

PLANNING, DEVELOPMENT AND INFRASTRUCTURE (USE OF VACANT LAND) AMENDMENT BILL 2022



Statement of Support for the Bill

SA CHAPTER

Submission date: 14 July 2025

ABOUT THE INSTITUTE

The Australian Institute of Architects (Institute) is the peak body for the architectural profession in Australia. It is an independent, national member organisation with around 12,000 members across Australia and overseas.

The Institute exists to advance the interests of members, their professional standards and contemporary practice, and expand and advocate the value of architects and architecture to the sustainable growth of our communities, economy and culture.

The Institute actively works to maintain and improve the quality of our built environment by promoting better, responsible and environmental design.

PURPOSE

- This submission is made by the Australian Institute of Architects (the Institute) to provide input on the Planning, Development and Infrastructure (Use of Vacant Land) Amendment Bill 2022
- At the time of this submission Chapter President is Kirstie Coultas
- The Chief Executive Officer Cameron Bruhn.

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PLANNING, DEVELOPMENT AND INFRASTRUCTURE (USE OF VACANT LAND) AMENDMENT BILL 2022

The Institute is writing in relation to the Planning, Development and Infrastructure (Use of Vacant Land) Amendment Bill 2022. The Bill provides a legislative mechanism for development of vacant land for a public purpose where the owner does not want to sell the property and has no immediate intention or ability to develop the land themselves.

1 REASONS FOR SUPPORT

The Institute supports the proposed Amendment Bill for the following reasons:

- **Improved Amenity** – Vacant sites negatively impact amenity by being visually unappealing, having an unsealed surface which can generate dust, and by providing a home for vermin. Development for public use would address these factors and improve the amenity of the site and the surrounding area. This will benefit residents and workers as well as providing a more attractive environment for visitors.
- **Improved public safety** – Vacant sites negatively impact public safety because they are generally poorly lit, have limited visual surveillance and frequently retain debris and uneven ground conditions from the demolition of previous structures. These risks would be removed through development for public use and housing.
- **Public Space and Urban Greening** – Density in the Greater Adelaide Metropolitan Area – in particular in the City and inner suburbs – is increasing as South Australia's population grows and becomes more urbanised. This in turn increases the need for public green landscaped areas, which have been demonstrated to enhance liveability, improve physical and mental healthⁱ, encourage active lifestyles and foster community interactionⁱⁱ. Landscaped sites could also be utilised for cultural and arts activations such as Fringe, Illuminate and other public arts programs.
- **Housing** – South Australia is experiencing a housing crisis. The Amendment Bill enables development of vacant land to provide temporary public housing, which will assist in addressing this issue. Initiatives such as [Forage Built](#), which have been developed to utilise sites awaiting development, and would enable this aspect of the Amendment Bill to be implemented efficiently and effectively.
- **Biodiversity** – Landscaping of vacant sites will generate habitat and support increased biodiversity. This supports the objectives and principles of the [Biodiversity Bill 2025](#) and [Green Adelaide's Urban Greening Strategy](#).
- **Climate Change Mitigation** – Utilising vacant land as landscaped open space will increase the urban tree canopy, which will mitigate against the urban heat island effect. This is important in maintaining comfortable urban environments. Green landscape also reduces stormwater runoff and recharges groundwater reserves.

- **Environmental Quality** – Plants act as natural air and soil filters, absorbing pollutants and improving overall environmental health. They also stabilise soil and can absorb, degrade, or stabilize pollutants in soil and water through phytoremediationⁱⁱⁱ. Finally, trees improve soil health by adding organic matter and enhancing nutrient cycling, which can reduce the mobility and bioavailability of some pollutants. Landscaping of vacant sites will therefore enhance the environmental quality of these sites, as well as improving groundwater and air quality in the adjacent area.

2 ADDRESSING CONCERNS

The Institute is aware that there have been concerns raised regarding the Amendment Bill, in relation to the potential impact on property owners' rights and the supply of development land. However, the Amendment Bill enables land that has been vacant for extended period to be developed for public use under a compulsory lease, with provision for the lease to cease where the landowner submits a suitable development application as defined in Subsection (4). It also allows for the landowner to access the site to conduct testing or for inspection under subsection (3). It does not allow for compulsory acquisition of vacant land. Therefore, Institute does not believe that this will impact on landowners' long-term ownership rights or will remove vacant land from being available for development.

Development under the terms of the Amendment Bill may in fact improve landowners' ability to develop vacant sites in the following ways. It is likely to improve the amenity of and public perception of the site and the wider area, thereby improving the viability of future development. In cases where development includes landscaping, it may reduce contamination and the need for site remediation. In cases where development requires connection of services, this will reduce the time and cost of utilities connections prior to further development by the landowner.

There is a minor risk that there will be opposition to development of the site by the landowner if the interim development permitted under the Amendment Bill results in an outcome that has broad public appeal. However, in the instance of sites such as City Beach and 88 O'Connell St, interim development for public use has not prevented further development by the landowner. These sites provide an important precedent for the Amendment Bill and demonstrate the success that can be achieved through this legislative mechanism.

The Institute strongly encourages all members of the Legislative Council to support the Planning, Development and Infrastructure (Use of Vacant Land) Amendment Bill 2022 on the grounds that it has the capacity to deliver significant benefits to South Australians.

ⁱ Urban green spaces and health. Copenhagen: WHO Regional Office for Europe, 2016.

ⁱⁱ Healthy Active By Design: Public Open Space, Heart Foundation -
<https://www.healthyactivebydesign.com.au/design-features/public-open-spaces/health-physical-activity-impact>

ⁱⁱⁱ Plants to the Rescue Remediating Contaminated Soil, UTS -
<https://www.uts.edu.au/news/2023/03/plants-rescue-remediating-contaminated-soil>