



FRIENDS OF BELAIR NATIONAL PARK INC
BELAIR SA 5052



Patron: Dr. David C. Paton AM

Date: 26/11/2019

Submission to Department of Environment and Water re: Draft Planning and Design Code.

This submission is written, in the name of the Friends of Belair National Park, following and in response to, the Workshop held 25/11/19 in The Joinery, Adelaide. It is pertinent to the code overall and in particular to the provisions in the code for the development of tourist accommodation in National Parks and similar areas.

- The Friends of Belair are very pleased to see the development of this code. Anything which improves clarity and certainty of decisions around development planning in the state is good for both developers and conservationists.
- Proposed commercial developments in National Parks are particularly sensitive issues, most of all where they involve the creation of major infrastructure such as tourist accommodation.
- We strongly support the reduction of planning zones, to go from 1500 to 60 will greatly simplify the system for all participants.
- We strongly support the proposed inclusion of all National Parks in Conservation zones.
- We also understand the need to encourage increased visitor numbers to the Parks. Parks are there to be visited and enjoyed by all.
- As a result, we are very keen to see the unique natural benefits of Parks protected and preserved for all into the future.
- We recognise that any development proposals must satisfy the conditions in both of the existing relevant acts –
 - National Parks and Wildlife Act 1972
 - Wilderness Protection Act 1992
 - Further in this document these two instruments will be referred to jointly as The Act
- We believe that for the Draft Code, as described, to satisfy these benefits certain protection features must be included.
- The process of planning approval for tourist accommodation development is intended to take place in accordance with Park Management Plans. Not all Parks have such plans and this considerably alters the planning process and the rights of all involved. It is therefore imperative that all Parks develop such plans in the immediate future. Given that there are already a number of such plans in existence, this should be achievable by launch of Phase 3 in April 2020.
- These plans should include provision for the protection of historic 'built' structures and must be reviewed regularly (every 5 years is suggested) to ensure they remain relevant. Any proposed revisions must be published for comment before institution.
- Belair National Park has such a plan but it was written in 2003. The world has changed somewhat in 16 years
- The Belair plan envisages possible tourist accommodation in the existing houses in the park. It does not envisage the building of extra infrastructure. However, it did not envisage the demise of the Golf Club and Country Club. Both have come to pass and the State Government is now considering several expressions of interest from commercial concerns. It is not clear what is being considered or whether any of the proposals would fit in the 16-year-old statements of the plan.
- The Draft Code sees four potential situations facing planning requests

Volunteers working for Conservation

- The Park Plan disallows the development of tourist accommodation – such proposals are not assessed.
- There is no Park Plan – the proposal is assessed against The Act; its impact is assessed and there is a right for Third party appeal.
- The park plan does not 'contemplate' such development – the proposal is assessed against both the Act and the plan and then follows the procedure for no park plan
- The park plan 'contemplates' such development – this proposal is assessed against The Act and Plan, it is code assessed not impact assessed, there is public notification but no right of appeal.
- The term 'contemplate' is crucial. Its presence or absence and its interpretation are highly significant. In all codes of this sort as in contracts, the objective is to ensure that the wording is open to only one interpretation. At this meeting the DEW representative was asked on multiple occasions to define this use of the word. The only response was to suggest members of the meeting refer to a dictionary. To arrive at this point in the draft with a crucial decision point still undefined would seem bizarre. We believe it is essential that this term is clearly enunciated before progressing.