Enquiries: S Gilmour XXXX

Reference: ACC2023/XXXX

<date> March 2023

Adelaide Aquatic Centre Code Amendment Suite 12, 154 Fullarton Road ROSE PARK SA 5067 By email: <u>feedback@codeamendments.com.au</u>

## **Response to Consultation on Adelaide Aquatic Centre Code Amendment**

Thank you for the opportunity to provide input to the Draft Adelaide Aquatic Centre Code Amendment (the Code Amendment).

The proposal for a new Aquatic Centre is an opportunity for Council to realise significant community benefit in Pardipardinyilla/Denise Norton Park (Park 2) and is consistent with key Council and Kadaltilla strategies, including:

- City of Adelaide Strategic Plan 2020-2024
- Adelaide Park Lands Management Strategy 2015-2025
- Community Land Management Plan for Park 2.

It is understood that the purpose of the proposed Code Amendment is to provide greater certainty for development assessment of a new Adelaide Aquatic Centre. The Code Amendment proposes changes to the Adelaide Park Lands Zone, including a new Concept Plan and new "Adelaide Aquatic Centre Subzone" in Park 2, and related amendments to enable a State Government re-development of the Adelaide Aquatic Centre.

Council acknowledges the State Government's significant investment and the benefits of the pool's re-development to our city residents and users. Council also is focussed on impacts of the re-development and supports the North Adelaide residents and their concerns about impacts from noise, increased traffic and loss of amenity with the proposed siting of a new Adelaide Aquatic Centre, as per the proposed Concept Plan. To address these concerns Council requests that the proposed subzone is relocated away from residential properties on Barton Terrace and that the policies within the Subzone be formulated to minimise impacts on surrounding residents.

The Planning and Design Code policies related to the Adelaide Park Lands reflect carefully articulated policy positions to ensure the National Heritage Listing of the Adelaide Park Lands and City Plan layout is respected, whilst still enabling appropriate development. The existing Planning and Design Code policies provide sufficient flexibility to enable innovative and exemplary built form outcomes, including a new Adelaide Aquatic Centre without any need for broad-brush changes specific to a particular development which could have unintended negative and irreversible consequences.

Council is committed to not increasing the footprint of buildings, minimising carparking and minimising expansion of shops and ancillary uses in the Park Lands.



It is important that this project maintains the principle committed to by the State Government to decrease the overall built form and hard stand foot print in the Park Lands through the delivery of the new Aquatic Centre. We welcome this commitment to no net loss of Park Lands through this project noting Council's support is subject to this principle.

Council submits that the proposed Code Amendment includes unnecessary changes which remove limitations in the proposed Adelaide Aquatic Centre Subzone on:

- the extent of built form footprint in the Park Lands;
- requirements to minimise car parking in the Park Lands;
- the relaxation of existing restrictions on shops and ancillary uses.

In response to the proposed Adelaide Aquatic Centre Code Amendment policy framework Council:

- Provides in-principle support for a new Adelaide Aquatic Centre subject to:
  - No net loss of Park Lands
  - Same or smaller building footprint
  - Interface management to minimise impact on residents
  - A commitment to continue working on the broader master planning area.
- Encourages the earliest possible use of the "Adelaide Park Lands Building Design Guidelines" to inform final building siting and design of any new Adelaide Aquatic Centre.
- Seeks the new Adelaide Aquatic Centre Subzone to be relocated away from residential properties on Barton Terrace to address resident concerns related to parking, traffic and amenity.
- Recommends policy improvements (Attachment A) to address key issues including built form setbacks from residential areas, transport and car parking, environmental standards, and minimising the built form footprint on the Park Lands.

Council encourages PlanSA's Code Amendment team, including nominated consultants, to liaise directly with our policy team during the finalisation of the Code Amendment to ensure our recommendations are addressed in the most effective way, and to continue working collaboratively on a broader Master Plan for Pardipardinyilla/Denise Norton Park.

Please contact Sarah Gilmour, Associate Director, Park Lands, Policy and Sustainability on 8203 7033 or <u>s.gilmour@cityofadelaide.com.au</u> to arrange a meeting to discuss further.

Yours sincerely

Clare Mockler Chief Executive Officer



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Planning and Design Code	Proposed Changes by State Government	City of Adelaide Response	Additional Comment/Changes Recommended by Council	
Part 1 – Rules of Interpretation				
	No changes proposed	Support	None	
Part 2 – Zones and Subzones				
Adelaide Park Lands Zone	Proposed changes to Park Lands Zone generally	General position: Support necessary change related to replacement of the Adelaide Aquatic Centre	Recommend minimising any policy changes at Zone level as they apply across the whole of the Adelaide Park Lands.	
Adelaide Park Lands Zone	Proposed reference to new Concept Plan – Adelaide Aquatic Centre.	General position: Support	Refer to additional comments and recommendations provided elsewhere in this table under Part 12 – Concept Plans.	
Adelaide Park Lands Zone	Proposed change to PO 1.2, DTS/DPF provision: "Shops (other than in the Aquatic Centre Sub Zone): are ancillary to a recreational use, club, sporting facility do not exceed 50m <sup>2</sup> in gross leasable floor space and do not increase the building footprint."	General position: Not supported.	The proposed change is unnecessary: the development outcomes sought by the change, such as shops, are already enabled through the existing policy. Creating a DTS pathway at the Zone level will have Park Lands- wide consequences.	
Adelaide Park Lands Zone	Proposed change to Adelaide Park Land Zone PO 1.7:	General position: Not supported	The proposed amendment would remove any need to seek to	

Attachment A - Technical Response to Proposed Adelaide Aquatic Centre Code Amendment



Planning and Design Code	Proposed Changes by State Government	City of Adelaide Response	Additional Comment/Changes Recommended by Council	
	<ul> <li>"Other than in the Aquatic Centre Sub Zone, new buildings seek to minimise the building footprint on the landscaped and open setting of the Adelaide Park Lands and should only be considered where:</li> <li>The development is the replacement of an existing building and does not increase the overall building footprint The building design is contextual and of high-quality so that it complements its setting when viewed from all perspectives. Provides complementary recreation, sporting or tourism facilities that could not otherwise have been provided in the zone And</li> <li>The building is designed to be multi-purpose and can be used by more than one group."</li> </ul>	An exception is not needed at the Zone level given the proposed subzone policy. The Code Amendment discussion and State Government commitments to date are that the development will have the same or smaller footprint than the existing facility. This is already covered in the first subpoint of PO 1.7 "the development is the replacement of an existing building and does not increase the overall building footprint"	minimise footprint in Adelaide Aquatic Centre Subzone.	
Adelaide Park Lands Zone	Proposed deletion of Adelaide Park Land Zone PO 1.9: " <del>PO 1.9</del>	General position: Support deletion and consider reinstatement with new wording, detailed below.	Council notes the intent of the deleted provisions in PO 1.9 will be achieved partially via the proposed new Adelaide Aquatic Centre Subzone and associated	
	Development at Adelaide Aquatic Centre site consolidates and replaces	Council's previous submission to the State Planning Commission (12 August 2021) in relation to	policies.	



Planning and Design Code	Proposed Changes by State Government	City of Adelaide Response	Additional Comment/Changes Recommended by Council	
	existing buildings with recreational sporting clubrooms, facilities and associated administrative functions."	the Miscellaneous and Technical Enhancement Code Amendment advised the PO 1.9 wording was incorrectly transferred into the Planning and Design Code, and recommended deletion of PO 1.9 and replacement with the following:	Council recommends replacement of the existing PO 1.9 with the text outlined in Column 3 of this table.	
		"PO 1.9 Extensions to or new buildings at the Adelaide Aquatic Centre should be restricted unless they consolidate and replace existing buildings with structures more appropriate to the Park Lands environment and with no increase in total floor area. Other than this, no additional buildings should be permitted."		
Adelaide Park Lands Zone	No change proposed to PO 3.2	Recommend change to PO 3.2 to reinforce National Heritage Listing of the Park Lands and City Layout.	Proposed rewording of PO 3.2: PO 3.2 Development recognises, <b>respects and ensures that</b> the Park Land's National Heritage Values <b>attributes are maintained</b> <b>for future generations.</b>	
Adelaide Park Lands Zone	Proposed new text in Adelaide Park Land Zone PO 5.3 "Other than in the Aquatic Centre Subzone, additional car	General position: Not supported. An exception is not needed at the zone level given subzone level policy is proposed.	Council acknowledges car parking will need careful consideration and planning to minimise impacts on the Park Lands and surrounding residential streets.	



Planning and Design Code	Proposed Changes by State Government	City of Adelaide Response	Additional Comment/Changes Recommended by Council
	parking is avoided by utilising on street parking or shared parking areas, locating close to walking and cycling infrastructure, utilising the existing road network and other such means."		
Adelaide Park Lands Zone	Adelaide Park Lands Zone PO 7.1 – no change "Development is compatible with the outcomes sought by any relevant Concept Plan contained within Part 12 – Concept Plans of the Planning and Design Code to support the orderly development of land through staging of development and provision of infrastructure."	General position: Support	None





Adelaide Park Lands Zone	Proposed change to Adelaide Park Land Zone DTS/DPF 7.1	General position: Support for the use of a concept plan to	Relocate the "Indicative Aquatic Centre Site" away from residential properties
Adelaide Park Lands Zone	Park Land Zone DTS/DPF 7.1 "The site of the development is wholly located outside any relevant Concept Plan boundary. The following Concept plans are relevant: Description Concept Plan 79 – Primary Pedestrian Area Concept Plan 125 – City Riverbank – West Concept Plan xx – Adelaide Aquatic Centre" The proposed Concept Plan shows the location of: Concept Plan boundary Vehicle access points Pedestrian entry Pedestrian connection Indicative pedestrian connection Existing car parking Indicative Aquatic Centre Site (including Parking		<ul> <li>Relocate the "Indicative Aquatic Centre Site" away from residential properties on Barton Terrace OR</li> <li>Should the indicative site remain in its current location, nominate a minimum setback from existing residences e.g. minimum 40m setback from Barton Terrace</li> <li>Maintain the visual distinction between the open character of the Park Lands and the built form of adjacent zones.</li> <li>Map the extent of the Park Lands Trail and note Council's 1.8m width requirement to ensure it is factored into early built form design and siting considerations.</li> <li>Consider marking the extent of the Key Biodiversity Area in Park 2 (as detailed in Council's Integrated Biodiversity Management Plan 2018 – 2023). Integrated Biodiversity Management Plan 2018 – 2023). Integrated Biodiversity Management Plan (d31atr86jnqrq2.cloudfront.net)</li> </ul>



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	Figure 4 Proposed Concept Plan		
Adelaide Park Lands Zone	<ul> <li>Proposed change to Adelaide</li> <li>Park Land Zone – Table 1 –</li> <li>Accepted Development</li> <li>Introduction of the following new classes of development:</li> <li><i>"Temporary car parking facilities</i></li> <li><i>Temporary buildings and structures related to construction activities including (but not limited to) site offices, gantries, temporary fencing, hoarding and scaffolding.</i></li> <li>Stormwater infrastructure</li> <li>Temporary fencing</li> <li>Essential infrastructure"</li> </ul>	General position: Support intent of enabling these classes of development if associated with the primary use as an aquatic centre. subject to change outlined below re Table 2. Council notes Table 1 of the current Park Lands Zone currently includes numerous other classes of development – however these are not listed, nor are they indicated as deleted by the Code Amendment. This should be clarified.	<ul> <li>Reword to ensure this policy approach is effective:</li> <li>Specifically refer to the Adelaide Aquatic Centre Subzone under "class of development"</li> <li>Include relevant accepted development classification criteria in Column 2, e.g. "<i>Temporary car parking during construction of new Adelaide Aquatic Centre using existing entry and exit points</i>"</li> <li>Consider creating a Table 2 – Deemed-to-Satisfy pathway for the same land uses to ensure any proposals which do not meet the criteria in Table 1, also have a streamlined assessment pathway.</li> </ul>



Adelaide Park Lands Zone	No changes proposed to Table 2 – Deemed to Satisfy Development Classification	General position: Recommend updating Table 2 – DTS to include assessment pathway for classes of development introduced in Table 1 which do not meet the criteria.	<ul> <li>Deemed to Satisfy minimum criteria for:</li> <li>"Temporary car parking facilities</li> <li>Temporary buildings and structures related to construction activities including (but not limited to) site offices, gantries, temporary fencing, hoarding and scaffolding</li> <li>Stormwater infrastructure</li> <li>Temporary fencing</li> <li>Essential infrastructure"</li> </ul>
Adelaide Park Lands Zone	No changes proposed to Table 3 – Applicable Policies to Performance Assessed Development.	Support.	
Adelaide Park Lands Zone	No changes proposed to Table 4 – Restricted Development Classification.	General position: Note that restricted development is an assessment pathway that could be considered.	Consider use of Table 4 – Restricted Development for new Aquatic Centre as this would enable broader appeal rights than only the applicant. Note: this would mean that both the applicant and any notified person who makes a representation would have a right of appeal.
Currently no subzone within the Adelaide Park Lands Zone	Proposed new Adelaide Aquatic Centre Subzone DO 1 A recreation precinct that is a destination for quality leisure, recreation, health and wellness and active sport. DO 2 Exemplary design of buildings to be respectful of	General position: Partial support Do not support the current location of the subzone due to amenity impact to residents. Recommend consideration of a different extent for the subzone that create grater	DO 1 and DO 2 – support Recognise that the Design Overlay is applicable to development over \$10m however Council seeks additional policy on design quality at the subzone level to help achieve DO 2, including interface and articulation of any southern walls.



the heritage values of the Adelaide Park Lands. Proposed spatial extent:	<ul> <li>separation to residential boundaries.</li> <li>Recommend strengthening the proposed Subzone</li> <li>Performance Outcome (PO) policies to address: <ul> <li>Design</li> <li>National Heritage Values</li> <li>Height and setback</li> <li>Landscape buffer</li> <li>Access and Inclusion/Universal Design</li> <li>Water Sensitive Urban Design</li> </ul> </li> </ul>	
	<ul> <li>Sustainability</li> <li>Net Zero Carbon</li> <li>Requirement for State Government to prepare dilapidation reports pre and post construction for nearby properties of heritage contribution.</li> </ul>	
PO 1.1 A range of open space, recreation and/or sport facilities DTS/DPF 1.1	General position: Support on the basis that these uses are subordinate to the principal recreational use	Refinement of wording is recommended to ensure consistency with the Park Lands Zone policy: Replace:
Advertisement Conservation work Consulting rooms Gymnasium Office Outbuilding associated with open space maintenance Indoor recreation facility	The proposed subzone enables the following new land uses which are not currently envisaged in the Park Lands Zone: • Consulting rooms • Gymnasium	<ul> <li>"Structures associated with a public facility such as:</li> <li>Bicycle parking</li> <li>Picnic/BBQ shelters</li> <li>Public toilets and amenities</li> <li>Vehicle parking"</li> </ul>



	Lighting Recreation area Shop Special events Sporting field or club facility Swimming pools Structures associated with a public facility such as: • Bicycle parking • Picnic/BBQ shelters • Public toilets and amenities • Vehicle parking	<ul> <li>Office</li> <li>Indoor recreation facility</li> <li>Lighting</li> <li>Swimming pools</li> <li>Structures associated with a public facility such as bike and vehicle parking, picnic/barbeque area, shelter and toilet.</li> </ul>	With: "Structures associated with a public facility such as bike and vehicle parking, picnic/barbeque area, shelter and toilet."
Currently no subzone within the Adelaide Park Lands Zone	PO 1.2 An indoor recreation facility that accommodates swimming, recreation and wellness facilities to serve the community. DTS/DPF 1.2 None are applicable.	General position: Support Provides additional guidance regarding envisaged uses within an indoor recreation centre.	None
Currently no subzone within the Adelaide Park Lands Zone	PO 1.3 Non-recreation land uses subordinate to the principal recreational use of the land DTS/DPF 1.3 Offices, consulting rooms, gymnasiums or childcare facilities that are in association with an indoor recreation facility. Shops	General position: Support with clarification that shops are ancillary and under the main roof PO 1.3 provides guidance that the non-recreation uses are subordinate to the principal recreation use of the land. DTS/DPF 1.3 allows for shops ancillary to a recreational use, club or sporting facility, and also allows for non-ancillary	Recommend amendment: Shops 1. Are ancillary to a recreational use, club or sporting facility; and 2. Under the main roof of an indoor recreation facility.



	<ol> <li>Are ancillary to a recreational use, club or sporting facility; or</li> <li>Under the main roof of an indoor recreation facility.</li> </ol>	shops which are located under the main roof of an indoor recreation facility.	
Currently no subzone within the Adelaide Park Lands Zone	<ul> <li>PO 1.4 Minimise the impact of car parking on the Adelaide</li> <li>Park Lands through</li> <li>landscaping, permeable</li> <li>surfaces and other design</li> <li>strategies.</li> <li>DTS/DPF 1.4 None are applicable</li> </ul>	General position: Not supported. Seek amendment to minimise the extent and impact of car parking on the Adelaide Park Lands.	Recommend amendment: PO 1.4 Minimise the extent and impact of car parking on the Adelaide Park Lands through landscaping, permeable surfaces and other design strategies.
Currently no subzone within the Adelaide Park Lands Zone	PO 1.5 Provide adequate on- site car parking taking into account the availability of on- street parking public transport access, walking and cycling connections, and the availability of shared parking arrangements. DTS/DPF 1.5 None are applicable	General position – Support with amendment relating to footprint of on-site car parking.	Proposed change: PO 1.5 Provide adequate Minimise built- form footprint of on-site parking (car, bus, bicycle and accessibility/mobility) taking into account the availability of on-street parking public transport access, walking and cycling connections, and the availability of shared parking arrangements. DTS/DPF 1.5 None are applicable.
Currently no subzone within the Adelaide Park Lands Zone	PO 1.6 Rehabilitation of the Adelaide Aquatic Centre site (first constructed in 1968) for outdoor passive and active recreation, sport and/or ancillary uses.	General position – Support. Reference to ancillary uses is too broad.	Delete reference to "or" ancillary uses.



	DTS/DPF 1.6 None are applicable			
Currently no subzone within the Adelaide Park Lands Zone	applicable None	Council recommends introducing the following Adelaide Aquatic Centre Subzone categories, with relevant new policies: Built Form and Character Built Form and Character Environmental Management Access and Movement Safety	Recommend introducing p         Aquatic Centre Subzone:         Built Form and         Character         PO ** Development         recognises, respects         and ensures that the         Park Lands' National         Heritage Values         attributes are         maintained for future         generations.         PO **Development is         an appropriate height	DTS/DPF ** None are applicable DTS/DPF ** None are
			and form within the landscape context, and preserves views and vistas throughout the Park Lands. PO ** Development sits comfortably within and is enhanced by the landscape setting, and protects and restores	applicable



	the surrounding biodiversity. PO ** Universal Design features are incorporated to ensure accessibility for people living with disabilities or limited mobility.	DTS/DPF ** None are applicable
	<ul> <li>PO ** Built form reinforces:</li> <li>Informal and formal outdoor recreation characterised by grassed areas and peripheral woodland planting</li> <li>A landscape of predominantly Eucalyptus species, woodland and open grassed playing fields</li> <li>Preserved areas of remnant vegetation</li> </ul>	DTS/DPF ** None are applicable
	PO ** Soft landscaping and tree	DTS/DPF ** None are applicable



	planting are incorporated to: 1. minimise heat absorption and reflection 2. maximise shade and shelter 3. maximise stormwater infiltration 4. enhance the appearance of land and streetscapes. Environmental Performance	
	PO ** Buildings are sited, oriented and designed to maximise natural sunlight access and ventilation to main activity areas, common areas and open spaces.	DTS/DPF ** None are applicable
	PO ** Buildings are sited and designed to maximise passive environmental performance and minimise energy consumption and	DTS/DPF ** None are applicable



	reliance on mechanical systems, such as heating and cooling. PO ** Buildings incorporate climate responsive techniques	DTS/DPF ** None are applicable
	and features such as building and window orientation, use of eaves, verandahs and shading structures, water harvesting, at ground landscaping, green walls, green roofs and photovoltaic collo	
	and photovoltaic cells. PO ** Buildings are designed to achieve net zero carbon.	DTS/DPF ** None are applicable
	Water Sensitive Design PO B.** Development is sited and designed to maintain natural hydrological systems without negatively impacting:	DTS/DPF ** None are applicable



	<ol> <li>the quantity and quality of surface water and groundwater</li> <li>the depth and directional flow of surface water and groundwater</li> <li>the quality and function of natural springs.</li> <li>PO ** Development likely to result in risk of export of sediment, suspended solids, organic matter, nutrients, oil and grease include stormwater management systems designed to minimise pollutants entering stormwater.</li> </ol>	DTS/DPF ** None are applicable
	PO ** Water discharged from a development site is of a physical, chemical and biological condition equivalent to or better than its pre-developed state.	DTS/DPF ** None are applicable



	PO ** Development includes stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that development does not increase peak flows in downstream systems.	DTS/DPF ** None are applicable
	Access and Movement	
	PO ** Public vehicle access into the Park Lands is minimised.	DTS/DPF ** None are applicable
	PO ** Aquatic Centre designed to encourage active transportation such as walking, cycling and public transport.	DTS/DPF ** None are applicable
	Safety	
	PO ** Development maximises opportunities for passive surveillance of the public realm by providing clear lines of	DTS/DPF ** None are applicable



	sight, appropriate lighting and the use of visually permeable screening wherever practicable. PO ** Development is designed to differentiate public, communal and private areas.	DTS/DPF ** None are applicable
	PO ** Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.	DTS/DPF ** None are applicable
	PO ** Development is designed to maximise opportunities for passive surveillance of the adjacent public realm.	DTS/DPF ** None are applicable
	PO ** Common areas and entry points of buildings maximise passive surveillance from the public realm to the inside of the building at night.	DTS/DPF ** None are applicable



Currently no subzone within the Adelaide Park Lands Zone	Nil	Council position: Recommend introduction of a requirement to prepare dilapidation reports pre and post construction for nearby properties of heritage contribution	Recommend new policy in Adelaide Aquatic Centre Subzone: PO *.* - Pre- and Post-construction dilapidation reports are prepared for nearby properties with heritage value.
Part 3 – Overlays			
	No changes proposed	General position: Support to maintain existing overlay framework. Additional recommendation: strengthen policies to encourage recognition of the values associated with the National Heritage listing of the Adelaide Park Lands and City Layout.	Introduce a National Heritage Overlay for the Adelaide Park Lands and City Layout based on the recommendations of the National Heritage Management Plan (HMP) and the incorporation of policies to reflect and protect the integrity and values of the area.
Part 4 – General Development Policies			
	No changes proposed	Support	None
Part 5 – Specified matters and areas identified under the Act and Regulations			
	No changes proposed	Support	None
Part 6 – Index of Technical and Numeric Variations			
	No changes proposed	Support	None



Part 7 – Land Use Definitions			
	No changes proposed	Support	None
Part 8 – Administrative Terms and Definitions			
	No changes proposed	Support	None
Part 10 – Significant Trees			
	No changes proposed	Support	None
Part 11 – Local Heritage Places			
	No changes proposed	Support	None
Part 12 – Concept Plans			
	New Concept Plan ** - Adelaide Aquatic Centre, which is referred to in Park Lands Zone ****	Support, if proposed refinements are included.	<ul> <li>Support proposed use of existing access points.</li> <li>Landscape buffer: <ul> <li>The existing trees along the south boundary of Park 2 sit in the road reserve.</li> <li>Council seeks additional planting and a landscape buffer within Park 2 having regard to the principles of crime prevention through environmental design.</li> </ul> </li> </ul>
Part 13 – Table of Amendments			
	Not applicable until any proposed Code Amendment is gazetted.	N/A	N/A

