank Precinct Code Amendment - Timeline

8. 18 June 2021 - the Chief Executive of the AGD lodged their proposal to initiate an amendment to the Planning and Design Code.
9. 16 July 2021 - the Minister for Planning and Local Government approved the "Proposal to Initiate the Riverbank Precinct Code Amendment", with edits made to the scope of proposed Code Amendment.
10. 14 September 2021 – the 'Riverbank Precinct Projects' report was presented to Council to outline known State Government projects within this area and to outline the legislative and strategic context applicable within this area (Link 1 view [here](#)).
11. 15 September 2021 - the Code Amendment was released for six (6) weeks of public consultation. With submissions due by 27 October 2021. The consultation material can be viewed via the State Government's Planning Code Amendment page (Link 2 view here: [Code Amendments | PlanSA](#))
12. 21 September 2021 - the Committee were briefed by the State Government on the Code Amendment as well as the new Women's and Children's Hospital development (the latter being a separate matter to this report).
13. 23 September 2021 – State Government presented at an Adelaide Park Lands Authority (APLA) workshop.
14. 28 September 2021 – A workshop was held with The Committee to inform Council's submission (Link 3 view [here](#)). The guidance from this workshop has informed the Draft Submission.
15. 14 October 2021 - A Special meeting of APLA was held to finalise their advice on the Code Amendment, to be provided to Council and the State Government (Link 4 view [here](#)). APLA's advice has been incorporated into the draft Submission being considered by Council tonight (**Attachment B – City of Adelaide Submission to State Government Riverbank Code Amendment**).
16. 21 October 2021 – A Special meeting of the Reconciliation Committee was held to provide advice on the Code Amendment to be provided to Council (Link 5 view [here](#)). The Reconciliation Committee's advice has been incorporated into the draft Submission being considered by Council tonight (**Attachment B – City of Adelaide Submission to State Government Riverbank Code Amendment**)

17. 26 October 2021 – Special Council meeting to finalise Council's submission on the Code Amendment (the subject of this report)
18. 27 October 2021 – Submissions due on Code Amendment. Following making a submission, Council has no further formal role in the Code Amendment process.
19. The State Planning Commission has indicated that the Code Amendment is scheduled for completion and approval by the end of November 2021.
20. Internal staff consultation and investigations to inform drafting the submission by identifying impacts and opportunities has occurred across the following areas:
  - 20.1. Kaurna / First Nation matters
  - 20.2. Park Lands and open space planning
  - 20.3. Economic development
  - 20.4. Sustainability / biodiversity
  - 20.5. Movement and transport
  - 20.6. Infrastructure
  - 20.7. Events
  - 20.8. Heritage.

### **Draft Submission**

21. The key messages for the draft submission as outlined in **Attachment B - City of Adelaide Submission to State Government Riverbank Code Amendment** include the:
  - 21.1. Importance of the Adelaide Park Lands to the South Australian community and the rationale for their inclusion (along with the City Layout) on the National Heritage List.
  - 21.2. Cumulative erosion of Park Lands that has occurred, particularly in the Riverbank Precinct.
  - 21.3. Adequacy of current planning provisions to appropriately activate the Riverbank Precinct and protect the open and natural setting, of high amenity of the Adelaide Park Lands.
  - 21.4. Inconsistency of the proposed policy with the statutory principles in the *Adelaide Park Lands Act 2005* and the Adelaide Park Lands Management Strategy.
    - 21.4.1. There are examples over time where built form in the Park Lands has been returned to Park Lands to conserve Light's vision and provide beautiful open space for the benefit of the South Australian community.
  - 21.5. Insufficient investigations and responses to the State Planning Policies (SPP), particularly with reference to SPP4: biodiversity, SPP5: climate change and SPP7: cultural heritage including consideration of:
    - 21.5.1. SPP4: Biodiversity - Increasing built-form, and thus removing vegetation from the Park Lands and potentially impacting habitat of known species found within Park 27. For example, the 'Eastern Water Skink' is known to be present in Park 27 and is a listed vulnerable species. And a 2018 survey recorded a newly found species to Park 27, the 'Australian Emerald' also making it the most western record of the species in South Australia.
    - 21.5.2. SPP5: Climate Change – the Park Lands have a cooling effect and minimise the urban heat island effect of surrounding built form areas.
    - 21.5.3. SPP7: Cultural Heritage: The city in a park is highly regarded as “a masterwork of urban design”. The Adelaide Park Lands are Nationally heritage listing and also of great significance to Kaurna. City of Adelaide are also currently seeking that the Adelaide Park Lands and city layout be listed as a State Heritage Area and World Heritage Area.
  - 21.6. It is understood that the Code Amendment has been referred to the Commonwealth Department of Agriculture, Water and Environment for formal comment. The State Planning Commission should have regard to any comments made through the Commonwealth Department prior to any further action being taken on the Code Amendment.
  - 21.7. Challenge to consider the proposed changes in the absence of a broader current Master Plan.

22. The recommended detailed advice on each area addressed in the Riverbank Precinct Code Amendment is summarised as:
- 22.1. For the Health Subzone:
- 22.1.1. No objection to new Women's and Children's Hospital site within the current zoning, however, do not support the expansion of built form into Kate Cocks Park and encourage the State Government to find an alternate location and/or solution for its transit hub/car park.
  - 22.1.2. Highlight of the unique biodiversity within this area.
  - 22.1.3. Loss of connection to the city and therefore potential to not contribute economically back to core Central Business District.
  - 22.1.4. Importance of access and universal design.
  - 22.1.5. Do not support the rezoning of this land from Adelaide Park Lands Zone.
- 22.2. For the Entertainment Subzone:
- 22.2.1. Request no net loss of Park Lands and suggest that for any additional built form, that open and publicly accessible green space is created possibly by creating new open space over the train corridor.
  - 22.2.2. Highlight of the unique biodiversity within this area.
  - 22.2.3. Significant infrastructure, access and emergency management considerations that must be considered by way of whole of precinct planning prior to any planning policy changes occurring.
    - 22.2.3.1. For example, if events are held at Adelaide Oval, there are significant road closures, such as King William Road, that are required to be in place to assist with the significant people movement through this area. If an arena were to be built in the proposed entertainment precinct, it is likely that Montefiore Road would need to be closed during an event for people management. Therefore, if events were on concurrently at Adelaide Oval and the new arena, both King William Road and Montefiore Road would need to be temporarily closed which would leave the only city connection to North Adelaide via Frome Road.
- 22.3. For the Innovation Subzone:
- 22.3.1. Do not support the proposal to rezone this land as it is not required to facilitate the existing High School and the land is important open space, provides critical connections within the Park Lands, provides habitat for protected species and is a highly significant site for Kaurana.
- 22.4. For the Riverbank Subzone:
- 22.4.1. Do not support this rezoning, as the area can already be activated through the existing Adelaide Park Lands Zone principles and already hosts many events annually.
  - 22.4.2. The area is particularly important to Colonel Light's original plan, with reference to views from North terrace down the banks to the River Torrens.
  - 22.4.3. The land is highly significant to Kaurana and this should be respected and left free from additional built form.
23. **Attachment B - City of Adelaide Submission to State Government Riverbank Precinct Code Amendment** provides a draft submission with detailed comments relating to the above-mentioned contents.
24. A recommendation for Council's consideration seeks the Lord Mayor to write the State Planning Commission, AGD, Minister for Planning to invite them to undertake a site visit of the Adelaide Park Lands with the Lord Mayor, Councillors and key staff. This would allow Council to provide expert knowledge about significant importance of the Adelaide Park Lands.
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## DATA AND SUPPORTING INFORMATION

**Link 1** – Council Report – Riverbank Precinct Projects - 14 September 2021

**Link 2** – State Government’s Planning Code Amendment page [[Code Amendments | PlanSA](#)]

**Link 3** – Committee Workshop Slides – Riverbank Precinct Code Amendment – 28 September 2021

**Link 4** – APLA’s Key Messages for Submission on Riverbank Precinct Code Amendment – 14 October 2021

**Link 5** – Reconciliation Committee’s Key Messages for Submission on Riverbank Precinct Code Amendment – 21 October 2021

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## ATTACHMENTS

**Attachment A** – Letter response from Caroline Mealor to Clare Mockler – Riverbank Precinct Code Amendment – Request for Extension of Time

**Attachment B** – City of Adelaide Submission to State Government Riverbank Precinct Code Amendment

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- END OF REPORT -



#17812475

14 October 2021

Ms Clare Mockler  
Chief Executive Officer  
City of Adelaide

By email: [c.mockler@cityofadelaide.com.au](mailto:c.mockler@cityofadelaide.com.au)

Chief Executive

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Adelaide SA 5000

GPO Box 464  
Adelaide SA 5001  
DX 336

Tel 08 8207 1771

Dear Ms Mockler

**Re: Request for Extension of Time to comment on the Riverbank Precinct Code Amendment**

I write in response to correspondence of 22 September 2021 from The Right Honourable the Lord Mayor, Sandy Verschoor, requesting an extension in time to formally comment on the Riverbank Precinct Code Amendment.

I note the following reasons for the request by the City of Adelaide (the Council) to extend the time to comment and provide further information:

- The Development Classification and Procedural Matters Tables were not included in the draft Code Amendment released for consultation. Please refer to attached versions of 'Table 3—Applicable Policies for Performance Assessed Development' and the 'Procedural Matters—Notification Table' for the Adelaide Park Lands Zone and City Riverbank Zone showing the impacts of the proposed policy changes on these tables; and
- Assessment against State Planning Policy 4—Biodiversity. Please refer to attached 'Attachment D—Strategic Planning Outcomes' from the Code Amendment for Council review.

Please note that 'Table 1—Accepted Development Classification' and 'Table 2—Deemed-to-Satisfy Development Classification' have not been provided for the Adelaide Park Lands Zone or the City Riverbank Zone as it is envisaged there are no changes to these tables.

With regard to the letter from the Lord Mayor of 11 August 2021, I can confirm that the following matters were taken into consideration by the Attorney-General's Department (the Department) when drafting the Code Amendment for consultation:

- Alignment with State Planning Policies (SPPs). Several additional SPPs were included for assessment based on Council's advice. While SPP 4—Biodiversity was not included in this initial analysis, it has now been added to an updated version of Attachment D to the Code Amendment. It should also be noted that several other SPPs that were not identified by Council were included by the Department, including SPP 3—Adaptive Reuse and SPP 9—Employment Lands.



- Alignment with Regional Plans. Analysis in the Code Amendment was expanded to include a range of additional policy themes and strategies from The 30-Year Plan for Greater Adelaide (2017 Update). These were contained in the draft of the Code Amendment released for consultation.
- Further investigations proposed. Analysis of the Adelaide Park Lands Management Strategy 2015-25, in addition to relevant masterplans for the Riverbank Precinct, Lot Fourteen and the new Women's and Children's Hospital, were all included in the Code Amendment released for consultation. Additional investigations were also included in the Code Amendment providing a Strategic Land Use Analysis of each Precinct affected by the Amendment.

I can also confirm that while the Code Amendment does not trigger the need for assessment under the *Environment Protection and Biodiversity Conservation Act 1999*, the Department has still referred the Code Amendment to the Commonwealth Department of Agriculture, Water and the Environment for formal comment. The Department will be meeting with the Commonwealth Department shortly to discuss the Code Amendment and any public infrastructure projects or development proposals consequential to the Code Amendment process.

Whilst additional information has now been provided with this letter, I acknowledge Council's request for an extension to submit its formal submission on the Code Amendment.

At this time, I will not be formally extending the consultation period. However I would request that Council continue to work with the Department to resolve any outstanding issues with the Code Amendment which may result in a short extension for providing Council's formal submission.

Should you wish to discuss the matter further, please contact Ms Anita Allen, Director Planning and Development, Planning & Land Use Services, Attorney-General's Department on 0407 705 220 or via email: [Anita.Allen@sa.gov.au](mailto:Anita.Allen@sa.gov.au).

Yours sincerely



Caroline Mealor  
**CHIEF EXECUTIVE**

Attachments

1. Adelaide Park Lands Zone and City Riverbank Zone (knet# 17816664):
  - Table 3—Applicable Policies for Performance Assessed Development
  - Procedural Matters—Notification Table
2. Updated Strategic Planning Outcomes Attachment from the Riverbank Precinct Code Amendment (knet# 17816676).

# RIVERBANK PRECINCT CODE AMENDMENT

City of Adelaide Submission

26 October 2021



## ACKNOWLEDGEMENT OF COUNTRY

The City of Adelaide acknowledges that we are located on the traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past, present and emerging.

We recognise and respect their cultural heritage, beliefs and relationship with the land. We also extend that respect to visitors of other Aboriginal Language Groups and other First Nations.

## DOCUMENT PROPERTIES

### Contact for enquiries and proposed changes

If you have any questions regarding this document or if you have a suggestion for improvements, please contact:

**Contact Officer:** Madeleine Frew  
**Title:** Team Leader- City Policy  
**Program:** City Planning & Heritage  
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### Record Details

**HPRM Reference:** ACC2021/151180  
**HPRM Container:** 2021/01631

### Version History

Version	Revision Date	Revised By	Revision Description
1	22/10/2021	MF	Draft

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## 1. EXECUTIVE SUMMARY

The Riverbank Precinct Code Amendment (Code Amendment) by the State Government is drafted to facilitate a series of major projects within the Riverbank Precinct and also provide for additional land uses and high-rise built form not currently envisaged within the Adelaide Park Lands.

The Riverbank Precinct adjacent the River Torrens / Karrawirra Pari is central to the Adelaide Park Lands and City Layout. The Adelaide Park Lands (and City Layout) is regarded as the most complete example of nineteenth-century colonial planning. The historical layout also remains clearly legible today and is also the only Australian city to be completely enclosed by park lands. The Adelaide Park Lands are Nationally Heritage listed and of great Kaurna significance, they are unique and valuable green space which provide a significant cooling effect for our city, provide habitat for our valuable flora and fauna, and should be protected for the benefit of future generations.

Within the limited time available the City of Adelaide has undertaken substantial internal consultation with Council Members, Council Administration, and advisory Committees on the Code Amendment in order to identify and understand the impacts and opportunities provided by the Code Amendment.

The key impacts and opportunities that have been identified are:

1. The importance of the Adelaide Park Lands to the South Australian community and the rationale for their inclusion (along with the City Layout) on the National Heritage List and the need to mitigate the cumulative erosion of Park Lands that has occurred, particularly in the Riverbank Precinct.
2. The proposed policy outcomes are inconsistent with the statutory principles in the *Adelaide Park Lands Act 2005* and the Adelaide Park Lands Management Strategy. There are examples over time where built form in the Park Lands has been returned to Park Lands to conserve Light's vision and provide beautiful open space for the benefit of the South Australian community.
3. The Riverbank Precinct Code Amendment proposes to move several areas within the Adelaide Park Lands and rezone them to the City Riverbank Zone. In doing so, it will remove several relevant key policies which protect the open, accessible landscaped character of the Adelaide Park Lands.
4. The current planning provisions are adequate to appropriately activate the Riverbank Precinct whilst still protecting the open and natural setting of the Adelaide Park Lands to a high amenity.
5. The inadequacy of the investigations and responses to the State Planning Policies (SPP), particularly with reference to:
  - a. SPP4: Biodiversity - Increasing built-form, and thus removing the vegetation and habitat may impact known species found within Park 27. For example, the 'Eastern Water Skink' calls Park 27 home and is a listed vulnerable species. And a 2018 survey recorded a newly found species to Park 27, the 'Australian Emerald' also making it the most western record of the species in South Australia.
  - b. SPP5: Climate Change – the Park Lands have a cooling effect and minimise the urban heat island effect of surrounding built form areas.
  - c. SPP7: Cultural Heritage: The city in a park is highly regarded as “a masterwork of urban design”. The Adelaide Park Lands are of great significance to Kaurna. The City of Adelaide, State Government and Mount Lofty Rangers Group are currently



seeking that the Adelaide Park Lands, City Layout and Mt Lofty ranges settlement story to be a listed World Heritage Area.

6. The draft Code Amendment for consultation does not include significant information and investigations that would enable understanding of the implications of the proposed policy changes. This lack of transparency is inconsistent with Principle 4 of the Community Engagement Charter, namely that “Engagement is informed and transparent”

In regard to the specific Precincts proposed to be rezoned in the Code Amendment the City of Adelaide has identified the following key impacts and opportunities.

This submission details Council’s advice on each area proposed to be rezoned by the Code Amendment, and will cover the following summarised points.

### Health Subzone expansion:

- No objection to new Women’s and Children’s Hospital site within the current City Riverbank Zone, however, do not support the expansion of built form into Kate Cocks Park and encourage the State Government to find an alternate location and/or solution for its transit hub/car park.
- Highlight of the unique biodiversity within this area.
- Loss of connection to the city and therefore potential to not contribute economically back to core Central Business District.
- Importance of access and universal design.
- Do not support the rezoning of this land from Adelaide Park Lands Zone.

### Entertainment Subzone expansion:

- Request no net loss of Park Lands and suggest that for any additional built form, that open and publicly accessible green space is created possibly by creating new open space over the train corridor.
- Highlight of the unique biodiversity within this area.
- Significant infrastructure, access and emergency management considerations that must be considered by way of whole of precinct planning prior to any planning policy changes occurring.

### Innovation Subzone expansion:

- Do not support the proposal to rezone this land as it is not required to facilitate the existing High School and the land is important open space, provides critical connections within the Park Lands, provides habitat for protected species and is a highly significant site for Kaurna.

### Riverbank Subzone:

- Do not support this subzone, as the area can already be activated through the existing Adelaide Park Lands Zone principles and hosts many events annually.
- The area is particularly important to Colonel Light’s original plan, with reference to views from North terrace down the banks to the River Torrens.
- The land is highly significant to Kaurna and this should be respected and left free from additional built form.

## 2. RIVERBANK PRECINCT CODE AMENDMENT – CITY OF ADELAIDE SUBMISSION

### Background

A summary of the Riverbank Precinct Code Amendment and observations of the proposed policy was presented to the Committee at their meeting 28 September 2021.

To view this presentation, [please click here](#).

## 3. IMPORTANCE OF THE RIVERBANK PRECINCT WITHIN THE ADELAIDE PARK LANDS



Figure 1: Helen Mayo Park (Park 25)

21 October 2021. (Source: City of Adelaide)

The Riverbank Precinct lies at the heart of the Adelaide Park Lands, as defined by the *Adelaide Park Lands Act 2005* (APL Act).

The APL Act was developed in the early 2000s at a time when the Adelaide Park Lands were under threat from development, most notably in the form of the National Wine Centre and Next Generation fitness centre. The purpose of the APL Act was to “*establish a legislative framework that promotes the special status, attributes and character of the Adelaide Park Lands; to provide for the protection of those park lands and for their management as a world-class asset to be preserved as an urban park for the benefit of present and future generations*”.

Importantly, the APL Act contains seven statutory principles, which, in summary, state that the Adelaide Park Lands should:

- Correspond with the general intention of Colonel William Light's first Plan of Adelaide in 1837.
- Be held for the public benefit of the people of South Australia, and be available for their use and enjoyment.
- Reflect and support a diverse range of environmental, cultural, recreational and social values and activities.
- Provide a defining feature to the City of Adelaide and contribute to the economic and social well-being of the city.
- Contribute to the natural heritage and improve the biodiversity and sustainability of the Adelaide Plains.
- Be managed cooperatively and collaboratively for protection and enhancement by the City of Adelaide and State Government.
- Reflect the interests of the South Australian community in maintaining or enhancing the environmental, cultural, recreational and social heritage status of the Park Lands for the benefit of the State.

Over the last 184 years, that stretch of the Adelaide Park Lands between North Terrace and River Torrens / Karrawirra Pari, some 166ha, has been subject to continuous built form encroachments. Over 71ha, or 42%, of that space has been lost to various institutions, venues, hotels, hospital and car parks.

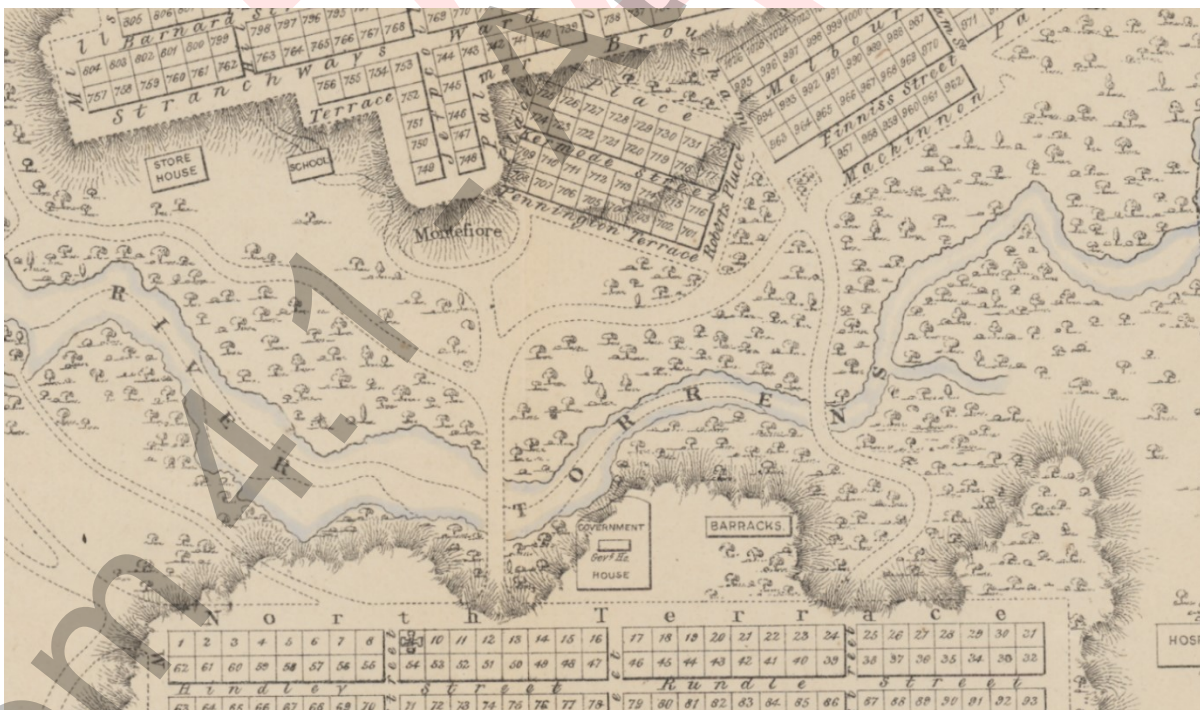


Figure 2: Section from: *Plan of the City of Adelaide*, drawn by Colonel William Light, 1839

(Source: National Library of Australia [Plan of the city of Adelaide \[cartographic material\] : with the acre allotments numbered / surveyed ...](#) | National Library of Australia ([nla.gov.au](http://nla.gov.au)))



Figure 3: Section from: *Facsimile of a bird's-eye view of Adelaide, from a point on Pennington Terrace, in 1876*  
*"A capital view of the City of Adelaide", Cooke, A.C. (Albert Charles)*

(Source: Reproduced from an original in the National Library of Australia [Adelaide \[picture\] \(nla.gov.au\)](https://nla.gov.au/nla:gov:picture:1053000))

The remaining tenuous strips of green Park Lands between the ever-encroaching built form and River Torrens / Karrawirra Pari need enhancing as open recreational space, to maintain the green connections to and along the River. Colonel Light is often quoted as saying that one of the primary reasons he located Adelaide where he did was because of the superior connections with River Torrens / Karrawirra Pari. Let us not lose those critical green connections.

Under the APL Act and Adelaide Park Lands Management Strategy (which was adopted by Council and the State Government in 2017) it is incumbent on the Adelaide Park Lands Authority, Council and State Government to prevent the erosion of open space and to protect and nurture the Park Lands.

The current Planning and Design Code, Adelaide Park Lands Zone provides Desired Outcomes which seek:

- 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.
- 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.

Rezoning land within the Adelaide Park Lands Zone will remove these key Desired Outcomes of the Park Lands and instead replace them with Desired Outcomes which envisages built form and land uses, such as, convention centre, educational establishment, entertainment venue, hotel, residential, office, shops. This is at odds with the values of the Park Lands as open, public and natural areas. Whilst the Desired Outcomes of the proposed City Riverbank Zone recognise connections with the Adelaide Park Lands, **it is the opportunity for increased built form and the commercialisation of the Adelaide Park Lands that Council does not support.**

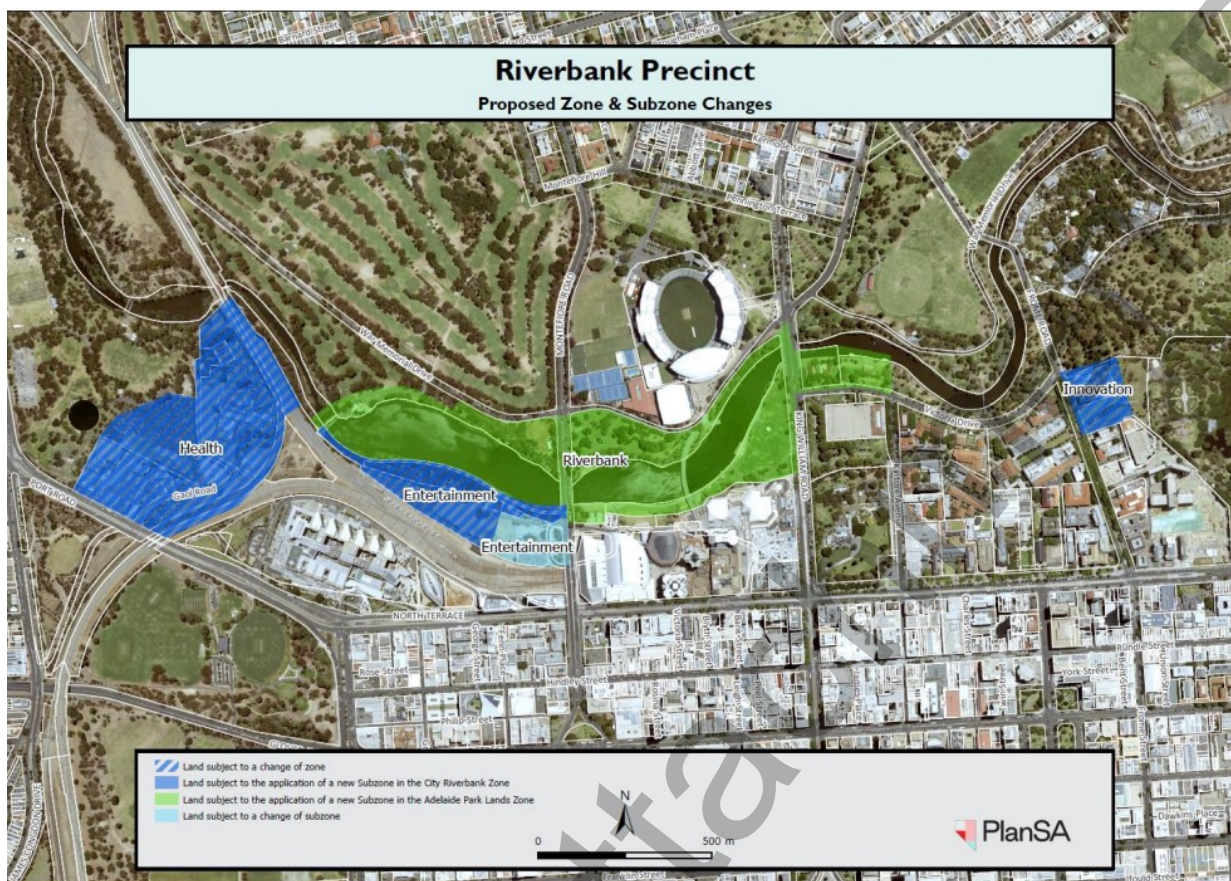


Figure 4: Attorney-General's Department, 'Proposed zone and subzone changes map', 15 September 2021  
 (Source: [Riverbank Precinct Code Amendment - proposed zone and subzone changes map \(plan.sa.gov.au\)](https://www.plan.sa.gov.au))

### 3.1 What We Have Heard

Given the significance of the Adelaide Park Lands and the potential impacts of the proposed Code Amendment the City of Adelaide has prepared this submission on the Code Amendment based on feedback from the following organisations and groups:

- Council Members
- Council Administration
- Adelaide Park Lands Authority
- Reconciliation Committee
- Resident Groups

The extent of supplementary engagement to inform our response was curtailed by the short consultation timeframe available. Responses obtained from each of these groups are incorporated into this submission.

#### **4. MASTER PLAN REQUIRED TO INFORM ANY CHANGES**

The Riverbank Precinct Code Amendment (Code Amendment) clearly envisages more built form and further loss of open space. The removal of land from the Adelaide Park Lands Zone proposed in the Code Amendment sets up a planning framework that could lead to development which is inconsistent with the Park Lands values. This could include an increase in buildings, (including buildings of significant scale), less emphasis on open space and less emphasis on public use which, in turn, will lead to the alienation of public land.

It is difficult to understand the State Government's vision for the Riverbank Precinct without a current Master Plan. Any changes of the scale proposed by this Code Amendment should be progressed firstly through a master plan process, undertaken jointly by the City of Adelaide and State Government. Formal policy changes should only be proposed following this process.

Working with the City of Adelaide will allow for our expertise of the land to be

Council urges the State Government to finalise and release a current Master Plan for the entire Riverbank Precinct to inform the public of the vision for this area based upon thorough investigations undertaken in line with the State Planning Policies.

The Master Plan should be undertaken in conjunction with the City of Adelaide and seek protection and enhancement of the unique biodiversity and cultural significance of the Riverbank Precinct and ensure any additional built form delivers exemplary design outcomes.

This process should occur prior to any planning policy changes being implemented.

#### **5. REQUEST FOR FURTHER INFORMATION**

The City of Adelaide wrote to the Designated Entity (CEO of Attorney General's Department) regarding the Code Amendment on 22 September 2021. The intent of this letter was to request an extension of time to provide a submission on the Code Amendment as well as identify missing information in the Code Amendment on public consultation regarding Assessment Tables and advise that the draft Code Amendment did not respond to the Planning, Development and Infrastructure Act 2016 (SA) s 62A and State Planning Policy 4: Biodiversity.

On 14 October 2021, the CEO of the City of Adelaide received a response letter with attachments of some of the requested information that was missing from the public consultation material. This included an updated table responding to the State Planning Policies, with SPP4: Biodiversity provided and an amended version of Table 3 – Applicable Policies for Performance Assessed Development and Table 4 – Procedural Matters – Notification Table” for the Adelaide Park Lands Zone and City Riverbank Zone”. The response also noted the Draft Code Amendment did not propose any changes to Tables 1 and 2 of either the City Riverbank Zone or the Adelaide Park Lands Zone.

It is noted that this information was provided to Council, however the public consultation material on the State Government's YourSAy page was not updated.

## 6. ALIGNMENT WITH STATE PLANNING POLICIES

It is a requirement that all Planning and Design Code Amendments identify the 'relevant principles or objectives of the State Planning Policies and an assessment of the proposed Code Amendment's alignment with those State Planning Policies'.<sup>1</sup>

As identified in the letter to the CEO of the Attorney-General's Department on 22 September 2021, the City of Adelaide has identified gaps in the State Planning Policies reviewed in the Code Amendment and in the assessment of the Code Amendment against the State Planning Policies as detailed below.

### 6.1 State Planning Policy 4: Biodiversity

On 14 October Figure 5 was provided to the City of Adelaide outlining the State Government's assessment of the Code Amendment against the Biodiversity State Planning Policy.

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<sup>1</sup> State Planning Commission, *Practice Direction 2: Preparation and Amendment of Designated Instruments – Version 4* (27 May 2021) <[Practice Direction 2 - Preparation and Amendment of Designated Instruments \(plan.sa.gov.au\)](https://www.plan.sa.gov.au/practice-direction-2-preparation-and-amendment-of-designated-instruments)>

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p><b>SPP 4: Biodiversity</b>  <u>Objective: To maintain and improve our state's biodiversity and its life supporting functions.</u></p> <p><u>Policy 4.1 Minimise impacts of development on areas with recognised natural character and values, such as native vegetation and critical habitat so that critical life-supporting functions to our state can be maintained.</u></p> <p><u>Policy 4.2 Recognise the value of modified landscapes and allow appropriate scaled development that can co-exist with and safeguard biodiversity values and critical functions.</u></p> <p><u>Policy 4.3 Encourage the reintroduction of biodiversity or its components in development areas to provide life supporting functions at low cost.</u></p> <p><u>Policy 4.4 Enhance the biodiversity of urban areas and townships through a connected and diverse network of green infrastructure systems along streetscapes, major watercourses, linear parks, open space, the coast and other strategic locations.</u></p> <p><u>Policy 4.5 Where impacts to biodiversity cannot be avoided, these impacts should be minimised and where possible, offset.</u></p> <p><u>Policy 4.6 Encourage nature-based tourism and recreation that is compatible with, and at an appropriate scale for, conserving the natural values of that landscape.</u></p>	<p><u>Some targeted rezoning of park lands is proposed by the Code Amendment in relation to locations that already contain a significant development footprint (eg. Old Adelaide Gaol, Police Barracks and Adelaide Botanic High School) or are generally underutilised / inaccessible to the public (eg. area north of the railway line and west of Montefiore Road).</u></p> <p><u>The intent of the Code Amendment is to improve existing built form / landscaped outcomes in these areas while also facilitating greater public accessibility and connectivity between the City, riverbank and park lands in key locations.</u></p> <p><u>Greater activation at these locations (through the introduction of new land uses) will also rejuvenate these areas and make them more publicly accessible.</u></p> <p><u>Key open space links including that located south of the Adelaide Botanic High School will continue to be protected through new policy and inclusion on a Concept Plan.</u></p> <p><u>The central riverbank area which is being retained in the Adelaide Park Lands Zone will retain its primary role as an area for both formal and informal recreational activities but will now be supported with complementary development which contributes to this locations role as a tourist destination / people attractor.</u></p> <p><u>The Code Amendment will continue to enhance the Park Lands at this location by continuing the desire for an open landscaped setting while limiting building floor areas and height, limiting environmental impact and providing new buildings / infrastructure of quality design for public / community benefit.</u></p>

Figure 5: Capture from Attachment 2 to letter from CEO AGD to CEO City of Adelaide, providing their updated table responding to SPP 4: Biodiversity, received via e-mail 14 October 2021.

With respect, the State Government's response to how this Code Amendment aligns with this State Planning Policy misses the mark. The comments talk about built form, activation and access, but provides no discussion on the existing unique biodiversity within the area and the impacts or opportunities that this Code Amendment may have if finalised.

In response to State Planning Policy 4: Biodiversity, the City of Adelaide provides the following information about the biodiversity within the areas affected within this Code Amendment which must be taken into consideration in any policy development.



Karrawirra Pari, including Torrens Lake falls within the scope (and management actions) of the Council's Integrated Biodiversity Management Plan – 2018/2023 (IBMP). This plan was approved by Council in 2018 and has 36 actions for the management of the city's biodiversity.

The 'Fauna survey of Adelaide Park Lands, Adelaide (SA) – Spring 2017 and Autumn 2018' identified a number of species that were only located within Park 27. Whilst the survey area within Park 27, was slightly northwest of the area identified within this Code Amendment, due to similar nature of flora within the area and access to the River Torrens, it is believed that the entire Park 27 area would play home to several species. Of mention is the 'eastern water skink' which is listed as a vulnerable species and the 'Australian Emerald' dragonfly, with this survey identifying Park 27 as the most western record of the dragonfly in South Australia and is a new habitat location for this species in South Australia.



*Figure 6: Eastern Water Skink*

*(Source: Photographer: Victoria McCarron)*

Any additional built form on the Park Lands will greatly impact the goal to create ideal habitats for native species that we aim to conserve, attract to the Park Lands and retain here. That is not to say that built form cannot also create animal habitat, it can, but not as effectively or authentically as when habitat is created without the built form i.e. through applied conservation land management including native revegetation.

Built form will also reduce net soil permeability of the Park Lands. Buildings require foundations and paths that will essentially remove the soil ecosystems and the ecological processes that they provide, including but not limited to: food source for birds and other

larger animals, soil nutrient cycling (carbon, nitrogen, phosphorus), water cleansing, improved microbiome diversity and associated health benefits, and city cooling.

It is well understood by experts of Adelaide's natural heritage that the Adelaide Park Lands were managed by the Kaurna people as (in simple terms) open woodlands rich in grasses and forbs. Lines of sight were kept relatively open and there were not dense forests. The presence of certain plants (including trees), planted in an open woodland structure have attracted the local native animals, including birds, back into the city.

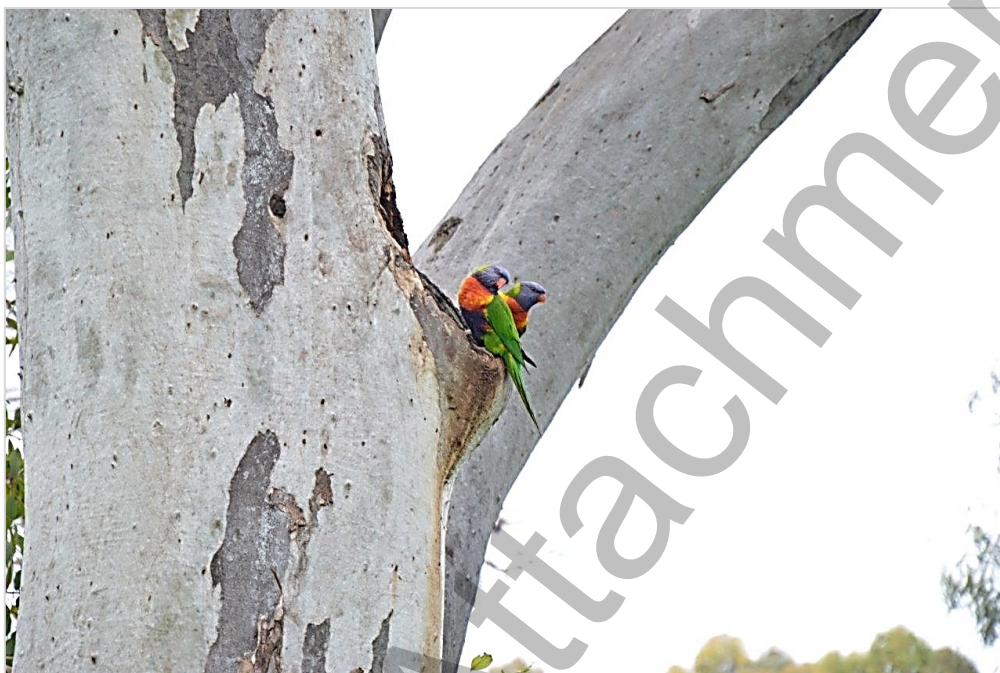


Figure 7: Lorikeets nesting in a hollow within an established tree. Helen Mayo Park, 21 October 2021.

(Source: City of Adelaide)

The proposed Code Amendment appears to make no room for a step in this direction and tend towards increasing built form and a reduction in established trees. Hollow-bearing trees (that are used for nesting) cannot be replaced by revegetation projects surrounding new built form. Planting 50 trees (for example) will not provide the ecological services of a single 100+ year-old tree – at least not for several decades – and by that time the animals could no longer exist in the city.

The concept of ecological connectivity (sometimes called corridors) is very important in creating resilient ecosystems. Establishing, improving or at the very least retaining the green space that we have helps to facilitate movement of plant genetic material (seed/pollen) and animals between patches of higher biodiversity. In times of a changing climate and shrinking/shifting habitats, the movement of genetic material is very important – plants benefit from cross pollination and exposure to new sites to colonise while animals need to be able to move between sites to find shelter and resources.

The promoted increase in human activity around the river will have unavoidable impacts to the terrestrial and aquatic biodiversity. This will be in the form of increased pollution in various forms: litter, noise, light, toxic contaminants (soil and water). These increases will result in changes to the local biodiversity and surrounding environment that are extremely unlikely to be in line with what our local native species need to survive.

## 6.2 State Planning Policy 5: Climate Change

Similar to biodiversity, the State Government's response to State Planning Policy 5: Climate Change has also missed the mark. The response talks of access and references other environmental or sustainability policies within the current Planning and Design Code which may be used in an assessment of an application in this location. However, the investigations fail to examine the unique and important role that the Adelaide Park Lands play in assisting with mitigating the effects of Climate Change.

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p><b>SPP 5: Climate Change</b>  <b>Objective:</b> <i>Provide for development that is climate ready so that our economy, communities and environment will be resilient to climate change impacts.</i></p> <p><b>Policy 5.1</b> <i>Create carbon-efficient living environments through a more compact urban form that supports active travel, walkability and the use of public transport.</i></p> <p><b>Policy 5.2</b> <i>The good design of public places to increase climate change resilience and future liveability.</i></p> <p><b>Policy 5.3</b> <i>Facilitate climate-smart buildings to reduce our demand for water and energy.</i></p> <p><b>Policy 5.4</b> <i>Mitigate the impacts of rising temperatures by encouraging water sensitive urban design, green infrastructure and other design responses.</i></p>	<p>The Code Amendment will contribute to this policy by encouraging the further development of a State significant health / entertainment / cultural and education precinct in close proximity to established transport networks (including rail / tram / road and pedestrian / bicycle infrastructure).</p> <p>The focus of the Code Amendment in improving shared use pathway connections between the CBD and the riverbank and along the river / linear park will also have a positive impact on general active travel and walkability in the Riverbank Precinct.</p> <p>Future development in the Precinct will also continue to be assessed against the key environment / sustainability policies of the Code, including those captured in relevant Overlays which apply to the Precinct or in general Code policies that apply to different forms of development.</p>

Figure 8: Attorney-General's Department, 'Code Amendment – draft for consultation (Attachment D)', 15 September 2021

(Source: [Riverbank Precinct Code Amendment - for consultation \(plan.sa.gov.au\)](https://www.plan.sa.gov.au/riverbank-precinct-code-amendment-for-consultation))

In response to State Planning Policy 5: Climate Change, the City of Adelaide provides the following information about the areas provided within this Code Amendment which must be taken into consideration in any policy development in order to meet the State Planning Policy of Climate Change.

City of Adelaide's Strategic Plan 2020-24 has a vision to become **“the most liveable city in the world”** with a key outcome of “environmental leadership”, including:

- “Enhanced greening and biodiversity, and
- A climate ready organisation and community”.

The Strategy specifically identifies a key action of *“increasing street tree canopies and green infrastructure in city hot spots and public spaces.”*

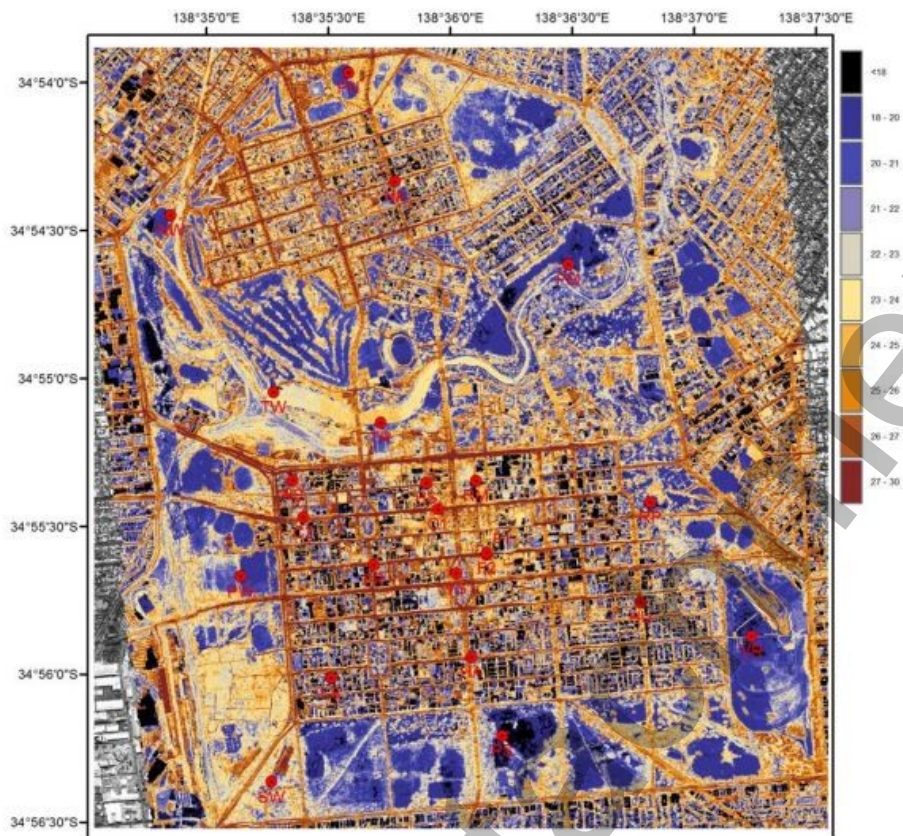
The Adelaide Design Manual for Greening, which governs the design of the public realm in the City of Adelaide, recognises green infrastructure elements as *“fundamental in creating a high quality of life, and play an important role in creating a city that is climate resilient and adaptable to future needs.”* One of the key principles is to *“work towards a continuous and connected tree canopy, which will benefit people by reducing the urban heat island effect, create microclimates and habitat benefits, and beautify the city streets.”*

The 30-Year Plan for Greater Adelaide has a greening target of increasing our tree canopy cover by 20% by 2045, and as such the Council agreed on a public realm Tree Canopy Target in 2017, to increase canopy cover in the CBD (25%) and North Adelaide (40%) by 2040. In March 2019, City of Adelaide set a specific Street Tree Canopy Target for the CBD West of 20% by 2021.

CoA is a member of Resilient East. Resilient East is a Climate Change Adaptation Partnership between 8 Councils and State Government working together since 2012 investigating and responding to the impacts of climate change in our region. *“Our goal is to improve the resilience of communities, assets and infrastructure, local economies and natural environments so we can cope with the challenges and opportunities of climate change.”* As such all partners have committed to a Climate Change Adaptation Action Plan and the Canopy Mission Statement that *“by 2045, Resilient East Councils will increase canopy and green cover by a proportional 20%, compared with 2013 levels, creating cooler more liveable places for comfort, amenity and urban biodiversity”.*

One of the projects instigated by Resilient East is the Urban Heat Mapping project leading to a related Report and the Urban Heat Mapping Viewer. This Report and recent research has demonstrated that different surfaces absorb and release heat at different rates, with canopy proving the coolest surface, up to 10°C cooler than asphalt roads which heat up in the daytime and release heat at night. It has been found that adding moisture and greenery to the urban environment can reduce land surface temperature, air temperature and hence the urban heat island (UHI) effect (Sharifi, E. et al, 2017).

In addition, research conducted by local Universities has concluded that there is an Adelaide UHI effect, and that the temperature difference between the Park Lands and CBD differs by up to 4°C, but significantly reduces when wind speed reaches 3m/s, indicating the cooler air is mixed with hotter air, cooling the CBD (Clay, R et al, 2016, Soltani, A. & Sharifi E., 2017).



**Figure 3.5** Surface brightness temperatures of the CBD and North Adelaide compiled from airborne one-metre resolution measurements made in the early hours (00:30 to 02:30 hrs) of 7 March 2011. The variation in temperature within the built-up regions is clearest along roads, while the Park Lands provide strong contrasts. The red dots indicate air temperature monitoring sites.

*Figure 9: Characterisation, Interpretation and Implications of the Adelaide Urban Heat Island.*

*(Source: Flinders University and University of Adelaide, June 2013)*

The Park Lands were found to be cooler than inner and outer suburbs almost all day (Soltani, A. & Sharifi E., 2017). Research also indicates that Adelaide's UHI could be exasperated by a local CO<sub>2</sub> effect (Clay, R et al, 2016). With the predicted increase of a 3-4°C global warming by the end of the century (IPCC, 2021), along with longer heatwaves and less rainfall and the understanding that dark, hard and impervious surfaces exacerbate the UHI effect it is imperative that we preserve existing and increase new canopy and green spaces.

### 6.3 State Planning Policy 7: Cultural Heritage

The consideration of State Planning Policy 7: Cultural Heritage does not have regard to the layered and significantly important heritage of the Adelaide Park Lands. The analysis on the State Planning Policy 7: Cultural Heritage relates only to built form heritage and does not make mention on the significant Kaurna Heritage or National Heritage Listing of the Park Lands.

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p><b>SPP 7: Cultural Heritage</b>  <b>Objective:</b> <i>To protect and conserve heritage places and areas for the benefit of our present and future generations.</i></p> <p><b>Policy 7.1</b> <i>The sensitive and respectful use of our culturally and historically significant places.</i></p> <p><b>Policy 7.2</b> <i>Recognise and protect Indigenous cultural heritage sites and areas of significance.</i></p> <p><b>Policy 7.3</b> <i>Recognise and protect places and areas of acknowledged heritage value for future generations.</i></p> <p><b>Policy 7.4</b> <i>The appropriate conservation, continuing use, and as appropriate, adaptive reuse of our heritage places and heritage areas of value to the community.</i></p>	<p>The Code Amendment will further encourage the adaptive reuse of heritage buildings in the Riverbank Precinct for a wider range of purposes.</p>

Figure 10: Attorney-General's Department, 'Code Amendment – draft for consultation (Attachment D)', 15 September 2021

(Source: [Riverbank Precinct Code Amendment - for consultation \(plan.sa.gov.au\)](http://plan.sa.gov.au))

In response to State Planning Policy 7: Cultural Heritage, the City of Adelaide provides the following information about the cultural heritage within the areas provided within this Code Amendment which must be taken into consideration in any policy development.

The Kurna peoples are the Traditional Owners of the land. The River Torrens Karrawirra Pari / River Torrens and surrounds are a living entity to Aboriginal cultures, and this has not been recognised in the State's response to SPP 7: Cultural Heritage. The land surrounding Karrawirra Pari is recognised and recorded Kurna campsites and burial grounds and hold high significance to the Kurna peoples and wider Aboriginal communities.

At a special meeting of the City of Adelaide Reconciliation Committee, on 21 October 2021, the Committee discussed the Code Amendment and provided the following advice to Council:

*It is recommended that targeted, genuine and culturally appropriate consultation is undertaken by the Attorney General's Department – Planning and Land Use Services with Traditional Owners, the Kurna peoples, and be deemed as high priority in addition to any online submissions.*

Subsequent to the establishment of the APL Act, in 2008 the Adelaide Park Lands and City Layout was included on Australia's National Heritage List, which states:

*The Adelaide Park Lands and City Layout is rare as the most complete example of nineteenth century colonial planning where planning and survey were undertaken prior to settlement. The historical layout as conceived in the 1837 Adelaide Plan remains clearly legible today. The place is also the only Australian capital city to be completely enclosed by park lands and is the most extensive and substantially intact nineteenth century park lands in Australia.*

The inclusion on the National Heritage List, as “a masterwork of urban design”, confirmed the importance of the Park Lands to Adelaide’s identity and to the Nation’s heritage. It was included for many reasons, including that the Park Lands and City Plan is “*substantially intact and reflects Light’s design intentions with high integrity*”.

It is disappointing that the Code Amendment has not addressed or discussed the values associated with the National Heritage Listing. Whilst the National Heritage listing is mentioned in the current Adelaide Park Lands Zone policy, the proposed Code Amendment would remove this policy when land is rezoned to the City Riverbank Zone. The Code Amendment proposes policy that would allow for notable changes to the layout of the National Heritage Listing and envisages development that would permanently remove the fabric of the National Heritage Place by allowing for multi-level car parking and other built form and land uses in the Park Lands which is inconsistent with the relevant values. To say that the Code Amendment will not impact the National Heritage Listing is misleading, the Code Amendment will allow for the permanent removal of open space from the Park Lands, the very essence of the National Heritage listing. The State Government should undertake a strategic assessment under the *Environment Protection and Biodiversity Conservation Act 1999* prior to progressing the policy changes to ensure the policy directions are consistent with the heritage values of the National Heritage Place.

Further to the National Heritage Listing, the City of Adelaide, in partnership with the State Government Department for Environment and Water (Heritage Branch) are currently working towards having the Adelaide Park Lands and City Layout listed as a State Heritage Area. City of Adelaide, the State Government Department for Environment and Water (Heritage Branch) and Mount Lofty Ranges Group are also working together on a bid to have the Adelaide Park Lands, City Layout and Mount Lofty Ranges, settlement story to be World Heritage Listed. This project recognises the significance of the Park Lands.

Further, the Riverbank Precinct Code Amendment has only referred to SPP 7.1, 7.2, 7.3 and 7.4. Key and highly relevant policies have been overlooked during the preparation of the draft policy changes.

- SPP 7.6 “the interpretation potential of heritage places and areas is enhanced to contribute to the economic and cultural sustainability of the state”
- SPP 7.7 “Provide certainty to landowners and the community about the planning processes for heritage identification, conservation and protection”.

The proposed policies only have reference to built heritage, however the intent of SPP 7 – cultural heritage, relates to both European and indigenous cultural heritage sites. SPP 7.6 is highly relevant, because it provides for the creation of Planning and Design Code policies which might seek to encourage cultural heritage interpretation opportunities, which would be particularly of value within the Riverbank Precinct area.

The wholesale changes which could be brought about through the ambitious provisions of the Code Amendment would seriously undermine the integrity of the Park Lands and further enable the commodification of our public land.

## 7. INFRASTRUCTURE

The Code Amendment does not recognise that much of the area proposed for rezoning is currently Park Lands, with limited provision of transport, stormwater, lighting, utilities and safety infrastructure.

The infrastructure analysis within the Code Amendment does not adequately acknowledge that development within the proposed Zones and Subzones may require significant augmentation of infrastructure.

## 8. COMMUNITY ENGAGEMENT AND PROCEDURAL SHORTCOMINGS

The engagement approach and timing in relation to the proposed Code Amendment is not consistent with the *Planning, Development and Infrastructure Act 2016* (SA) (PDI Act), including Practice Direction 2 – Preparation and Amendment of Designated Instruments. This is especially concerning due to the state-wide, national and international importance of the Adelaide Park Lands and City Layout.

The Community Engagement Charter (the Charter) is a key instrument under the PDI Act and provides for Code Amendments to be undertaken.

The Charter sets out 5 key principles (SPC, 2018, p.4):

1. Engagement is genuine
2. Engagement is inclusive and respectful
3. Engagement is fit for purpose
4. Engagement is informed and transparent
5. Engagement processes are reviewed and improved



The Charter emphasises that engagement should be focussed at the policy setting stage - it *“seeks to strengthen engagement up front in the development of planning policies, strategies and schemes, as it does not have a statutory role in the assessment of development applications”* (SPC, 2018, p.4).

Practice Direction 2 requires a designated entity (in this case, the CE of the Attorney-General’s Department) to prepare an Engagement Plan which meets the Principles and performance outcomes of the Charter. Upon completion of the Code Amendment the Designated Entity (CE of AGD) must provide a final engagement report to the Department to be “furnished on the Minister”.

We draw your attention to two critical shortcomings of both the process and analysis associated with the Code Amendment which highlight the extent to which the Code Amendment has not met its legislative requirements in state significant areas.

### 8.1 Engagement Timeframe

The 6 week timeframe provided by the Engagement Plan for feedback is inadequate, particularly considering:

- the State-wide importance of the Adelaide Park Lands and the need to provide sufficient opportunity for people to firstly become aware of the proposed changes,



and secondly to afford sufficient time for professional experts and lay-people alike to read, interpret and compose meaningful responses to the draft changes;

- Local Government responses (both City of Adelaide and adjoining LGAs) take time to prepare, and require endorsement from Council via public meetings, which are publicly notified and conducted within statutory processes and timeframes;
  - The City of Adelaide has engaged and coordinated the advice and/or submissions of the Adelaide Park Lands Authority, Reconciliation Committee and Council.
- Targeted, genuine and culturally appropriate consultation with the Traditional Owners, the Kaurna peoples must be undertaken prior to any decisions on the Code Amendment being finalised. Time and resourcing should be considered by the Attorney General's Department – Planning and Land Use Services to support any consultation/s conducted.
- Community groups and individuals may need to coordinate a gathering or seek advice to further their understanding of the proposals, undertaken in addition to their existing commitments and responsibilities;
- Information updates during the engagement period require additional review by stakeholders to enable responses to be updated.

City of Adelaide wrote to the Attorney-General's Department on 22 September 2021 requesting an extension of time, which was acknowledged in a response letter on 14 October 2021 noting the consultation period would not be extended.

## 8.2 Insufficient Documentation and Analysis

In addition, insufficient documentation was provided publicly to enable meaningful feedback on the proposed Code Amendment. The following critical information was omitted from the consultation materials:

- assessment tables (allocating policies from the Planning and Design Code to be applied to specific anticipated developments), were not included in the Code Amendment. Practice Direction 2 requires a draft Code Amendment to be supported by "(b) an explanation of the amendments to the Code policy proposed for the Affected Area"
- insufficient regard to the State Planning Policies in the drafting of the Code Amendment policies, such as:
  - Principles of Good Planning
  - Disregard for SPP 4 – Biodiversity
  - No consideration of the suite of policies contained within SPP 2 - Design Quality, such as SPP 2.2: "*Promote best practice in access and inclusion planning in the design of buildings and places by applying the principles of University Design, Crime Prevention through Environmental Design, and Access and Inclusion*"
  - lack of regard to other key SPPs including, but not limited to, Cultural Heritage and Climate Change.



### 8.3 Procedural Concerns

As outlined earlier the City of Adelaide wrote to the Attorney-General's Department early in the consultation period highlighting this missing information.

Whilst additional information was provided on 14 October, this supplementary information has not been publicly provided on the Planning Portal, nor have key stakeholders as documented in the Code Amendment's Engagement Plan been notified of these changes. This lack of transparency is inconsistent with Principle 4 of the Community Engagement Charter, namely that "Engagement is informed and transparent" because the public have not had access to the information, they need to enable them to fully understand the implications of the policy changes and provide informed suggestions and feedback. The principle of equal and transparent access to information has not been adhered to.

Additionally, one of the core objects of the new PDI Act is to "provides a scheme for community participation in relation to the initiation and development of planning policies and strategies"<sup>2</sup>. In other words, the intent is to 'front-load' engagement in the policy 'setting' stage of the planning system, with less community engagement at the development assessment stage of the planning system. To meet this legislative object, it is critical that all information, reasonably required to understand the changes is provided for the entire consultation period.

In this Code Amendment process, the public have not had access to the Assessment Tables to understand what policies within the 4908 page Planning and Design Code will be used to assess the envisaged land uses within the area. Further, not all the envisaged land uses have been included in the amended Assessment Table 3 provided to Council on 14 October 2021.

With no public notification required for any development types within the Zones and Subzones proposed in the Code Amendment, detailing the policies that would be used to assess all the envisaged land uses should be provided at the 'policy setting' stage for comment by the public now. This would mean that the engagement at the 'policy setting' stage was genuine, inclusive and respectful. Without this information, the Code Amendment consultation materials are not fit for purpose and the public have not had the ability to be transparently informed about the potential future for this area.

With the above considerations, Council submits that the Code Amendment consultation has failed to meet the requirements of the Community Engagement Charter and therefore the Code Amendment should not proceed any further until the Community Engagement Charter has been properly and appropriately met.

Further, Council seeks the Minister for Planning initiate an independent review of the Community Engagement Charter processes and its effectiveness urgently with many Code Amendments now taking place, and the clear failings within this process.

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<sup>2</sup> *Planning, Development and Infrastructure Act 2016 (SA)* s 12(1)(a).

## 9. PROPOSED RIVERBANK PRECINCT EXPANSION AND SUBZONES

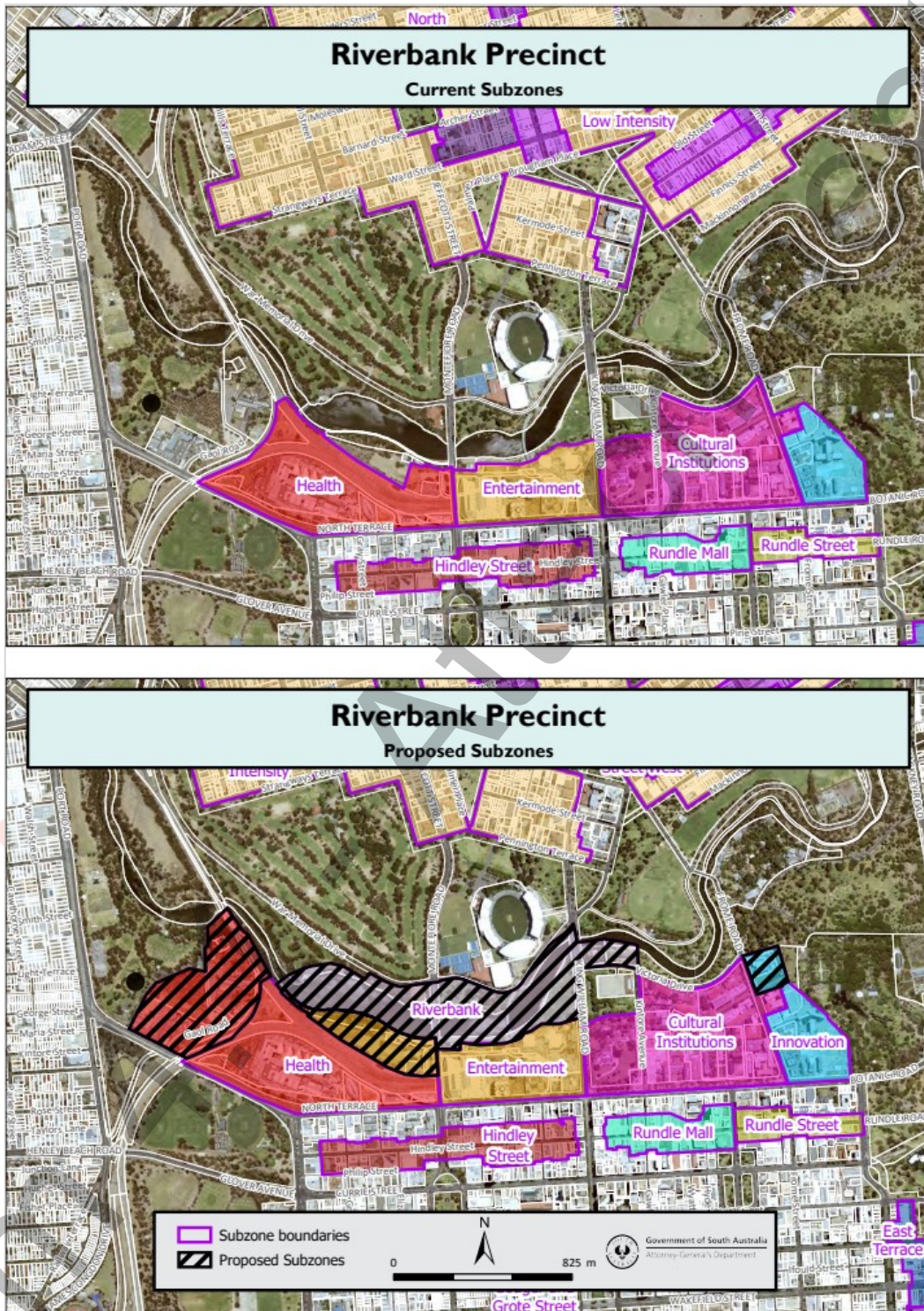


Figure 11: R. Attorney-General's Department, 'Planning for Adelaide's Riverbank Precinct'

(Source: [Riverbank Precinct Code Amendment Current and proposed sub zones map](#), 15 September 2021)

## 9.1 Health Precinct

(Adelaide Park Lands Zone > City Riverbank Zone / Health Subzone)



Figure 12: Shaded area: Area proposed to be rezoned City Riverbank Zone and added to the Health Subzone.

(Source: Attorney-General's Department, 'Planning for Adelaide's Riverbank Precinct'

Supporting Materials: Brochure, page 7, 15 September 2021 [Planning for Adelaide's Riverbank Precinct](#))

The City of Adelaide does not oppose the location for the new Women's and Children's Hospital (W&C Hospital). However, the Code Amendment's proposed extension of the City Riverbank Zone / Health Subzone on to Kate Cocks Park (Park 27) allows for a commercial car park to be built in association with the new W&C Hospital, and potentially other commercial buildings, to a possible height of 15 building levels.

This area is the remaining open Park Lands space between the State Heritage sites of the Adelaide Gaol and the Police Barracks. Kate Cocks Park is first and foremost part of the Adelaide Park Lands. The additional built form that the Code Amendment would allow, is of such a scale that is at odds with the spirit and provisions of both the statutory principles in the APL Act and the Adelaide Park Lands Management Strategy.



Figure 13: SA Police Greys Horses under the Olive Grove Trees in Kate Cox Park (Park 27)  
21 October 2021, (Source: City of Adelaide)

The proposed area of the extended Health Subzone does not provide any policies or vision to connect back to the core city. The proposed location for the new W&C Hospital is approximately 500m away from the north-west corner of the city and the proposed 'transit hub' within Kate Cocks Park (Park 27) is approximately 750m from the north-west corner of the city. Given this distance, it is unlikely that there will be much foot traffic back to the city, and therefore the broader economic benefit of this location for the new W&C Hospital will be negligible. In effect the development of this precinct, in conjunction with the potential development of a new arena in the Park Lands in the proposed expanded Entertainment Precinct has the potential to draw city visitors away from the core city and generate competition with existing CBD businesses.

Increases in trip potential in this precinct resulting from the policy proposals, which may involve a car park, adaptive reuse of heritage buildings and other commercial high-scale buildings could be significant, over and above the estimates for the new W&C Hospital. The impact on congestion, level of service and assets of the surrounding road network, including those under the care and control of Council needs to be considered.

Public transport access to this precinct is currently limited – with no tram, train or bus stops in proximity. Analysis of the walkable catchments for existing public transport stops should be undertaken to determine the accessibility of the site by public transport. The addition of new stops and/or services should be considered to service the precinct to improve accessibility and encourage people to access the precinct by public transport rather than private vehicle.

Gaol Road provides a key connection between the River Torrens Linear Path and the city – this is one of the few places that people on bikes can currently leave the Linear Path and easily access the city's bike network, via shared paths on Port Road and West Terrace. More broadly Gaol Road provides a critical link in the longer bike connection between the Outer Harbour Greenway and the city, connecting people who live in Woodville, West Croydon and Bowden with safe, easy and fast access by bike into the Health Precinct and the city. This link is currently highly utilised by people riding bikes, both recreational and commuters. It is critical that the Gaol Road connection is retained in any development of the precinct, and if possible improved. Walking and cycling connections between the precinct and the surrounding Park Lands and city should be improved.

Emergency management needs to be carefully considered in this location also. Whilst locating the new W&C Hospital adjacent to the Royal Adelaide Hospital clearly has many benefits, there also needs to be careful planning in the event of an emergency. Locating two major hospitals adjacent to one another in the event of a natural disaster or other major event may have detrimental outcomes.

This precinct currently contains valuable natural community assets, such as natural connections along existing pedestrian and cycle linkages to nature play areas along the River Torrens and biodiversity gardens incorporating a bee hotel, constructed and planted with community input.



Figure 14: Native Bee Hotel, Magic Forest Garden in the Bonython Park / Tulya Wardli (Park 27)  
6 October 2021. (Source: City of Adelaide)

The City of Adelaide has a Disability Action and Inclusion Plan (DAIP). This identifies getting around and to facilities as being critical for people with disability, ageing, and children. The Health Precinct is critical infrastructure for such groups and more frequent visitors. Access to the Adelaide Park Lands would be valuable to any hospital user and the proposed Code Amendment and new W&C Hospital Master Plan does not appear to value the health benefits of the Park Lands.

Bonython Park / Tulya Wardli is used frequently for events within the Park Lands, as such while this area remains unaffected by the Code Amendment, consideration needs to be given to what may be developed in areas adjacent on the Eastern side. Adding new stakeholders here may limit what is able to be presented in Bonython Park, which would be detrimental to the City - for example Bonython Park / Tulya Wardli is the number one venue of choice for concerts in the City. New tenants/businesses may take issue with concerts/noise/disturbance emanating from Bonython Park. This has been the case in some instances in the City previously and we need to ensure that Bonython Park can continue to be a premium event site for concerts and events.

For these reasons, **Council does not support any additional built form on Kate Cocks Park**. The State Government should consider alternative locations and design options to provide car parking to the proposed new W&C Hospital that does not include another incremental loss of the Adelaide Park Lands. There needs to be a vision for the Health Precinct that includes protecting the valuable green space that is the Park Lands, linking the precinct back to the city, and protecting Bonython Park / Tulya Wardli as a premium event site.

## 9.2 Entertainment Precinct

(Adelaide Park Lands Zone > City Riverbank Zone / Entertainment Subzone)



Figure 15: Shaded area: Area proposed to be rezoned City Riverbank Zone and added to Entertainment Subzone  
(Source: Attorney-General's Department, 'Planning for Adelaide's Riverbank Precinct')

Supporting Materials: Brochure, page 8, 15 September 2021 [Planning for Adelaide's Riverbank Precinct](#)

The rezoning of the Adelaide Park Lands Zone to the City Riverbank Zone / Entertainment Subzone to Helen Mayo Park (Park 27) allows for an entertainment arena, residential, commercial and health developments. Helen Mayo Park (Park 27) is a slim stretch of green Park Lands re-created out of dis-used rail land. The proposed Entertainment Subzone provides a height guidance of 20 building levels, providing a transition down in scale toward the river, however no further guidance is provided as to an appropriate transition or the interface with the river. Getting this right will be particularly important given the narrowness of the site.

The City of Adelaide acknowledges that an arena, with active uses at ground level may be appropriate, but only if there is **no net loss of Park Lands**.

The finalisation of policies and zone boundaries with respect to this location, which may enable development of an arena, or similar, must take into account the impacts on the Park Lands, transport and access as well as safety, particularly if night-time events and liquor licenced venue(s) are anticipated. Policies will also need to address the interface with the existing (and proposed) hospital facilities within the adjacent Health Subzone.

The Park Lands play a very significant role in biodiversity provision and protection as well as reducing the impacts of the urban heat island effect. This part of the Park Lands contains several significant trees and vegetation that are key to the biodiversity and ecological connectivity (corridors) of the Park Lands. As discussed earlier hollow-bearing trees (that are used for nesting) cannot be replaced by revegetation projects surrounding new built form. Planting new trees will not provide the ecological services of a single 100+ year-old tree – at least not for several decades. Further, increasing built form at the expense of established vegetation can significantly impact on the movement of genetic material and impact on the role that the Park Lands play in reducing the Urban Heat Island effect.

Current access to this precinct is very constrained and the arrangements for future access, with an increased demand for movement, are not clear. The proposed changes to this precinct has the ability to significantly alter transport demands in the local area and more broadly across the city, particularly during event times if the Riverbank Arena is approved at this location.

Currently, if events are held at Adelaide Oval, there are significant road closures, such as King William Road, that are required to be in place to assist with the significant people movement through this area. If an arena were to be built in the proposed entertainment precinct, it is likely that Montefiore Road would need to be closed during an event for people management. Therefore, if events were on concurrently at Adelaide Oval and the new arena, both King William Road and Montefiore Road would need to be temporarily closed which would leave the only city connection to North Adelaide via Frome Road.

Any increase in demand for vehicle access, including a car park or drop-off, or increases in demand for access on foot or by bike will require considerable thought. Engagement with Adelaide Metro will be required to ascertain train, tram and bus abilities with this additional capacity increase to this area.



*Figure 16: Linear Path adjacent to River Torrens / Karrawirra Pari Helen Mayo Park (Park 27)*

*21 October 2021, (Source: City of Adelaide)*

The existing Linear Path and connecting paths to Montefiore Road are very well utilised by people walking and riding bikes at all times of day/year. However, with the introduction of policies enabling the development of a 15,000 (or more) capacity arena, the implications of these additional people in this location needs careful consideration. If an emergency evacuation was required, the land is currently land locked between the railway lines and



river. It will be critical that there is a pathway adjacent the River Torrens / Karrawirra Pari that is a suitable width to accommodate the significant walking and bicycle movements that occur each day, as well as potential emergency evacuation requirements. There is an opportunity to improve the level of service and safety for path users through this precinct. This will require additional infrastructure being put in place, such as lighting and CCTV. Consultation with SAPOL for managing the impacts of another entertainment area will be critical.

Investigations of innovative ways to provide city green space, and minimise loss of existing significant biodiversity, should be undertaken to determine whether any design aspects may be appropriate in this location and can result no net loss of Park Lands.

Options that may be able to provide for development over the railway lines in this area, to provide a new recreational space (similar to the New York High Line (see Figure 17)) as a means to ensuring no net loss of Park Lands to the people of South Australia.



Figure 17: Section of The High Line, New York [www.thehighline.org](http://www.thehighline.org)

(Source: Photographer: Iwan Baan [Iwan Baan | The High Line](http://Iwan Baan | The High Line) )

### 9.3 Innovation Subzone

(Adelaide Park Lands Zone > City Riverbank Zone / Innovation Subzone)



Figure 18: Area proposed to be rezoned City Riverbank Zone and added to the Innovation Subzone.

(Source: Attorney-General's Department, 'Planning for Adelaide's Riverbank Precinct'

Supporting Materials: Brochure, page 10, 15 September 2021 [Planning for Adelaide's Riverbank Precinct](#))

Frome Park / Nellie Raminyemmerin, between the new Botanic High School and the Lot Fourteen site, was reclaimed as public green space from an old car park in the late 1990s. It forms a valuable green space connection to the Botanic Garden, is used for WOMADelaide and other events and contains a little known, but highly significant site for Kaurna.



Frome Park in 1997 when used for car parking

Frome Park in 2021: reclaimed park land

Figure 19: Comparative aerial photographs of Frome Park area in 1997 and 2021

The area is also near the known grey headed flying-fox habitat, which may be detrimentally impacted by any further development in this location.

There has been no valid reason given for the rezoning of this site from Adelaide Park Lands Zone to City Riverbank Zone - Innovation Subzone, however the rezoning puts Frome Park / Nellie Raminyemmerin at risk as it enables the transition from open green space to an ancillary area for Lot Fourteen and Botanic High School.

Botanic High School has existing land use rights and if the intent is to retain Frome Park /Nellie Raminyemmerin as an open space link between the University of Adelaide and the Adelaide Botanic Garden there is no need to rezone this area.

The City of Adelaide does not support the extension of the Innovation Subzone to the proposed location and requests that it remain within the more appropriate Adelaide Park Lands Zone. The inclusion of Frome Park / Nellie Raminyemmerin as a designated open space link between Frome Road and the Adelaide Botanic Garden on a Concept Plan within the Adelaide Park Lands Zone to further reinforce the importance of this area would be supported.



*Figure 20: Frome Park / Nellie Raminyemmerin (Park 11, Adelaide Park Lands)*

*Shaded pedestrian path connecting The University of Adelaide and Adelaide Botanic Garden, and providing green space between Adelaide Botanic High School and Lot Fourteen*

*20 October 2021 (Source: City of Adelaide)*

## 9.4 Riverbank Subzone

(Adelaide Park Lands Zone (no Subzone) > Adelaide Park Lands Zone / Riverbank Subzone)



Figure 21: Shaded area: Area proposed to apply Adelaide Park Lands Zone's new Riverbank Subzone.

(Source: Attorney-General's Department, 'Planning for Adelaide's Riverbank Precinct'

Supporting Materials: Brochure, page 13, 15 September 2021 [Planning for Adelaide's Riverbank Precinct](#))

The proposed Riverbank Subzone within the existing Adelaide Park Lands Zone covers around 37 hectares over the River Torrens/ Karrawirra Pari and the north and south banks of the Adelaide Park Lands. The rationale given for the proposed Subzone is to enable greater built form and activation on and adjacent the River Torrens / Karrawirra Pari.

The City of Adelaide facilitates many large and small events in Elder Park, Pinky Flat, Barr Smith Walk and elsewhere each year, making the Riverbank an already well activated site. Prior to Covid-19 restrictions, in 2018/19 Council facilitated 27 events in Elder Park/Riverbank and 11 at Pinky Flat. These sites are 'premium' event sites, with events such as Adelaide Festival utilising the space for 2 months over the summer period. Whilst event numbers have reduced since the start of 2020 due to the COVID-19 pandemic, several events are still being planned into 2022.



*Figure 22: Lounders Boatshed Café in Elder Park, alongside the river  
21 October 2021, (Source: City of Adelaide)*

In regard to built form within the proposed Riverbank Subzone area, the City of Adelaide leases several buildings, some former boat sheds converted to cafes or restaurants as well as those still being used as boat sheds. These buildings, or buildings within these locations, date back a hundred years. Adding new built form for commercial land uses within this area may limit what is able to be presented in Elder Park as new tenants or business operators may take issue with concerts/noise emanating from Elder Park. While it can bring benefit having additional businesses in the area, we need to ensure Elder Park can still remain a premium event location.

Furthermore, whilst City of Adelaide facilitates a number of events and temporary activations along the Riverbank each year, increasing permanent built form and development will have significant implications for access, parking provision and impacts on and integration with existing pathways and services within the precinct.

If activation is the core reason for this proposed Subzone, the City of Adelaide submits that events, activation, business opportunities and more can occur under the existing planning provisions of the Adelaide Park Lands Zone. Therefore, the City of Adelaide does not support the introduction of the Riverbank Subzone.

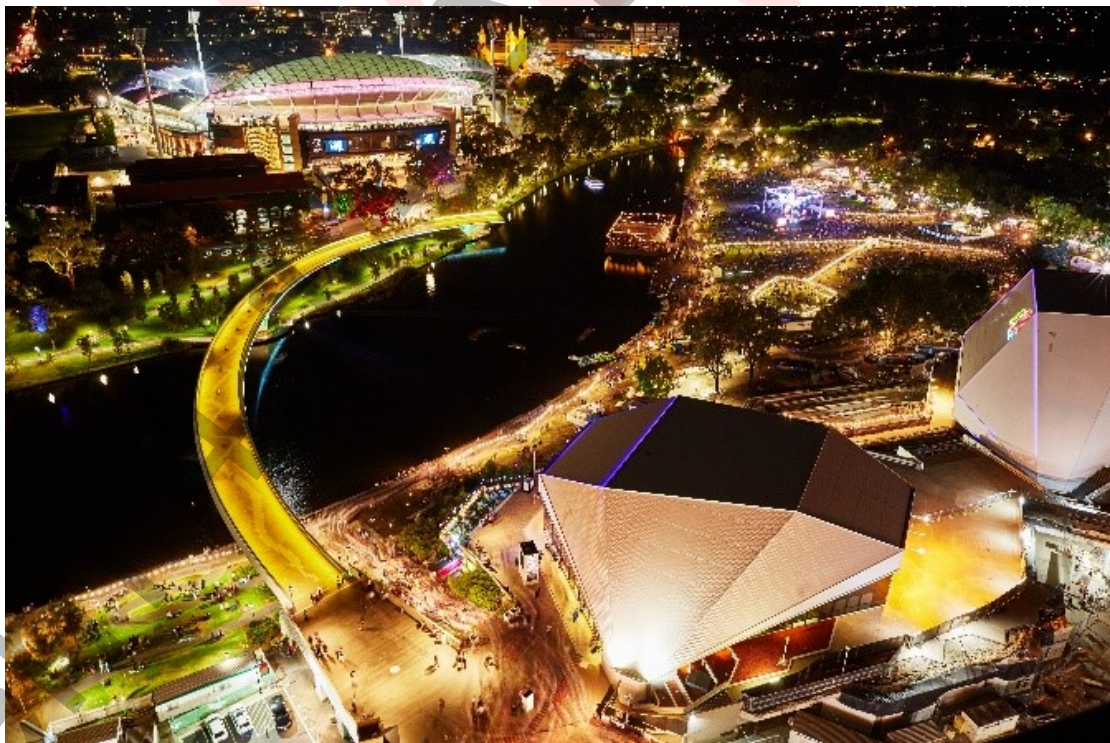
In addition, the area affected by the proposed Riverbank Subzone is of very high cultural and environmental significance, that warrants protection from the extent of development anticipated in the Riverbank Subzone. In particular:

- It is well understood that the River Torrens / Karrawirra Pari is of great significance to Kaurna, particularly Pinky Flat and the adjacent Adelaide Oval area which, together, formed an important camp site and corroboree ground. For this reason, the northern banks of the River Torrens should be respected and left free from permanent built form

- The subject area as park lands and the Torrens Lake provides unique views and vistas that are important to Adelaide and enjoyed from many vantage points around the area.
- Additional built form over the Park Lands will be steps further away from creating ideal habitats for the native species we aim to conserve and attract to the Park Lands.
- Additional built form and canopy loss in the Park Lands will negatively impact on the important cooling effect of the Park Lands.
- That this area is within the floodplain, with the risk of flooding likely to be exacerbated with climate change predictions of more intense and frequent rain events.
- In-line wetlands are currently proposed in Torrens Lake in order to address water quality and ecological concerns. The proposed rezoning is not compatible with this project.
- there is a lack of clarity about the term 'on-water development'. Any changes to the Adelaide Park Lands Zone should facilitate 'naturalisation' and incorporation of water quality and ecological objectives and requirements.

Policies that recognise the importance and historical significance of Elder Park and Pinky Flat and seek to preserve them as open spaces for events and community use are supported to be included in the Adelaide Park Lands Zone.

The City of Adelaide submits that the banks of the River Torrens are already significantly activated with events through the current Zoning. The subject area of the proposed Riverbank Subzone is of great significance to Kaurua. Further, the area provides unique views and vistas, is an important habitat that we try to conserve. For these reasons, the City of Adelaide does not support the Riverbank Subzone.



*Figure 23: The Riverbank Zone on New Years Eve, 2017.*

*(Source: City of Adelaide)*

## 10. SUMMARY AND RECOMMENDATIONS

The City of Adelaide does not support the Riverbank Precinct Code Amendment.

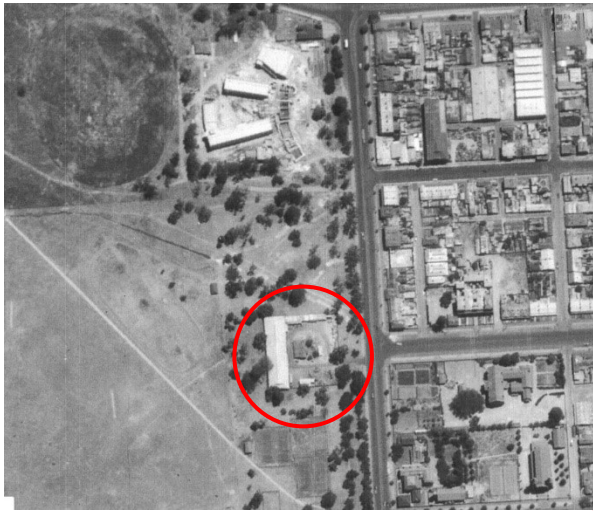
The lack of investigations undertaken by the designated entity in the preparation of the Code Amendment, including the missed opportunity to genuinely engage with the City of Adelaide and Kaurua community who have substantial knowledge and expertise of the areas has meant that the context and significant importance of the land proposed to be rezoned has not been fully understood.

This has been demonstrated in the limited assessment and review of the proposed policy changes against all of the relevant State Planning Policies, contrary to the requirements of the Planning, Development and Infrastructure Act 2016. As well as a lack detail provided to exemplify an understanding or the complex considerations of the locality.

In addition, the nature and extent of the community engagement undertaken is inadequate to enable genuine consideration and feedback to be provided by all affected stakeholders.

The City of Adelaide supports appropriate public infrastructure and strategic development of the Riverbank Precinct that will enhance the social, economic and environmental values, however in the absence of a current Master Plan it is premature to undertake policy change.

## Examples of areas returned to Adelaide Park Lands and rehabilitated into green space.



*Park 24 in 1949. Compound and depot circled.*



*September 2021 with area returned to park land*

*Figure 24: Comparative aerial photographs of Ellis Park / Tampawardli (Park 24) at the end of Franklin Street in 1949 and 2021. The 1856 Post and Telegraph Station, later the Post Master General's compound and transport depot, was demolished in 1987 and returned to Park Lands.*



*Figure 25: Location of the former Signals Station, Post and Telegraph site in Park 24  
(Source: [45-03 Signals Station – Post and Telegraph site | Adelaide City Explorer](#) )*





Rundle Park in 1949. Sewers & Waterworks site circled and in April 2021 with area returned to park land

Figure 26: Comparative aerial photographs of Rundle Park / Kadlitpina (Park 13) in 1949 and 2021. The 1879 Sewers and Waterworks were demolished in 1984 and returned to Park Lands. In 1996 this native garden was formalised as the Peace and Friendship Garden.



2009: SA Water Thebarton Depot

2021: Narnungga Urban Forest (Park 25)

Figure 27: Comparative aerial photographs of Gladys Elphick Park / Narnungga (Park 25)

The area in the triangle was previously the site of the SA Water Thebarton Depot, returned to the Park Lands and transformed into Narnungga Urban Forest in 2011-12.