



**FRIENDS OF PARKS**  
SOUTH AUSTRALIA

*Volunteers working for conservation*

## Planning and Design Code Phase 3 (Urban) Submission

Parks are very important to South Australians - 70 – 80% visit a park in any one year ([South Australian Park Visitation Survey 2017](#)) and visitation is highest in metropolitan and regional parks closest to city centres. The top 5 most popular parks in SA are Cleland, Belair, Morialta, Granite Island and Brownhill Creek. It follows that the public is very aware of and concerned about development in these parks. As volunteers working in parks we are particularly concerned that the new Planning and Design Code does not seem to reflect the intent of the National Parks and Wildlife Act (NPW) 1972, namely the: “establishment and management of reserves for public benefit and enjoyment; to provide for the conservation of wildlife in a natural environment.” Friends of Parks SA made a previous submission under Phase 2 (rural) consultation and all of these points remain relevant in the current phase. They include the following

- **The Code considerably weakens existing environmental protections**, particularly for native vegetation and critical habitat, in direct contravention of the State’s own Biodiversity Policy (SPP4). Use of Overlays for this protection, particularly the ‘Native Vegetation Overlay’ and ‘Significant Native Vegetation Overlay’ are inadequate, because the general and ambiguous terms used can be easily worked around. The overlays fail to protect threatened ecological communities - unique and valuable areas which can be critical habitat for multiple species
- The effect of the Code is to **preference private development over public good**. Where this degrades a public asset through commercial exploitation or denies public access to any part of a park for commercial interests, it is in direct contravention of the NPW Act 1972, which establishes parks and reserves “for public benefit and enjoyment’.
- **Denying public notification of developments** in their Parks and Wilderness Reserves also preferences private over public interests. Although some improvements in public notification have been made since Phase 2, this should occur for all categories of code-assessed and impact assessed development in parks. It should be updated to include online notification.
- The **absence of a right of appeal** on development decisions in a popular park heavily advantages a developer – particularly since they themselves can appeal multiple times. This is like to create considerable controversy. Given this is a new code, problems with decision-making are inevitable.
- **Inaccuracies in the Mapping Tool**. These were pointed out in Phase 2 but are still apparent in Phase 3. Of 20 Parks in the Phase 3 consultation area which we examined, only 5 were correctly zoned. Cleland, Morialta, Blackhill and Onkaparinga Gorge Conservation Parks were all zoned ‘Hills Face’ which is incorrect and does not provide even Conservation level protections. Para Wirra Conservation Park was zoned ‘peri-urban’ and ‘rural’, while Ferguson Conservation Park was zoned

‘suburban neighbourhood’. The extensive conservation values of these parks are well documented and known to the Friends groups who support them.

- **Inadequate detail in Conservation zoning.** The high degree of granularity in urban zoning so that ‘suburban main street’ is distinguished from ‘suburban neighbourhood’ is not reflected in parks, where a large park such as Cleland Conservation Park - clearly with high value conservation areas mixed with recreation and wildlife areas, is given a single (and inaccurate) zone of ‘Hills Face Zone’. This is completely inadequate to describe its function, let alone to guide its development. The code could include granular environmental data by referring to existing databases, for example DEW’s [Regional Species Conservation Assessments Fauna and Flora database](#) which quantifies the conservation status of animal and plant species, DEW’s Biological Databases, DEW’s mapping of within-park zones and Environmental Protection and Biodiversity Conservation data. These could also be used to establish a ‘**critical habitat overlay**’ referred to in our previous submission.
- We strongly recommend the inclusion of a ‘**Wilderness Conservation Sub-zone**’ and a ‘**Critical Habitat Overlay**’ to remedy some of the highly inadequate detail in zoning in national Parks and Wilderness Protection Areas which we detailed in our Phase 2 submission

### **Conclusions**

Until the mapping and zoning of SA’s parks by the mapping tool is greatly improved, it should not be used.

Given the extent and complexity of the code, so that many who may be affected simply do not understand it, the unpopularity evident from the Phase 2 consultation, particularly on heritage matters, and the evident preference it gives to developers – it could be a source of considerably community discontent and it will certainly lengthen rather than shorten the development approval time.

As far as we can tell, the Code will not adequately implement or represent the intention of the legislation covering parks and wilderness areas, unless it undergoes substantial revision.

Friends of Parks Inc  
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