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Code Amendment Team
Planning and Land Use Services Division
Department for Housing and Urban Development
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Response to Consultation on Festival Plaza Code Amendment

Thank you for the opportunity to provide input to the Festival Plaza Code Amendment (the Code Amendment).

It is understood that the purpose of the Code Amendment is to amend the City Riverbank Zone and Entertainment Subzone to facilitate redevelopment of Festival Plaza as part of the wider Riverbank Precinct Redevelopment Project.

The City of Adelaide supports appropriate public infrastructure and strategic development of the Riverbank Precinct that will enhance social, economic, and environmental values; however, it does not support the Festival Plaza Code Amendment released for consultation, given the scale of the built form and the State, National, and World Heritage implications and outlines its response below.

The Code Amendment removes existing building height restrictions and includes a new Concept Plan to guide the location of new built form of up to 40 levels, having regard to Parliament House and the Adelaide Festival Centre.

The City of Adelaide has recently finalised its *City Plan – Adelaide 2036* (City Plan) which sets out the spatial vision for the city. The area affected by the Code Amendment is within the North Terrace Local Area in the City Plan. This area is envisaged as the cultural, institutional and governance heart of South Australia.

City Plan Strategy 8 – Designing for Urban Life, Diversity and Density emphasises the city-wide place principle of transitioning height around heritage built form interfaces to ensure that new developments respect and complement existing architectural character. Development of the potential height and scale facilitated through the Code Amendment is not envisaged within the North Terrace Local Area, with growth primarily anticipated on the south side of North Terrace.

The view analysis in the Code Amendment suggests a taller building height for Tower 2 will demonstrate clustering with Tower 1 when viewed from the footbridge. The City of Adelaide submits the second tower should respond to the dominant height of Tower 1 rather than being the dominant height.

The area affected is set within the context of the Nationally Heritage listed Adelaide Park Lands and City Layout, of which City of Adelaide is a custodian. Whilst the draft *Adelaide Park Lands Management Strategy – Towards 2036* (draft APLMS) envisages the Riverbank Precinct to be maintained and developed as a highly modified urban landscape it does not envisage development of the scale anticipated through the Code Amendment in the Riverbank Precinct of the Adelaide Park Lands.

The draft APLMS commits the City of Adelaide and the Government of South Australia to investigate opportunities to return areas to Park Land purposes. It also includes strategies to minimise building footprints and reduce car parking in the Adelaide Park Lands.

In addition, the *National Heritage Management Plan for the Adelaide Park Lands and City Layout* was finalised in July 2024 and identifies:

- The Adelaide Park Lands and City Layout as highly sensitive to new developments within or adjacent to the National Heritage place, and inappropriately designed developments threaten its conservation values.
- The Adelaide Park Lands' views and vistas as important elements of the appreciation, understanding and enjoyment of the National Heritage Values, and are often affected by inappropriate development within or adjacent the boundary of the heritage place.
- The 2020 *Adelaide Park Lands Building Design Guidelines* as a guide for all building development in the Adelaide Park Lands and they establish a set of expectations for design quality.

The City of Adelaide submits that the Code Amendment will unreasonably impact the National Heritage Values of the place relating to views and vistas and compromises the juxtaposition between the city and the Adelaide Park Lands that form part of the Listing.

The City of Adelaide supports the referral of the Code Amendment to the Federal Department of Climate Change, Energy, the Environment and Water (DCCEEW) as the agency responsible for administering the *Environment Protection and Biodiversity Conservation Act 1999*.

- The City of Adelaide encourages the DCCEEW to consider the impact of the policy changes on the National Heritage listed items, including Old and New Parliament House and the Adelaide Park Lands and City Layout, as well as cumulative impact of development affecting the Adelaide Park Lands on the National Listing.
- The City of Adelaide acknowledges that State Heritage Buildings (such as Parliament House) will be referred to the Minister responsible for the *Heritage Places Act 1993* (SA).

The City of Adelaide has committed to pursuing World Heritage inscription for Adelaide and its Rural Settlement Landscapes. The Code Amendment (and the development it pre-empts) reduces the integrity of the potential World Heritage attributes of the Adelaide Park Lands and City Layout, threatening the feasibility of attaining World Heritage status.

The City of Adelaide recommends that the Code Amendment include an analysis against the statutory principles of the *Adelaide Park Lands Act, 2005*, particularly in relation to the Adelaide Park Lands continuing to be held for the public benefit of the people of South Australia and demonstrating no net loss of public open space.

If the State Government progresses with the Code Amendment, Council requests further consideration of the outcomes sought through the City Plan, the National Heritage Management Plan, and the *Adelaide Park Lands Act 2005* (SA), as well as the outcomes proposed in the draft Adelaide Park Lands Management Strategy—Towards 2036.

Specifically, the City of Adelaide seeks the following changes to the Code Amendment, showing greater regard to State Planning Policy 2 – Design Quality and State Planning Policy 7 – Cultural Heritage:

- Reduce the maximum building height to less than the height of the 29 level Festival Tower 1.
- Increase the setbacks from Parliament House to increase visibility to the State Heritage Place and retain valuable public space.
- Emphasise canopy and greening, pedestrian wayfinding and connectivity, and street level design to make a positive contribution to its setting, the public realm, disability access and safe night-time use.
- Provide an exemplar architectural response incorporating principles of ecologically sustainable development, including a fully electric development, and open ground plane that improves surveillance to the laneways to the north and west of Parliament House.
- Identify views to the Adelaide Park Lands on the Concept Plan.
- Identify the building heights in the policy as well as on the Concept Plan (currently indicated as 40 levels).

To discuss this further, please contact Sarah Gilmour, Associate Director, Park Lands, Policy and Sustainability, at 8203 7033 or s.gilmour@cityofadelaide.com.au.

Yours sincerely

Michael Sedgman
Chief Executive Officer