

Development Plan Amendment

By the Minister

ADELAIDE (CITY) DEVELOPMENT PLAN

Park Lands Zone Development Plan Amendment

For Approval

Declared by the Minister for Planning to be an approved amendment under
Section 26 (8), of the *Development Act 1993*

.....
Minister's Signature

11 7 SEP 2015

.....
Date of Gazette



Government of South Australia

Department of Planning,
Transport and Infrastructure

Approval DPA

Background

The Park Lands Zone Development Plan Amendment (DPA) by the Minister amends the Adelaide (City) Council Development Plan.

This DPA was undertaken as a DPA process B, which included:

- An Initiation Document agreed on 20 March 2015
- A DPA released for concurrent agency, council and public consultation from 21 May 2015 to 15 July 2015
- A Public Meeting conducted by the Development Policy Advisory Committee (DPAC) Public Meeting Subcommittee on 28 July 2015 at the Grosvenor Hotel, Adelaide.

Consultation

A total of one hundred and sixty eight (168) public submissions, three (3) council submissions and eight (8) agency submissions were received in relation to the DPA during the consultation period. Twenty six (26) verbal submissions were made at the Public Meeting.

Approval Stage

Based on a review of all submissions and in consideration of the recommendations of DPAC, a number of alterations have been made to the Amendment:

1. The broad definition of 'public infrastructure' applied in DPA policy has been further refined (as outlined below) to only reflect those forms of public infrastructure development that are reasonably anticipated in the areas of the Park Lands affected and that should be assessed on 'merit' and be subject to Category 1 for public notification purposes:
 - (a) *the infrastructure, equipment, structures, works and other facilities used in or in connection with the supply of water or electricity, gas or other forms of energy, or the drainage of waste water or sewage;*
 - (b) *roads and their supporting structures and works;*
 - (c) *railways, tramways and busways;*
 - (d) *schools and other education facilities (only within Botanic Park Policy Area 19); and*

(e) all other facilities that have traditionally been provided by the State (but not necessarily only by the State) as community or public facilities .

2. Inclusion of an additional Principle of Development Control within the Park Lands Zone relating to 'temporary depots or site compounds associated with public infrastructure projects' along with an exclusion to non-complying development.
3. List 'complying development in the zone' as an exclusion to non-complying development.
4. Removal of the following exclusion from non-complying development in the Park Lands Zone as the matter is already excluded under 'associated works':

"rationalisation and reconfiguration of car parking within the Rundle and Rymill Parks Policy Area, which does not result in any net increase in parking within the Policy Area"

5. Amendments to policy within Botanic Park Policy Area 19 of the Park Lands Zone, to guide the redevelopment of the Reid Building and surrounding site for public infrastructure (school or other education facilities) purposes, whilst respecting the open landscaped character of the Botanic Gardens.
6. Inclusion of an additional Principle of Development Control within Rundle and Rymill Parks Policy Area 20 of the Park Lands Zone relating to the rationalisation and reconfiguration of car parking so that it does not result in any net increase in parking within the Policy Area.
7. A number of minor and editorial amendments.

AMENDMENT INSTRUCTIONS TABLE					
Name of Local Government Area: Adelaide City Council					
Name of Development Plan: Adelaide (City) Development Plan					
Name of DPA: Park Lands Zone DPA					
<p><i>The following amendment instructions (at the time of drafting) relate to the Adelaide (City) Development Plan consolidated on 3 September 2015.</i></p> <p><i>Where amendments to this Development Plan have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.</i></p>					
Amendment Instruction No:	Method of Change	Detail what is to be replaced or deleted or detail where new policy is to be inserted.	Detail what material is to be inserted (if applicable, i.e., use for <u>Insert</u> or <u>Replace</u> methods of change only).	Is Renumbering required (Y/N)	Subsequent Policy cross-references requiring update
	<ul style="list-style-type: none"> • Replace • Delete • Insert 	<ul style="list-style-type: none"> • Objective (Obj) • Principle of Development Control (PDC) • Desired Character Statement (DCS) • Map/Table No. • Other (Specify) 			
COUNCIL WIDE / GENERAL SECTION PROVISIONS (including figures and illustrations contained in the text)					
Amendments required: No					
ZONE AND/OR POLICY AREA AND/OR PRECINCT PROVISIONS (including figures and illustrations contained in the text)					
Amendments required: Yes					
Park Lands Zone					
1.	Insert	Desired Character	Insert the following text after part (e) of the Desired Character: <i>'(f) public infrastructure, including schools and other education facilities, roads, railways, tramways and busways, and their supporting structures and works in some parts of the zone; and (g) a well connected pedestrian and cycle network throughout the Park Lands'.</i>	N	N

2.	Insert	New Principle of Development Control	<p>Insert the following text after Principle of Development Control 6 under the heading 'Form of Development':</p> <p><i>'Development for the purpose of public infrastructure may be undertaken within the Golf Links Policy Area 16, River Torrens East Policy Area 18, Botanic Park Policy Area 19, Rundle and Rymill Parks Policy Area 20 and River Torrens West Policy Area 24 including:</i></p> <ul style="list-style-type: none"> <i>(a) the infrastructure, equipment, structures, works and other facilities used in or in connection with the supply of water or electricity, gas or other forms of energy, or the drainage of waste water or sewage;</i> <i>(b) roads and their supporting structures and works;</i> <i>(c) railways, tramways and busways;</i> <i>(d) schools and other education facilities (only within Botanic Park Policy Area 19);and</i> <i>(e) all other facilities that have traditionally been provided by the State (but not necessarily only by the State) as community or public facilities ;</i> <p><i>where undertaken:</i></p> <ul style="list-style-type: none"> <i>(a) by a State agency (whether or not in partnership or joint venture with a person or body that is not a State agency); and/or</i> <i>(b) by a person or body (that is not a State agency) where the development is specifically endorsed by a State agency.'</i> 	Y	N
3.	Insert	New Principle of Development Control	<p>Insert the following text after Principle of Development Control 14 under the heading of 'Temporary depots or site compounds' :</p> <p>Temporary depots or site compounds associated with construction works may be considered appropriate where the following is achieved:</p> <ul style="list-style-type: none"> <i>(a) Land occupied is kept to a minimum to minimise the impact on the public enjoyment of the Park Lands;</i> <i>(b) Land will suitably be reinstated to the same standard as prior to its</i> 	Y	Y

Park Lands Zone DPA
by the Minister
Amendment Instructions Table

			<p><i>temporary use or to an improved standard that is consistent with the Desired Character of the relevant policy area;</i></p> <p>(c) <i>Construction timelines are minimised to limit the impact to the public users of Park Lands;</i></p> <p>(d) <i>Safe and convenient alternatives are provided to any disrupted movement patterns;</i></p> <p>(e) <i>Impacts from construction waste and excavated soil are minimised on the Park Lands; and</i></p> <p>(f) <i>Car parking is restricted to vehicles necessary to be located on the site to support construction works.¹</i></p>		
4.	Insert	Principle of Development Control	<p>Insert the following text in Principle of Development Control 16 (in alphabetical order):</p> <p><i>'Complying development in the Zone'</i></p> <p><i>'Development for the purpose of public infrastructure within the Golf Links Policy Area 16, River Torrens East Policy Area 18, Botanic Park Policy Area 19, Rundle and Rymill Parks Policy Area 20 and River Torrens West Policy Area 24 including:</i></p> <p>(a) <i>the infrastructure, equipment, structures, works and other facilities used in or in connection with the supply of water or electricity, gas or other forms of energy, or the drainage of waste water or sewage;</i></p> <p>(b) <i>roads and their supporting structures and works;</i></p> <p>(c) <i>railways, tramways and busways;</i></p> <p>(d) <i>schools and other education facilities (only within Botanic Park Policy Area 19); and</i></p> <p>(e) <i>all other facilities that have traditionally been provided by the State (but not necessarily only by the State) as community or public facilities;</i></p> <p><i>and development undertaken:</i></p> <p>(a) <i>by a State agency (whether or not in</i></p>	N	N

			<p><i>partnership or joint venture with a person or body that is not a State agency); and/or</i></p> <p><i>(b) by a person or body (that is not a State agency) where the development is specifically endorsed by a State agency.'</i></p> <p><i>'Bridges and associated structures providing pedestrian and cycle access over the River Torrens located in the Golf Links Policy Area 16, the River Torrens East Policy Area 18, Botanic Park Policy Area 19, River Torrens West Policy Area 24, and over Hackney Road into Botanic Park Policy Area 19'</i></p> <p><i>'Temporary depot or site compound associated with construction works undertaken for the purposes of public infrastructure:</i></p> <p><i>(a) by a State agency (whether or not in partnership or joint venture with a person or body that is not a State agency); and/or</i></p> <p><i>(b) by a person or body (that is not a State agency) where the development is specifically endorsed by a State agency.'</i></p>		
Golf Links Policy Area 16					
5.	Insert	Desired Character	<p>Insert the following text after part (d) of the Desired Character:</p> <p><i>'(e) public infrastructure, including roads, railways, tramways and busways, and their supporting structures and works.'</i></p>	N	N

River Torrens East Policy Area 18					
6.	Insert	Desired Character	<p>Insert the following text after part (d) of the Desired Character:</p> <p><i>(e) improvements to pedestrian links through the River Torrens East Policy Area 18, resulting in further activation of the Park Lands and improvements to the public realm, use and enjoyment of the Park Lands; and</i></p> <p><i>(f) public infrastructure, including roads, railways, tramways and busways, and their supporting structures and works.'</i></p>	N	N
Botanic Park Policy Area 19					
7.	Insert	Desired Character	<p>Insert the following text after part (g) of the Desired Character:</p> <p><i>(h) improvements to pedestrian links through the Botanic Park Policy Area 19, resulting in further activation of the Park Lands and improvements to the public realm, use and enjoyment of the Park Lands; and</i></p> <p><i>(i) public infrastructure, including schools and other education facilities, roads, railways, tramways and busways, and their supporting structures and works.'</i></p>	N	N
8.	Insert	Principle of Development Control 2	<p>Insert the following text after part (c) of Principle of Development Control 2:</p> <p><i>(d) School or other education facility within the existing site boundaries of the Reid building land located on Lot 1, DP 28393 (CR 5988/27), Part Lot 1 DP 28393 (CT 5988/26) and Part Lot 1, DP 28393 (CT 5842/129), Frome Road, Adelaide;'</i></p>	Y	N
9.	Replace	Principle of Development Control 4	<p>Delete current Principle of Development Control 4 and replace with the following text:</p> <p><i>'4 Redevelopment of the Reid building and its existing site located on Lot 1, DP 28393 (CR 5988/27), Part Lot 1 DP 28393 (CT 5988/26) and Part Lot 1, DP 28393 (CT 5842/129), Frome Road, Adelaide, for public infrastructure (school or other education facility) purposes, should take place in a manner that respects the open landscaped character of</i></p>	N	N

			<i>the Botanic Gardens.'</i>		
10.	Replace	Principle of Development Control 5	Delete current Principle of Development Control 5 and replace with the following text: <i>'5 The development of additional car parks or additional buildings is inappropriate except for the resiting of the Botanic Gardens nursery buildings and car parking on the Reid building land associated with its redevelopment for a school or other education facilities.'</i>		
11.	Insert	New Principle of Development Control 6	Following Principle of Development Control 5: <i>'6 The expansion or replacement of buildings should be restricted, except where the development is for the purposes of public infrastructure (including the redevelopment of the Reid building as a school or other education facility).'</i>	Y	N
12.	Delete	Principle of Development Control 10		Y	N
Rundle and Rymill Parks Policy Area 20					
13.	Insert	Desired Character	Insert the following text after part (e) of the Desired Character: <i>'(f) improvements to transport links through the Rundle and Rymill Parks Policy Area 20, resulting in further activation of the Park Lands and improvements to the public realm, use and enjoyment of the Park Lands; and</i> <i>(g) public infrastructure, including roads, railways, tramways and busways, and their supporting structures and works.'</i>	N	N
14.	Replace	Principle of Development Control	Replace Principle of Development Control 3 with the following text: <i>'No development of additional buildings should occur'</i>	N	N
15.	Insert	Principle of Development Control	Insert the following new Principle of Development Control after PDC 4: <i>'Improvements to transport links through the Policy Area, resulting in further activation of the Park Lands and improvements to the public realm, use and enjoyment of the Park Lands'</i>	Y	N
16.	Insert	Principle of Development Control	Insert new Principle of Development Control after PDC 7: <i>'Rationalisation and reconfiguration of car parking within the Rundle and Rymill Parks</i>	Y	N

			<i>Policy Area 20, which does not result in any net increase in parking within the Policy Area'</i>		
River Torrens West Policy Area 24					
17.	Insert	Desired Character	<p>Insert the following text after part (h) of the Desired Character:</p> <p><i>'(i) public infrastructure, including roads, railways, tramways and busways, and their supporting structures and works.'</i></p>	N	N
TABLES					
Amendments required: No					
MAPPING (Structure Plans, Overlays, Enlargements, Zone Maps, Policy Area & Precinct Maps)					
Amendments required: No					

Development Plan Amendment

By the Minister

Adelaide (City) Development Plan

Park Lands Zone Development Plan Amendment

Executive Summary and Analysis



Government of South Australia

Department of Planning,
Transport and Infrastructure

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EXECUTIVE SUMMARY

1. INTRODUCTION

The *Development Act 1993* provides the legislative framework for undertaking amendments to a Development Plan. The Act allows either the relevant council or, under prescribed circumstances, the Minister for Planning to amend a Development Plan.

In this case, the Minister is undertaking the amendment because he is of the opinion that the matter is of significant social, economic or environmental importance (Section 24(1)(g) of the *Development Act 1993*).

A Development Plan Amendment (DPA) (this document) explains what policy changes are being proposed and why and how the amendment process will be conducted.

A DPA consists of:

- Executive Summary (this section)
- Analysis, which may include:
 - Background information
 - Investigations
 - Recommended policy changes
 - Statement of statutory compliance
- References/Bibliography
- Appendices
- The Amendment.

2. NEED FOR THE AMENDMENT

The primary purpose of this DPA is to amend land use policy within the Park Lands Zone of the City of Adelaide, to ensure that the tunnel/underpass, pedestrian footbridges and structures associated with the O-Bahn City Access Project and other public infrastructure projects can be assessed on merit.

Public infrastructure projects are defined in section 49 of the *Development Act 1993* to mean:

- a) the infrastructure, equipment, structures, works and other facilities used in or in connection with the supply of water or electricity, gas or other forms of energy, or the drainage or treatment of waste water or sewage;
- b) roads and their supporting structures and works;
- c) ports, wharfs, jetties, railways, tramways and busways;
- d) schools, hospitals and prisons;
- e) all other facilities that have traditionally been provided by the State (but not necessarily only by the State) as community or public facilities.

The O-Bahn City Access Project is a critical investment in improving our public transport and road infrastructure, and will result in significant improvements in travel times, service reliability to commuters, road traffic improvements, and improved use of the Park Lands.

This project has been identified as part of the State Government's *30-Year Plan for Greater Adelaide* and the draft *Integrated Transport and Land Use Plan*.

**Park Lands Zone DPA
by the Minister
Executive Summary**

The Park Lands Zone within the Adelaide (City) Development Plan, consolidated 2 April 2015, was developed for the conservation and enhancement of the Adelaide Park Lands. The Park Lands Zone is divided into a number of Policy Areas.

The current development controls in the Park Lands Zone sees all development being non-complying unless it is specifically listed. Thus, the current planning policies for the Park Lands Zone do not support critical public infrastructure projects such as the O-Bahn City Access Project.

The proposed DPA will see the removal of 'public infrastructure projects' from being considered as 'non-complying' forms of development in selected parts of the Park Lands Zone, reducing some of the uncertainty associated with the assessment process of such critical projects in these areas.

The aim of the DPA is to ensure consideration of future public infrastructure works (including the associated tunnel construction of the O-Bahn City Access Project) to avoid single purpose DPAs and allow such works to be considered on a merit basis.

3. AREA(S)/LAND AFFECTED/AFFECTED DEVELOPMENT PLANS

The area affected by the Park Lands Zone DPA includes the Park Lands Zone, with a focus on the following selected Policy Areas:

- Rundle and Rymill Parks Policy Area 20 including consequential amendments to River Torrens East Policy Area 18 and Botanic Park Policy Area 19 (see Figure 1a Area Affected map) relating to the O-Bahn City Access Project; and
- Golf Links Policy Area 16, River Torrens West Policy Area 24 and parts of Botanic Park Policy Area 19 relating to other future contemplated public infrastructure works.

This project will largely be constructed on portion of the Adelaide Park Lands under the care, control and management of the Adelaide City Council.

The following Development Plans are affected by this DPA:

- Adelaide (City) Development Plan.

4. PROPOSED POLICY CHANGE(S)

The primary purpose of this DPA is to review land use policy within the Park Lands Zone of the City of Adelaide, to ensure that appropriate public infrastructure projects can be assessed on merit, with a focus on selected parts of the Zone.

This DPA proposes the following amendments to the Adelaide (City) Development Plan Park Lands Zone policies:

- Amend the Desired Character and Principles of Development Control for the Park Lands Zone to actively contemplate public infrastructure projects such as the O-Bahn City Access Project.
- Insert additional policy within the Park Lands Zone to support appropriate public infrastructure projects.
- Amend the 'non-complying' list in the Park Lands Zone to enable the construction of public infrastructure to be assessed as a 'merit' form of development in selected Policy Areas:
 - Golf Links Policy Area 16
 - River Torrens East Policy Area 18
 - Botanic Park Policy Area 19
 - Rundle and Rymill Parks Policy Area 20
 - River Torrens West Policy Area 24

- Amend the Desired Character for the Park Lands Zone and the Rundle and Rymill Parks Policy Area 20 to actively contemplate future transport infrastructure including a tunnel and pedestrian footbridges.
- Amend the Desired Character and Principle of Development Control of the following Policy Areas to provide a more supportive planning policy framework for development associated with an improved O-Bahn city access route:
 - River Torrens East Policy Area 18
 - Botanic Park Policy Area 19
 - Rundle and Rymill Parks Policy Area 20.

**Park Lands Zone DPA
by the Minister
Executive Summary**

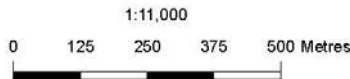


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- Botanic Park Policy Area
- River Torrens East Policy Area
- Rundle and Rymill Parks Policy Area
- Area Affected & Indicative Busway Route
- Zoning
- Park Lands Zone



**Area Affected
Park Lands Zone DPA**

PLN ID: 4731

Figure 1a – Area Affected map - O-Bahn City Access Project

5. LEGAL REQUIREMENTS

Prior to the preparation of this DPA, the Minister received advice from a person or persons holding prescribed qualifications pursuant to Section 26(3) of the *Development Act 1993*.

The DPA has assessed the extent to which the proposed amendment:

- accords with the Planning Strategy
 - accords with other parts of the Development Plan
 - complements the policies in Development Plans for adjoining areas
- satisfies the requirements prescribed by the Regulations under the *Development Act 1993*.

6. CONSULTATION

This document is now released for concurrent agency and public consultation for a period of eight weeks. The organisations and agencies that will be consulted include:

- Department of the Environment (Commonwealth)
- Department of Planning Transport and Infrastructure
 - Safety and Service Division
 - Development Division
- Department of Environment, Water and Natural Resources
 - Environment Protection Authority
 - Adelaide and Mount Lofty Ranges NRM Board
 - Heritage Division
- Department of State Development
- Renewal SA
- South Australian Tourism Commission
- ArtsSA
- Department of Premier and Cabinet
- Aboriginal Affairs and Reconciliation Division
- Department of Justice
 - State Emergency Service
 - South Australian Police
- Department of Treasury and Finance
- City of Adelaide
- City of Norwood Payneham and St Peters
- Town of Walkerville
- City of West Torrens
- City of Charles Sturt
- City of Unley
- City of Prospect
- City of Burnside
- Planning Institute of Australia (SA Division)

**Park Lands Zone DPA
by the Minister
Executive Summary**

- Local Member of Parliament for Adelaide

All agency and public submissions made during the consultation phase will be considered by the Development Policy Advisory Committee, which is an independent body responsible for conducting the consultation stage of Ministerial DPAs. Changes to the DPA may occur as a result of this consultation process.

7. THE FINAL STAGE

When the Development Policy Advisory Committee has considered the comments received and heard all the public submissions, it will provide the Minister for Planning with a report on its findings.

The Minister for Planning will then either approve (with or without changes) or refuse the DPA.

Note: This Executive Summary is for information only and does not form part of the Amendment to the Development Plan.

ANALYSIS

1. BACKGROUND

The provision of public infrastructure is critical for the development and ongoing operations of our city.

Public infrastructure projects are defined in Section 49 of the *Development Act 1993* to include:

- a) the infrastructure, equipment, structures, works and other facilities used in or in connection with the supply of water or electricity, gas or other forms of energy, or the drainage or treatment of waste water or sewage;
- b) roads and their supporting structures and works;
- c) ports, wharfs, jetties, railways, tramways and busways;
- d) schools, hospitals and prisons;
- e) all other facilities that have traditionally been provided by the State (but not necessarily only by the State) as community or public facilities.

Section 49 of the *Development Act 1993* also defines a 'State agency' as:

- (a) the Crown or a Minister of the Crown;
- (b) an agency or instrumentality of the Crown (including a Department or administrative unit of the State); or
- (c) any other prescribed person or prescribed body acting under the express authority of the Crown.

The O-Bahn City Access Project is a critical transport infrastructure project proposed by the South Australian Government within the Park Lands Zone of the City of Adelaide.

O-Bahn City Access Project

The O-Bahn City Access Project is a priority transport improvement project, as highlighted in the government's *30-Year Plan for Greater Adelaide* and the draft *Integrated Transport and Land Use Plan* (ITLUP) (see Figure 1b - Visualisation of the future O-Bahn City Access Project).

The O-Bahn City Access Project is a critical investment in improving our public transport and road infrastructure, and will result in significant improvements in:

- Frequency and reliability of the O-Bahn bus services
- Intersection improvements – including improvements to the Hackney Road/Botanic road intersection – part of the City Ring-Route
- Improvement to the use of this section for the east Park Lands for major community events
- Improved cycling facilities between the City and the eastern suburbs
- Ensuring that the future EastLINK Tramway extension service can be accommodated

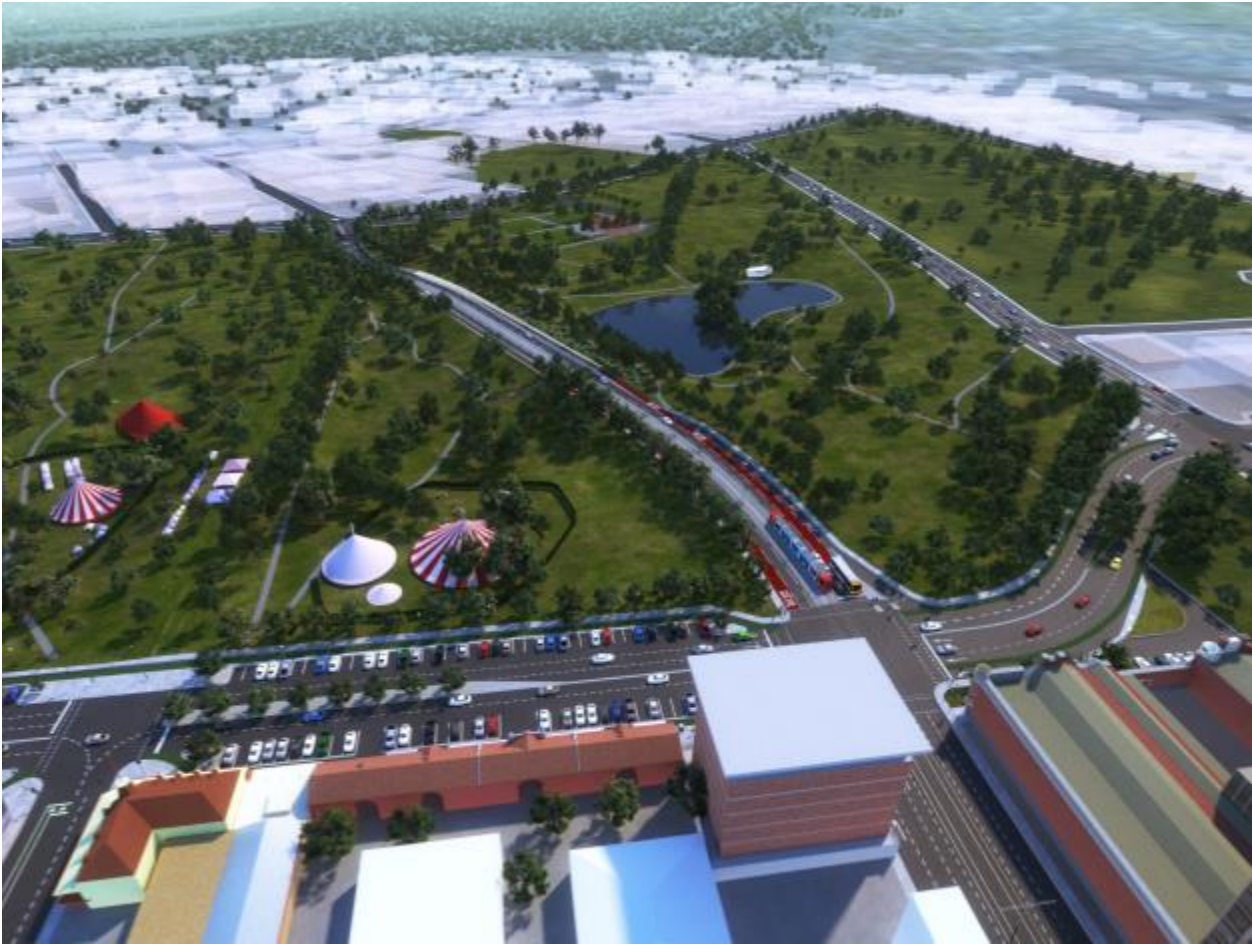


Figure 1b Visualisation of the future O-Bahn City Access Project

When complete, the project will significantly improve travel times on Adelaide’s most popular public transport corridor and speed up what is currently the slowest part of the O-Bahn public transport journey.

2. THE STRATEGIC CONTEXT AND POLICY DIRECTIONS

2.1 Consistency with South Australia’s Strategic Plan

South Australia’s Strategic Plan was released by the State Government in 2011 and provides a medium-to-long-term development strategy for the whole of South Australia. The Strategic Plan provides a framework for the activities of the State Government business and the community, and is a means of tracking state-wide progress through the specific targets.

South Australia’s Strategic Plan contains the following targets that are relevant to this DPA:

Strategic Plan Target	Contribution
<p><u>OUR COMMUNITY</u></p> <p><i>Goal: We are safe and protected at work and on the roads.</i></p> <p>Target 22: Road Safety</p> <p>Reduce road fatalities and serious injuries by at least 30% by 2020</p>	<p>The O-Bahn City Access Project will improve road safety, with grade separation of public transport (buses and passenger rail, respectively) from road users.</p>

Strategic Plan Target	Contribution
<p><u>OUR PROSPERITY</u></p> <p><i>Goal: All South Australians have job opportunities.</i> Target 47: Jobs Increase employment by 2% each year from 2010 to 2016 (baseline: 2010)</p>	<p>The proposed policy amendments will enable critical public infrastructure project such as the O-Bahn City Access Project to be developed in full, resulting in greater job opportunities during construction and ongoing operation.</p>
<p><i>Goal: South Australia's transport network enables efficient movement by industry and the community.</i> Target 56: Strategic infrastructure Ensure the provision of key economic and social infrastructure accommodates population growth (baseline: 2010-11)</p>	<p>The proposed policy amendments will enable critical public infrastructure projects to be delivered.</p> <p>The O-Bahn City Access Project will result in upgraded public transport infrastructure from the north-eastern suburbs to the City of Adelaide, and improve vehicle movement on the Inner City Ring Route.</p>
<p><u>OUR ENVIRONMENT</u></p> <p><i>Goal: We reduce our reliance on cars in the metropolitan area, by walking, cycling and increasing use of public transport.</i> Target 63: Use of public transport Increase the use of public transport to 10% of metropolitan weekday passenger vehicle kilometres travelled by 2018 (baseline: 2002-03)</p>	<p>The O-Bahn City Access Project will improve public transport safety, travel times and reliability of services, making public transport a more desirable option to many commuters and will likely result in increased patronage.</p>

This DPA will support the targets listed above by:

- Amending Development Plan policy to enable critical public infrastructure projects such as the O-Bahn City Access Project to be delivered.
- Improving travel times and access into the CBD from the O-Bahn bus users, making it easier for residents of the north-eastern and north-western suburbs to seek employment and access education within the City of Adelaide.
- Improving safety, reducing traffic congestion and improving the flow of traffic on the City Ring Route, thereby allowing commuters and freight transport to travel more efficiently.
- Ensuring that improvements to policy are supportive of future population growth and possible enhancement to accommodate growth in Adelaide's north-eastern suburbs.

2.2 Consistency with the Planning Strategy

The Planning Strategy presents current State Government policy for development in South Australia and is based on key economic, social and environmental imperatives. In particular, it seeks to guide and coordinate State Government activity in the construction and provision of services and infrastructure that influence the development of South Australia. It also indicates directions for future development to the community, the private sector and local government.

The following volume of the Planning Strategy is relevant to this DPA:

2.2.1 The 30-Year Plan for Greater Adelaide

The *30-Year Plan for Greater Adelaide* (the Plan) is a volume of the Planning Strategy for South Australia and applies to areas affected by this DPA.

The main aim of the Plan is to outline how the South Australian Government proposes to balance population and economic growth with the need to preserve the environment and protect the heritage, history and character of Greater Adelaide. The Plan seeks to create inclusive, vibrant and liveable communities, while protecting the regional hinterlands and primary production lands and sustaining natural resources. The Plan is one of the key tools to assist the State Government, local government and the entire community in building resilience to the risks and impacts of climate change. It seeks to provide a set of practical and achievable policies and targets to manage the forecast changes that will confront Greater Adelaide during the next 30 years.

The following objectives, principles, policies and targets of Plan are of particular relevance to this DPA:

TRANSPORT

Policy 1: Protect the transport functionality of road and rail corridors through planning policy in Development Plans.

Target A: Reduce car dependency and increase public transport to 10 per cent of all transport use by 2018 (*South Australia’s Strategic Plan, target T3.6*).

Map D2 from the *30-Year Plan* identifies the O-Bahn bus route as a ‘Major Corridor’ connected to ‘transit-oriented developments’.

Additionally, Map E1 from the Plan identifies the location of ‘Planned mass transit’ in the same location as the final O-Bahn City Access Project preferred solution.

This DPA will support the policies and targets listed above by:

- Protecting the transport functionality of the existing and planned O-Bahn corridor by enabling the construction of infrastructure associated with this extension.
- Enabling development that will improve the efficiency and speed of bus services within the transit corridor, and is anticipated to encourage further commuters to utilise public transport within the north-eastern suburbs of Adelaide.
- Enabling future development that will improve the functionality of road and rail corridors through planning policy in Development Plans.

2.3 Consistency with Strategic Infrastructure Policy Document

2.3.1 Strategic Infrastructure Plan for South Australia

The Strategic Infrastructure Plan for South Australia 2005/06-2014/15 guides future infrastructure investment by the State Government and the private sector to the year 2015. The Plan seeks to identify the broad and specific priorities for all aspects of the State’s infrastructure, including physical built assets, deliver of infrastructure for social services and natural heritage. The following is a summary of the key priorities under ‘Transport’ and ‘Recreation and Sport’.

Challenges and Opportunities	Strategic Priorities
<u>TRANSPORT</u> <i>People Movement</i>	<ul style="list-style-type: none"> • Coordinate public transport networks and facilities to maximise access to social services.

Challenges and Opportunities	Strategic Priorities
	<ul style="list-style-type: none"> • Transform Adelaide’s urban passenger transport system into a cost-effective, environmentally friendly and modern metropolitan network. • Reduce the impact of passenger transport on the environment by supporting the utilisation of environmentally friendly fuels and transport modes. • Coordinate the development of urban planning and transport systems to maximise the economic, social and environmental benefits. • Deliver a more accessible public transport system in line with Disability Discrimination Act (DDA) requirements.
<p>RECREATION AND SPORT <i>National and International Events</i></p>	<ul style="list-style-type: none"> • Ensure South Australia has sporting facilities capable of hosting international and national events. • Improve coordination between State Government agencies and the sports industry to attract and retain major sporting events.
<p><i>Community Level Recreation and Sport</i></p>	<ul style="list-style-type: none"> • Focus community level funding towards areas with demonstrated needs and identified infrastructure priorities e.g. community level swimming pools, indoor courts, recreational trails and soccer pitches.

This DPA will support the strategic priorities listed above by:

- Amending existing policy provisions to be more flexible to enable the timely construction of the O-Bahn City Access Project to maximise the transport benefits to the community and to freight movement, whilst minimising disruption to adjoining businesses, park users and annual community events.

2.4 Consistency with Other Key Policy Documents

This proposed planning policy accords with other key policy documents:

- Draft Integrated Transport and Land Use Plan, 2013
- Smart Move: The City of Adelaide’s Transport and Movement Strategy 2012-22
- City of Adelaide Strategic Plan 2012-2016, 2012
- Adelaide: One City, Many Places – A Spatial Vision for the Future of the City, 2014
- Adelaide Park Lands Management Strategy – Towards 2020, 2010
- Park Lands Community Land Management Plan, 2014

2.4.1 Draft Integrated Transport and Land Use Plan

The draft *Integrated Transport and Land Use Plan* (ITLUP) provides comprehensive and integrated actions and directions for land use, infrastructure and transport over the next 30 years.

The Plan focuses on increasing sustainable transport uptake through public transport infrastructure investment, and reducing congestion on roads for all road users by improving bus networks. A ‘redesigned and modernised bus network’ is one of the solutions to respond to the key challenges identified through this Plan.

Specifically, in relation to the O-Bahn City Access Project, Public Transport Solution/Action 6 of the Central and Inner Adelaide area states:

- Improve O-Bahn access to the Adelaide city centre (short-to-medium term)
- Future EastLINK Tramway extension service

This DPA will support the key strategic infrastructure projects for improvements to freight transport movement and public transport improvements by:

- Allowing for the improvement of high capacity, high frequency corridors including bus priority measures on core routes and in the inner areas by improving O-Bahn bus route to access to the city centre.
- Supporting connectivity and accessibility as a priority by improving travel times and reducing on-road delays between Hackney Road and the city centre.
- Ensuring that the future EastLINK Tramway extension service can be accommodated.

2.4.2 Smart Move: The City of Adelaide's Transport and Movement Strategy 2012-22

Smart Move is the City of Adelaide's Transport and Movement Strategy 2012-22 which outlines the Council's desired transport and movement outcomes for the City, and the strategies to achieve these over the next ten years.

The Strategy identifies the importance of public transport to improve sustainability for the City and the need to provide appropriate infrastructure to support this. Specifically, the Strategy provides support for the intent of the O-Bahn City Access Project through the 'Quality Public Transport' strategy.

This DPA will support the principles listed above by:

- Promoting the desired bus priority measures by linking the O-Bahn with the existing dedicated bus lanes on Grenfell Street.
- Amending the Development Plan to improve the Hackney Road/Botanic Road intersection by diverting O-Bahn traffic and improving bus priority on key bus streets by prioritising bus movement.

2.4.3 City of Adelaide Strategic Plan 2012-2016

The City of Adelaide *Strategic Plan 2012-2016* outlines the council's vision for the Council area and the projects and services it will deliver by 2016. This Plan outlines the main goals for the City of Adelaide as being accessible, creative, liveable, prosperous, environmentally sustainable, and a city of great places.

The outcome to include readily available public transport systems which link City destinations and beyond, both day and night, is most relevant to the current DPA. However the O-Bahn City Access Project will also encourage greater environmental sustainability, accessibility and liveability by promoting improved and reliable access into Adelaide Central Business District from north-eastern suburbs through public transport rather than private car use.

This DPA will support the principles listed above by:

- Encouraging greater uptake of public transport through infrastructure upgrades and improvements to travel times that will contribute towards greater environmental sustainability by reducing reliance on private motor vehicle transport.
- Facilitating the collaboration between State Government and the City of Adelaide support the existing Priority Bus Lanes Projects by amending policies to allow for prioritised bus networks.
- Contributing towards greater liveability and great places by returning additional land to Adelaide Park Lands which will enable greater community uses and events.

2.4.4 Adelaide: One City, Many Places – A Spatial Vision for the Future of the City 2014

The *One City, Many Places* document by the Adelaide City Council provides a spatial vision for land use, built form and movement outcomes envisaged for the City over the next three decades. This plan also includes a structure plan to be prepared in the Governance and Implementation Section of the *30 Year Plan for Greater Adelaide*. The overarching vision is detailed from the previous 2013 Development Plan and identifies the need for enhanced infrastructure, and that the Park Lands are cherished for their range of recreational pursuits and environmental values.

The Spatial Vision depicts Rundle Park and Rymill Park as being ‘Civic, Cultural and Urban Parks’ that are recreation hubs and event spaces that are a ‘defining feature of the city and its lifestyle’.

Rundle Street is identified as a District-level link from the CBD, and the edge of the City is identified as a Metropolitan-level link.

This DPA will support the principles listed above by:

- Enabling the development of the O-Bahn City Access Project that will return up to 3,000 square metres of land to the Adelaide Park Lands which will contribute to the upgrade of facilities within Rundle and Rymill Parks to assist in holding large-scale public events.
- Contributing towards achieving the vision for the City of Adelaide through improved public transport infrastructure and contributing to the land available for events within the Park Lands.

2.4.5 Adelaide Park Lands Management Strategy – Towards 2020

The *Adelaide Park Lands Management Strategy ‘Towards 2020’* guides the directions and priorities relating to the Park Lands in accordance with the *Adelaide Park Lands Act 2005*. The strategy aims to increase the community’s formal and informal use of the Park Lands; protect the National Heritage Values; ensure the Park Lands are widely accessible to the public; safeguard the natural, cultural and heritage values; improve the quality of the landscape and facilities; ensure environmental and financial sustainability; and improve community awareness of the natural and cultural heritage.

Specifically, the priorities relevant to Rymill Park are water management initiatives and increased recognition and incorporation of Aboriginal Management principles and protocols. Rymill Park is also identified as a key area for ‘Recreation and Event Space Upgrade’. Rundle Park is identified as a ‘major recreation and event space’, and that future cycling and walking links to Botanic Park are considered as part of the review of the existing Royal Adelaide Hospital site.

Relevant to the Botanic Park Land region, the aims are to strengthen connections between the River Torrens (Karrawirra Parri), the Adelaide Zoo and Botanic Park, and investigate a potential ‘tree walk’ along the river linked to a nature exhibition.

This DPA will support the principles listed above by:

- Proposing amendments to join Rundle Park and Rymill Park and ultimately increase opportunities for recreation activities and events within the east Park Lands.
- Enhancing the understanding and awareness of the Cultural and Natural Heritage Value of the Park Lands through minor improvement works and the additional area of Park Lands.

2.4.6 The Park Lands Community Land Management Plan

The Park Lands Community Land Management Plan (“CLMP”) provides management direction for the Adelaide Park Lands, as required by the Adelaide Park Lands Act 2005 and the *Local Government Act 1999*. The CLMP highlights the importance of the Park Lands in terms of their recreation use, history and heritage items to be preserved.

Chapters 11 and 14 discuss the parks relevant to this DPA.

Chapter 11: Tidlangga (Park 9), Warnpangga (Park 10), Tainmuntilla (Park 11)

The CLMP Desired Future Character Statement for the Park Lands states:

“Providing space and facilities for organised recreation and sport, while meeting the wider recreational needs of the community and enhancing the biodiversity within the River Torrens / Karrawirra Pari corridor.”

Chapter 14: Rundle Park/Kadlitpina, Rymill Park/Murlawirrapurka and Ityamai-itpina (Park 15)

The CLMP Desired Future Character Statement for the eastern Park Lands states:

“The picnic and event spaces of Rundle Park/Kadlitpina and Rymill Park/Murlawirrapurka provide urban parks with unique characteristics, such as the 1960s design of Rymill Park, contrasted with the more natural and sporting uses of Ityamai-itpina (Park 15).”

This DPA will support the principles listed above by:

- Amending Development Plan policy provisions to support the construction of the O-Bahn City Access Project tunnel through the Park Lands to improve traffic congestion and commuter travel times.
- Enable additional land to be provided to the Park Lands; increasing opportunities for larger community events and recreation areas.
- Ensuring the continued quality in amenity and appeal for users of the Park Lands.

2.5 Consistency with Other Development Plan Amendments

2.5.1 Council DPAs

There are no current council-driven DPAs that would affect the subject area/land.

2.5.2 Ministerial DPAs

There are no current Ministerial DPAs that would affect the subject area/land.

2.6 The State’s Planning Policy Library

The State’s Planning Policy Library contains a series of standard modules that can be adopted into local Development Plans. The policy contained in the Planning Policy Library has been prepared in consultation with Government Departments, local Councils and key industry groups.

As the DPA is only making targeted amendments to existing zone policy within the Park Lands Zone to provide a more flexible planning policy framework for public infrastructure projects there has been no need to select new or updated policies from the Planning Policy Library for use in this DPA.

2.7 Adjoining Council Development Plans

The City of Adelaide is bordered by the Burnside, Charles Sturt, Norwood Payneham and St Peters, Prospect, Walkerville, West Torrens and Unley Councils. The area proposed to be amended by this DPA is contained wholly within the Adelaide (City) Council Development Plan.

The DPA and potential future development associated with providing a more flexible planning policy framework for public infrastructure projects will not negatively impact upon the adjoining Council areas.

2.8 Infrastructure Planning

O-Bahn City Access Project

The primary project objectives of the O-Bahn City Access Project address the improvement of travel times and reliability of service between the end section of the guided track at Gilberton and the City centre at Grenfell Street over the next 30-year period. Specifically, objectives include:

- Improve safety and capacity on the Inner Ring Route,
- Maximise the benefit to Park Lands (revitalise the Park Lands),
- Upgrade the East Terrace precinct (Vibrancy of the City),
- Deliver within \$160 million budget by second half of 2017,
- Allow for potential future transport initiatives (e.g. EastLINK Tramway extension),
- Minimise impacts to travelling public during construction, and
- Minimise impacts to the Park Lands and adjacent community during construction

3. INVESTIGATIONS PREVIOUSLY UNDERTAKEN

O-Bahn City Access Project

In 2009, the State Government conducted a number of studies into increasing the efficiency of the O-Bahn bus route into the city centre. This study included completion of field surveys, vegetation surveys and testing works for the bridge crossing the Torrens River on Hackney Road. This study has formed the basis of preliminary investigations for the current O-Bahn City Access Project.

The South Australian Government, in February 2015 announced details of the O-Bahn City Access Project. The primary objective of the project is:

To improve travel times and reliability for the O-Bahn users between the end section of guided track at Gilberton and the City centre at Grenfell St over the next 30 year period.

Key elements of the project are identified on the following maps.

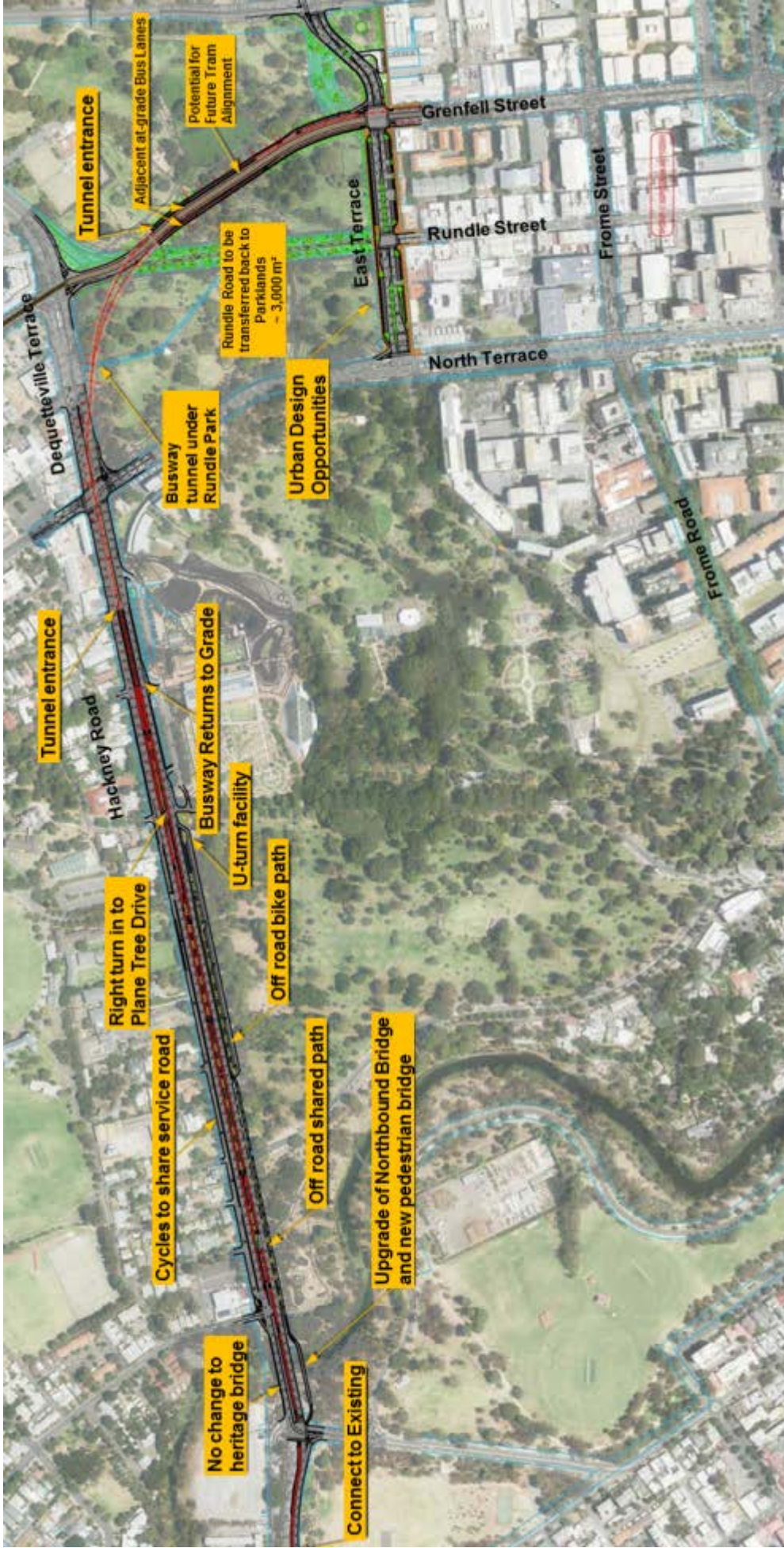


Figure 2 The O-Bahn City Access Project

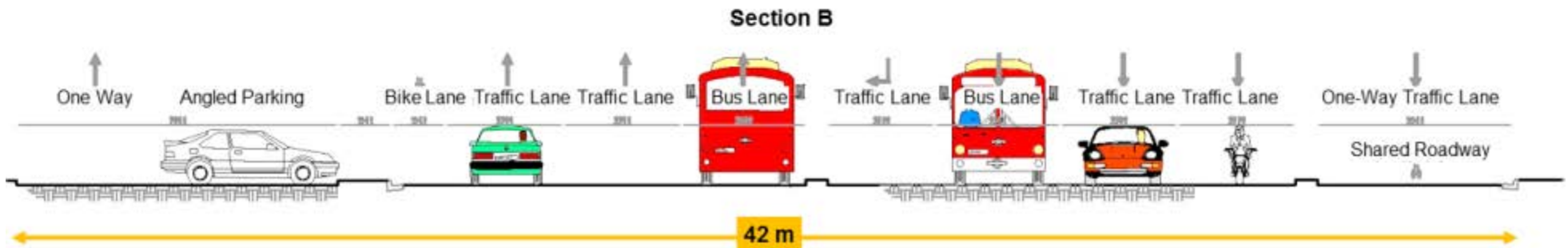


Figure 3 Hackney Road At-Grade Bus Lanes



Figure 4 Grenfell Street Tunnel with Rundle Road Realignment

The South Australian Government has also prepared a visualisation of the project (see link below):

http://www.infrastructure.sa.gov.au/public_transport_projects/o-bahn_city_access

Overall, this project has identified the following benefits and opportunities:

Park Lands

- A net total of approximately 3,000 square metres of Road Reserve to Park Lands
- Connect event space in Rymill Park to Rundle Park,
- Partner with Adelaide City Council to improve the amenity of the Adelaide Park Lands and respecting Park Lands Heritage

Transport

- Reliability and consistency of journey times
- Save up to 7 minutes on your longest trip into the city in the morning and up to 13 minutes from the longest bus trip home
- Improve efficiency of ring route for vehicles

As part of the detailed refinement of the project, the Government has commenced a community consultation and engagement process. This is a separate process to the statutory Development Plan Amendment consultation process.

4. INVESTIGATIONS UNDERTAKEN TO INFORM THIS DPA

4.1 Introduction

This section reviews previous investigations and a number of documents that inform the discussion and policy conclusions of this DPA. These investigations and documents also establish the strategic context and planning policy directions of the area affected by this DPA.

4.2 Existing Zoning

The area affected by this DPA encompasses the current Park Lands Zone in particular, the following selected Policy Areas:

- Golf Links Policy Area 16
- River Torrens East Policy Area 18
- Botanic Park Policy Area 19
- Rundle and Rymill Parks Policy Area 20
- River Torrens West Policy Area 24

Specifically, the O-Bahn City Access Project is primarily located with the Rundle and Rymill Parks Policy Area 20 of the Park Lands Zone, but also has consequential impacts on the River Torrens East Policy Area 18 and Botanic Park Policy Area 19.

4.2.1 Zoning of the Area Affected

Park Lands Zone

The Desired Character for the Zone reinforces the Park Lands as a highly valued aspect of the city landscape, an essential part of relaxation, recreation and enjoyment for residents and visitors and a setting for a variety of special events and festivals. Fences, hard paved areas and buildings are not desired within the Park Lands Zone.

The current development controls in the Park Lands Zone sees all development being non-complying unless it is specifically listed. Thus, the current planning policies for the Park Lands Zone do not support critical public infrastructure projects such as the O-Bahn City Access Project.

River Torrens East Policy Area 18

The Desired Character of the River Torrens East Policy Area 18 recognises the importance of informal and formal outdoor recreation and areas of open grassed playing fields with a perimeter of significant woodland plantings adjacent to the corridor of indigenous plantings on the banks of the River Torrens/Karrawirra Parri making the area a viable habitat for native wildlife. Development in this Policy Area should encourage informal and formal recreation.

Botanic Park Policy Area 19

The Botanic Park Policy Area 19 Desired Character seeks to maintain the open garden theme of Botanic Park whilst providing a diversity of uses such as the Zoological Gardens, Botanic Gardens and the National Wine Centre. Development that further alienates Park Lands from public usage is not encouraged within the Policy Area.

Rundle and Rymill Parks Policy Area 20

The Desired Character of the Rundle and Rymill Parks Policy Area 20 seeks to maintain the open parks and gardens theme, with recreational use of the Rymill Park Lake, a focus of informal recreational enjoyment, and an English Park Land character with a mix of Australian landscaping features. Development that alienates Park Lands from public usage is not desired within the Policy Area.

Implications for this DPA

Policy recommendation/s:

- The proposed DPA will see the removal of 'public infrastructure projects' from being considered as 'non-complying' forms of development in selected Policy Areas of the Park Lands Zone, reducing some of the uncertainty associated with the assessment process of such critical projects.
- The proposal for the O-Bahn City Access Project would be included as a form of development that would be envisaged in these Policy Areas.

4.2.2 Zoning of the Adjacent Areas

As the Park Lands Zone encircles the Adelaide CBD and North Adelaide, the Zone interfaces with a variety of zones and policy areas both within the Adelaide (City) Development Plan, and within the Development Plans of the seven metropolitan Councils which abut the Adelaide City Council.

Zoning within the Adelaide (City) Development Plan (Consolidated 2 April 2015) which abuts the O-Bahn City Access Project are listed below:

Adelaide (City) Development Plan – Consolidated 2 April 2015:

- Capital City
- City Living
- Institutional (University/Hospital)
- Park Lands

Norwood Payneham and St Peters (City) – Consolidated 31 October 2013:

- Educational
- Local Commercial
- Mixed Use Historic (Conservation)

- Residential 2 (St Peters)
- Residential 3N
- Residential Historic (Conservation)
- Urban Corridor

Implications for this DPA

Policy recommendation/s:

- The DPA proposes no amendments to the zones listed above.

4.2.3 Noise and Vibration Investigations

In relation to the proposed O-Bahn City Access Project, a high level acoustic investigation has been undertaken to identify noise sensitive receivers in the vicinity of the project works.

The following noise sensitive receiver locations have been identified:

- Residences along the eastern side of Hackney Road
- Hackney lodge
- North Terrace House
- Brewery Apartments
- Apartments on the corner of East Terrace and Grenfell Street
- Royal Hotel Apartments (yet to receive Development Approval), not included if Development Approval has not been granted

The locations which are likely to be most adversely affected by noise are the apartments on the corner of East Terrace and Grenfell Street, and to a lesser extent the residences along the eastern side of Hackney Road.

Vibration may be an issue during construction. Vibration sensitive receivers include Heritage Listed buildings discussed in Section 4.5.

At the Development Assessment stage, noise and vibration impacts during construction will be identified beforehand through the Construction Noise and Vibration Management Plan (CNVMP). The CNVMP will be prepared in accordance with DPTI Operational Instruction 21.7 (OI 21.7).

Implications for this DPA

Policy recommendation/s:

- This DPA proposes no amendments to the noise and vibration policies currently contained within the Adelaide (City) Development Plan. Sufficient policy presently exists in the Development Plan to guide the assessment of such impacts on public infrastructure projects (including the O-Bahn City Access Project) at the Development Application stage.

4.3 Consideration of Legislation Affecting the Adelaide Park Lands

Adelaide Park Lands Act 2005

The *Adelaide Park Lands Act 2005* established a legislative framework to provide protection for the Park Lands and ensure their appropriate management. The Act also establishes the Adelaide Park Lands Authority as a subsidiary to the Adelaide City Council to perform a number of tasks including prepare the

Adelaide Park Lands Management Strategy and provide advice on developments and leases occurring within the Park Lands.

Part 6 Section 23 of the Act outlines the steps regarding change in intended use of land.

Other relevant legislation affecting the Park Lands and will be considered during the detailed design and approval stage of any public infrastructure projects. This legislation includes the following:

- *Road Opening and Closing Act 1991*
- *Aboriginal Heritage Act 1988*
- *Environment Protection and Biodiversity Conservation Act 1999*

Although these do not affect the DPA process, such legislation will need to be considered as part of any further assessment or application.

Implications for this DPA

Policy recommendation/s:

- The proposed amendments to the Park Land Zone do not alter the role and legislative functions of the *Adelaide Park Lands Act 2005*. Opportunities to comment on future public infrastructure works, including the O-Bahn City Access tunnel and associated works, may be considered at the development application stage.
- The proposed amendments to the Park Lands Zone and selected Policy Areas may be reviewed by the Adelaide Park Lands Authority as part of the consultation process on the DPA.

4.4 O-Bahn City Access Project – State Government Tender and Selection Process

Works associated with the public infrastructure projects such as O-Bahn City Access Project will be the subject of government tender and selection processes in accordance with government procurement protocols.

Implications for this DPA

Policy recommendation/s:

- There is no impact from the Government Tender and Selection Process on this DPA.

4.5 Impacts on Heritage Places and Significant Trees / Vegetation

A detailed assessment of the impacts on Heritage Places and Significant Trees/vegetation must be made at the design stage for public infrastructure projects (including the O-Bahn City Access Project).

4.5.1 National Heritage Listing

For development within the Park Lands Zone, specific consideration needs to be given to the National Heritage listing of the Adelaide Park Lands and City Grid Layout.

As the Adelaide Park Lands and City Grid Layout are listed included on the National Heritage List, the provisions of the *Environmental Protection and Biodiversity Conservation Act 1999* apply.

Accordingly, a referral to the Commonwealth Department of Environment must be undertaken when an action is likely to have a significant impact on the National Heritage Values of a National Heritage Place. This referral must be considered for any new proposed public infrastructure projects (including the O-Bahn City Access Project) within the Adelaide Park Lands.

4.5.2 State Heritage Places

State Heritage Places are identified within the Adelaide (City) Development Plan, and are contained within the State Heritage Register.

Any development which directly affects a State Heritage Place, or development which in the opinion of the relevant authority materially affects the context within which the State Heritage Place is situated, is referred to the Minister administering the *Heritage Places Act 1993* for assessment of the potential impacts on the heritage values of the affected places.

Accordingly, consideration and assessment of any proposed public infrastructure projects (including the O-Bahn City Access Project) within the Adelaide Park Lands must be made in relation to the potential effect on a State Heritage Place.

4.5.3 Local Heritage Places

Local Heritage Places are identified within the Adelaide (City) Development Plan.

Potential impacts of any proposed public infrastructure works on Local Heritage Places will need to be assessed, taking account the potential physical impacts and setting of such development on Local Heritage Places.

4.5.4 Significant Trees / Vegetation

A detailed vegetation survey will be required for any proposed public infrastructure projects. This will generally occur during the detailed design phase of such projects.

Consideration needs to be given to the number and quality of Significant and Regulated Trees that may be impacted, and extent of additional vegetation that may require pruning or removal.

Any proposed public infrastructure projects will likely need to incorporate landscaping works to offset any vegetation that is pruned or removed, with Regulated / Significant Tree offsets to be determined upon confirmation of specific detailed designs. Wherever possible, works should seek to minimise the impact on vegetation within the Park Lands.

Implications for this DPA

Policy recommendation/s:

- This DPA proposes no amendments to current policy within the Adelaide (City) Development Plan relating to State Heritage Places, Local Heritage Places, and Significant/Regulated Trees. Sufficient policy presently exists in the Development Plan to guide the assessment of such matters at the Development Application stage for public infrastructure projects (including the O-Bahn City Access Project).
- Any application for works affecting State Heritage Places will be subject to referral to the Minister for Heritage pursuant to Schedule 8 of the *Development Regulations 2008*.
- Any application for development within the Park Lands will likely require a referral to the Commonwealth Department of Environment under the *Environmental Protection and Biodiversity Conservation Act 1999*.

4.6 Public Infrastructure Projects – Design and Consultation

It is usual practice for public infrastructure projects, prior to the detailed design and statutory approval processes, to be the subject of detailed consultation and engagement processes with key stakeholders and the broader community.

The South Australian Government has prepared concepts for the location and design of the extended O-Bahn tunnel through the Adelaide Park Lands. This has been the subject of a consultation and engagement process with key stakeholders and the broader community. This process will likely result in amendments to the detailed design, which would be the subject of a future assessment of the planning merits of the project.

Implications for this DPA

Policy recommendation/s:

- The current design and consultation process associated with the O-Bahn City Access Project will not require further changes to the planning policy, other than those identified in this DPA.

5. SUMMARY OF RECOMMENDED POLICY CHANGES

The State Government has had a clear, long-term objective of improving public transport infrastructure for Metropolitan Adelaide, to improve access to employment, study and recreation within the CBD. The current planning policy framework does not envisage any new structures within the Adelaide Park Lands, resulting in almost all forms of development being listed as non-complying.

Accordingly, the proposed DPA will see the removal of ‘public infrastructure projects’ from being considered as ‘non-complying’ forms of development in the Park Lands Zone, reducing some of the uncertainty associated with the assessment process of such critical projects.

In consideration of this, the following policy amendments are proposed to the Adelaide (City) Development Plan:

Park Lands Zone

Policy	Proposed Amendment	Reason for Amendment
Desired Character	<p>Insert the following text after part (e) of the Desired Character:</p> <p><i>(f) public infrastructure, including roads, railways, tramways and busways, and their supporting structures and works</i></p> <p><i>(g) a well connected pedestrian and cycle network throughout the Park Lands’</i></p>	<p>Desired Character is silent on improving public infrastructure within the Park Lands, specifically those related to transport infrastructure.</p> <p>Such an amendment to the Desired Character is consistent with <i>Smart Move</i>, the City of Adelaide’s <i>Transport and Movement Strategy 2012-22</i> and the South Australian Government’s <i>Draft Integrated Transport & Land Use Plan</i>.</p> <p>The Desired Character is currently silent on improving pedestrian and cycle access over the River Torrens (adjacent the Hackney Bridge), and improving pedestrian and cycle connections over major arterial roads, such as Hackney Road.</p>

Policy	Proposed Amendment	Reason for Amendment
		<p>These new addition provisions seek to provide a more supportive planning policy framework for such development.</p>
<p>Principle of Development Control</p>	<p>of Insert the following text after Principle of Development Control 6:</p> <p><i>'Development may include for the purpose of public infrastructure (as defined in section 49 of the Development Act, 1993), development:</i></p> <p>(a) <i>by a State agency (whether or not in partnership or joint venture with a person or body that is not a State agency); and/or</i></p> <p>(b) <i>by a person or body (that is not a State agency) where the development is specifically endorsed by a State agency.'</i></p>	<p>The additional Principle of Development Control provides support for public infrastructure projects within the Park Lands Zone. The wording relates to the definition of 'public infrastructure' contained within section 49 of the <i>Development Act 1993</i>.</p>
<p>Principle of Development Control</p>	<p>Insert the following text in Principle of Development Control 16 (in alphabetical order):</p> <p><i>'Development undertaken for the purpose of public infrastructure (as defined in section 49 of the Development Act, 1993) within the Golf Links Policy Area 16, River Torrens East Policy Area 18, Botanic Park Policy Area 19, Rundle and Rymill Parks Policy Area 20 and River Torrens West Policy Area 24:</i></p> <p>(a) <i>by a State agency (whether or not in partnership or joint venture with a person or body that is not a State agency); and/or</i></p> <p>(b) <i>by a person or body (that is not a State agency) where the development is specifically endorsed by a State agency.'</i></p> <p><i>'Bridges and associated structures providing pedestrian and cycle access over the River Torrens between the River Torrens East Policy Area 18 and Botanic Park Policy Area 19, and over Hackney Road into Botanic Park Policy Area 19'</i></p>	<p>All development is non-complying within the Park Lands Zone unless listed as an exemption.</p> <p>Additional exemptions are proposed within the Park Lands Zone relating to public infrastructure projects.</p> <p>The additional wording will remove the non-complying barriers, allowing the public infrastructure projects (defined in section 49 of the <i>Development Act 1993</i>) to be assessed on merit against the relevant provisions of the Development Plan.</p> <p>Further, specific exemptions are proposed in relation to the rationalisation and reconfiguration of car parking within the Rundle and Rymill Parks Policy Area 20 associated with the O-Bahn City Access Project.</p>

Policy	Proposed Amendment	Reason for Amendment
	<i>'Rationalisation and reconfiguration of car parking within the Rundle and Rymill Parks Policy Area 20, which does not result in any net increase in parking within the Policy Area'</i>	

River Torrens East Policy Area 18

Policy	Proposed Amendment	Reason for Amendment
Desired Character	<p>Insert the following text after part (d) of the Desired Character:</p> <p><i>'(d) improvements to pedestrian links through the River Torrens East Policy Area 18, resulting in further activation of the Park Lands and improvements to the public realm, use and enjoyment of the Park Lands'</i></p>	The Desired Character is silent on improving pedestrian links through the Policy Area. The proposed amendment seeks to provide greater policy support for pedestrian footbridge associated with the O-Bahn Access Project, while recognising the need for improvements to the public realm, use and enjoyment of the Park Lands.

Botanic Park Policy Area 19

Policy	Proposed Amendment	Reason for Amendment
Desired Character	<p>Insert the following text after part (g) of the Desired Character:</p> <p><i>'(h) improvements to pedestrian links through the Botanic Park Policy Area 19, resulting in further activation of the Park Lands and improvements to the public realm, use and enjoyment of the Park Lands'</i></p>	The Desired Character is silent on improving pedestrian links through the Policy Area. The proposed amendment seeks to provide greater policy support for pedestrian footbridge associated with the O-Bahn Access Project, while recognising the need for improvements to the public realm, use and enjoyment of the Park Lands.

Rundle and Rymill Parks Policy Area 20

Policy	Proposed Amendment	Reason for Amendment
Desired Character	<p>Insert the following text after part (e) of the Desired Character:</p> <p><i>'(f) improvements to transport links through the Rundle and Rymill Parks Policy Area 20, resulting in further activation of the Park Lands and improvements to the public realm, use and enjoyment of the Park Lands'</i></p>	The Desired Character is silent on improving transport links through the Policy Area. The proposed amendment seeks to provide greater policy support for the O-Bahn Access Project, while recognising the need for improvements to the public realm, use and enjoyment of the Park Lands.
Principle of Development Control	<p>Replace Principle of Development Control 3 with the following text:</p> <p><i>'No development of additional buildings should occur'</i></p>	It is proposed that PDC 3 be amended to relate specifically to buildings within the Policy Area, and that a further PDC be added that specifically relates to car parking.

Policy	Proposed Amendment	Reason for Amendment
Principle of Development Control	<p>Insert the following new Principle of Development Control after PDC 4:</p> <p><i>'Improvements to transport links through the Policy Area, resulting in further activation of the Park Lands and improvements to the public realm, use and enjoyment of the Park Lands'</i></p>	<p>The addition of this new PDC further supports the amendments to the Desired Character and the desired improvements to transport links within the Policy Area.</p>
Principle of Development Control	<p>Insert new Principle of Development Control after PDC 8:</p> <p><i>'Rationalisation and reconfiguration of car parking within the Rundle and Rymill Parks Policy Area 20, which does not result in any net increase in parking within the Policy Area'</i></p>	<p>This new PDC is a further enhancement of the previous wording of PDC 3, allowing for the rationalisation and reconfiguration of car parking within the Policy Area, provided it does not result in any net increase in parking within the Policy Area.</p>

No amendments to Development Plan mapping is required as part of this DPA.

6. STATEMENT OF STATUTORY COMPLIANCE

6.1 Section 26 of The Development Act 1993

Section 26 of the *Development Act 1993* prescribes that the DPA must assess the extent to which the proposed amendment:

- (a) accords with the Planning Strategy
- (b) accords with other parts of the Development Plan
- (c) complements the policies in the Development Plans for adjoining areas
- (d) satisfies the requirements prescribed by the Regulations.

6.2 Accords with The Planning Strategy

Relevant strategies from the Planning Strategy are summarised in Section 2 of this document. It is the intent of the DPA to support the achievement of the Planning Strategy policies.

6.3 Accords with Other Parts of the Development Plan

The policies proposed in this DPA are consistent with the format, content and structure of the Adelaide (City) Development Plan.

6.4 Complements the Policies in the Development Plans for Adjoining Areas

The policies proposed in this DPA will not affect the Development Plans for adjoining areas (as described in Section 2.6 of this document).

6.5 Satisfies the Requirements Prescribed by the Regulations

The requirements for public consultation (Regulation 11) and the public meeting (Regulation 12) associated with this DPA will be met.

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