

Walker Riverside (Retail) Pty Ltd

Construction of a 38-level mixed use building comprising office, shop, civic space, office and hotel uses and an elevated public plaza, nomination of three (3) advertising signage zones with ancillary landscaping, solar photovoltaic panels and alterations to basement and public plaza

Lot 602 King William Road / North Terrace, Adelaide

Development Application ID 25008091



DEVELOPMENT NO.:	25008091
APPLICANT:	Walker Riverside (Retail) Pty Ltd
ADDRESS:	LOT 602 KING WILLIAM RD ADELAIDE SA 5000
NATURE OF DEVELOPMENT:	Construction of a 38-level mixed use building comprising office, shop, civic space, office and hotel uses and an elevated public plaza, nomination of three (3) advertising signage zones with ancillary landscaping, solar

	photovoltaic panels and alterations to basement and public plaza
ZONING INFORMATION:	Zones: <ul style="list-style-type: none"> • City Riverbank Subzones: <ul style="list-style-type: none"> • Entertainment Overlays: <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Building Near Airfields • Design • Heritage Adjacency • Hazards (Flooding - Evidence Required) • Noise and Air Emissions • Prescribed Wells Area • Regulated and Significant Tree • State Heritage Place • Technical Numeric Variations (TNVs): <ul style="list-style-type: none"> • Concept Plan (Concept Plan 153 - City Riverbank - Festival Plaza)
LODGEMENT DATE:	31 March 2025
RELEVANT AUTHORITY:	State Planning Commission
PLANNING & DESIGN CODE VERSION:	Planning and Design Code (in effect) Version 2025.6 27/3/2025
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	No
RECOMMENDING OFFICER:	Ben Scholes, Senior Planning Officer
REFERRALS STATUTORY:	The Secretary of the relevant Commonwealth Department responsible for administering the <i>Airports Act 1996</i> (Adelaide Airport Ltd) Minister responsible for the administration of the <i>Heritage Places Act 1993</i> (Heritage SA) Government Architect City of Adelaide

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EXECUTIVE SUMMARY:

The application is for a 38-level mixed use development as an alternative to a three-level retail building authorised to the north of Parliament House in Adelaide's Festival Plaza.

This application is classified as a performance assessed form of development, with statutory referrals issued to the City of Adelaide (the Council) pursuant to Regulation 23 of the *Planning, Development and Infrastructure (General) Regulations 2017* (the Regulations), Heritage SA (on behalf of the Minister responsible for administration of the *Heritage Places Act 1993*), Adelaide Airport Limited (on behalf of the Secretary of the Commonwealth Department of Infrastructure, Transport, Regional Development, Communication and the Arts) and the Government Architect in accordance with Regulation 41 of the Regulations.

Public Notification was not required for the application in accordance with Table 5 – Procedural Matters of the Planning and Design Code (the Code)'s City Riverbank Zone, as the development would not be adjacent land to land used for residential purposes in a neighbourhood-type zone and would not involve demolition of a recognised State or Local Heritage Place or a building in a Historic Area Overlay.

The proposal would constitute a substantial intervention in Adelaide's Riverbank Precinct, and shortfalls against Code policy have been identified regarding anticipated visual and built form impacts on adjacent State Heritage Places.

Despite this, the proposal would perform acceptably against other Code policy expectations by including an envisaged land use mix, acceptable building height, high level of design quality, appropriate contributions to the public realm, effective technical arrangements concerning vehicle access and servicing, management of waste and stormwater and a commitment to implementation of ecologically sustainable development initiatives.

Heritage SA has indicated expected impacts on the heritage setting of the precinct would be considerable, but these are not considered fatal to the application in recognition of Code policy aspirations for further built form uplift in the precinct and retention of significant views of Parliament House from the south and east.

Furthermore, Heritage SA has not recommended refusal of the application, instead directing assignment of detailed conditions to any Planning Consent Granted. Other referral agencies are generally supportive of the proposal.

Development of this nature is not considered inappropriate on the subject land as it would successfully contribute to the redevelopment of a prominent destination of Adelaide's CBD and sufficiently address policy expectations of the Code's Concept Plan 153, Entertainment Sub Zone and City Riverbank Zone.

The application would appropriately respond to key objectives and performance outcomes encouraged by the Code's General Development policies, and unresolved technical matters are expected to be addressed through the assignment of a reserve matter and conditions of any Planning Consent granted, which the applicant is reportedly prepared to address by providing further information and preparing physical prototypes of key building features.

BACKGROUND:

In 2014 the Walker Corporation entered a partnership with the South Australian Government to participate in the redevelopment of Adelaide's Festival Plaza, a State Heritage Place (SHP). In December 2015 the former Development Assessment Commission (DAC) granted planning consent to application 020/V091/15 for demolition of a portion of the existing plaza, installation and extension of a new public plaza, redesign of Festival Drive and Station Road and other associated works.

In November 2016, the then DAC granted Development Plan Consent to Development Application 020/A012/16 which comprised demolition works to a portion of the plaza together with the construction of a five-level basement car park, 27-level office tower known as 'Festival Tower' (including ground level retail) and construction of a three-level retail building adjacent Parliament House.

Multiple variations to this development authorisation have been granted conditional planning consent under the delegated authority of the State Planning Commission (Commission) over intervening years involving (but not limited to):

- revisions to architectural expression, massing, building height and external material composition;
- building footprint of the ground floor retail component (including outdoor dining areas and change of use);
- basement vehicle access and service areas;
- addition of awning structures and advertising signage at the southern and northern elevations of Festival Tower; and
- car and bicycle parking provision.

In accordance with the terms of the Development Agreement established for the project, the applicant now proposes to develop a mixed-use building as an alternative to the originally endorsed three-level retail building previously authorised to the north of Parliament House.

PRE-LODGE MENT

The proponent engaged with the Department for Housing and Urban Development (the Department)'s pre-lodgement service, participating in three Pre-lodgement Panel (PLP) meetings between April 2023 and November 2024. Design Review Panel meetings were convened in October and December 2024 and February 2025. Several amendments of the applicant's concept were presented during the pre-lodgement process including increase in building height, alterations to architectural expression, internal layouts and public realm offerings including introduction of first level public open space and modifications to landscaped arbor structures endorsed in the public plaza area.

The applicant lodged the application prior to finalising any pre-lodgement agreements and as such, formal referrals were undertaken.

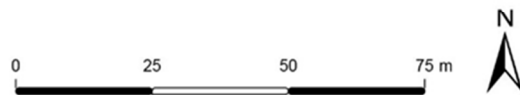
CODE AMENDMENT

Through separate discussions with the Department, an amendment to Code policy has been implemented. Public consultation was completed for this amendment in late October 2024 with feedback consisting of 87 submissions from representatives of the development industry, advocacy groups, government agencies and the general community related to building height and expected impacts of further development in the precinct.

Amended Code policy commenced operation in January 2025, and now includes Concept Plan 153 for the City Riverbank – Festival Plaza Precinct shown in Figure 1 providing guidance for future development of this location including a recommended maximum height of 40 building levels to the north of Parliament House, preservation of views of SHPs, landscaping, active frontages and separation from the northern edge of Parliament House (a recommended minimum of 9 metres).



- Concept Plan Boundary
- ▨ Preserve view lines to Parliament House balcony and Aedicular Corner
- Green Edge
- Building Separation - minimum 9 metres
- Active Frontage
- 40 Building Levels
- ↔ Visual and physical access



Concept Plan 153

City Riverbank - Festival Plaza

Figure 1 – Concept Plan 153

DETAILED DESCRIPTION OF PROPOSAL:

The proponent seeks Planning Consent for an alternative concept to an authorised three-level retail building to construct a 38-level mixed-use tower (160.77 metres above ground) to the north of Parliament House and east of the existing mixed-use Festival Tower development.

The applicant has collaborated with Traditional Owners and representatives of Mantirri Design in developing its design proposal having regard to Kaurna nation stories shared with the design team, significant cultural sites located along the Karrawirra Pari (River Torrens) valley and the historical topography of the land now occupied by the Festival Plaza precinct including an escarpment known as Tarnda Kanya (or Red Kangaroo Rock) which was extensively quarried for limestone following European colonisation.

The composition of uses in the proposed development would include shops comprising retail tenancies, cafes, restaurants and licensed premises, civic event spaces (referenced in application details as 'civic office' space) and commercial office areas with associated service areas distributed over various building levels as follows:

- approximately 1,000m² of accommodation intended for use as shops and retail space over ground floor and level 1;
- approximately 3,000m² of accommodation intended for use as civic and community use functions over levels 2-4;
- approximately 47,000m² of accommodation intended for use as commercial office space over levels 6 to 16 and 19 to 35;
- mechanical plant and service enclosures over levels 17-19; and
- approximately 300m² intended to operate as a restaurant at level 36.

The tower's upper levels would cantilever over inset podium levels (floors one to five) and floor plates would gradually increase in size between levels two and six, resulting in an approximately four metre built form overhang to the south, six metres to the west and four metres to the north over levels seven and above.

The design of the tower's upper levels would be expressed as four elements distinguished by inset sections and differentiated by façade glazing over the east and west facades featuring a combination of diagrid pleats and vertical pleats.

The building's northeast portion would reach the greatest height above ground but would not encroach into airspace restricted by the Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) surface. Three zones are nominated for unspecified advertising signage (for anticipated future tenant purposes) over portions of levels 36-37 of the north, west and south façades.

Pedestrian access to the building would be provided from all directions at the ground floor level with an entry foyer for the civic event spaces available at the first level of the west elevation. Lift access would be made available over all existing basement levels allowing vertical circulation to floors proposed above the existing plaza level.

Public realm alterations and additions (documented in **Attachment 1C**) would include:

- an elevated, landscaped plaza at the western edge of the proposed building accessible from the existing plaza level via two stairways;
- pedestrian laneways between Parliament House and the development's southern edge and Festival Tower and the development's western edge;
- modifications to landscaped harbour structures and planters including relocation and selected removal (four harbours to be removed in total); and
- introduction of two landscaped planters along the development's eastern (King William Road) frontage including rows of Jacaranda trees.

External materials for the development would include:

- striated masonry over ground floor and portions of level one;
- shaped masonry columns;
- vertical masonry elements with bronze cladding;

- low-iron high-performance pleated glass façades for lower levels;
- silver-grey high-performance glass with triple low-e coating and expressed shade devices over the upper levels of the tower's west sections, referencing the design of the existing tower;
- silver-grey, tinted high-performance glass expressed in a pleated diagrid structure over upper levels of the tower's east sections; and
- paving and materials for the public realm intended to match existing (or approved) materials.

To reduce the proposed building bulk and footprint of the development adjacent Parliament House, the massing of the development would step in at the upper plinth level to achieve a 10-metre vertical separation before the tower's upper levels would cantilever over a portion of the approximately 9-metre setback from Parliament House's north elevation.

Proposed vehicle access to basement levels would continue to occur via a down-ramp constructed along Festival Drive accessible from King William Road. Modifications to basement level parking areas would involve amendments to previously constructed lift core structures, waste storage area and vehicle parking areas to allow provision of service enclosures, an additional service vehicle loading bay, secure bicycle parking, end-of-trip facilities (including lockers, toilets, and showers), a gymnasium and wellness facilities and associated circulation spaces. This would result in provision of 1,354 car parking spaces within the basement facility overall (a reduction of 28 spaces from the 1,382 parking spaces existing in this portion of the development).

Waste management and service vehicle operations for the proposed second tower would occur within the loading dock constructed at basement level two, which currently services the existing Festival Tower and Parliament House.

The development would include the following elements, features and land uses (per building level):

Form of Development	Description of Development
Construction	<ul style="list-style-type: none"> • <u>Basement Levels 2-5</u> – modifications to lift cores, plant and equipment / service enclosures, storage areas, car parking areas • <u>Basement Level 1</u> - modifications to lift cores, plant and equipment / service enclosures, storage areas and introduction of end-of-trip facilities and bicycle parking areas • <u>Ground level</u> – retail tenancies with outdoor dining areas and pedestrian furniture, entry foyer, circulation spaces, amenities, lift lobbies and landscaping • <u>Level 1</u> – elevated plaza space, landscaping, retail tenancy and civic foyer • <u>Level 2</u> – foyer, lift lobby, civic office, amenities and circulation space • <u>Level 3</u> – civic office, amenities and circulation space • <u>Level 4</u> – civic office, outdoor terrace, amenities, plant rooms and circulation space • <u>Level 5</u> – civic office, lift lobby, amenities and circulation space • <u>Levels 6-16</u> – commercial office, lift lobby, amenities and circulation space • <u>Levels 17-18</u> – plant and equipment • <u>Levels 19-35</u> – commercial office, amenities and circulation space • <u>Level 36</u> – restaurant, plant and equipment, amenities, circulation space and advertising signage over a portion of the south façade • <u>Level 37</u> – plant and equipment and advertising signage over portions of the north, west and south façades • <u>Roof level</u> – solar photovoltaic panels (130kW capacity) and miscellaneous equipment enclosures
Public Realm Additions	<ul style="list-style-type: none"> • Level changes and stairways leading to the ground level foyer and elevated first level plaza (including disability access walkway to the ground level foyer) • Landscaping and pedestrian furniture along circulation spaces including ground level laneways and at level 1 elevated plaza • Pedestrian canopies projecting over public realm from north, west and south elevations

- Landscaped forecourt along the King William Road frontage
- Modifications to arbour structures and planters

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: LOT 602 NORTH TERRACE ADELAIDE SA 5000

Title ref.: CT 6277/532

Plan Parcel: D128908 AL602

Council: ADELAIDE CITY COUNCIL

The subject land is an irregularly shaped allotment centrally located in Adelaide's Festival Plaza precinct, encompassing approximately 1.02ha in area according to the Certificate of Title provided in **Attachment 1L**. The proposed development area is a portion of the subject allotment located to the north of Parliament House, encompassing approximately 3,500m². The subject land, the approximate development area and the surrounding locality are highlighted in Figure 2.

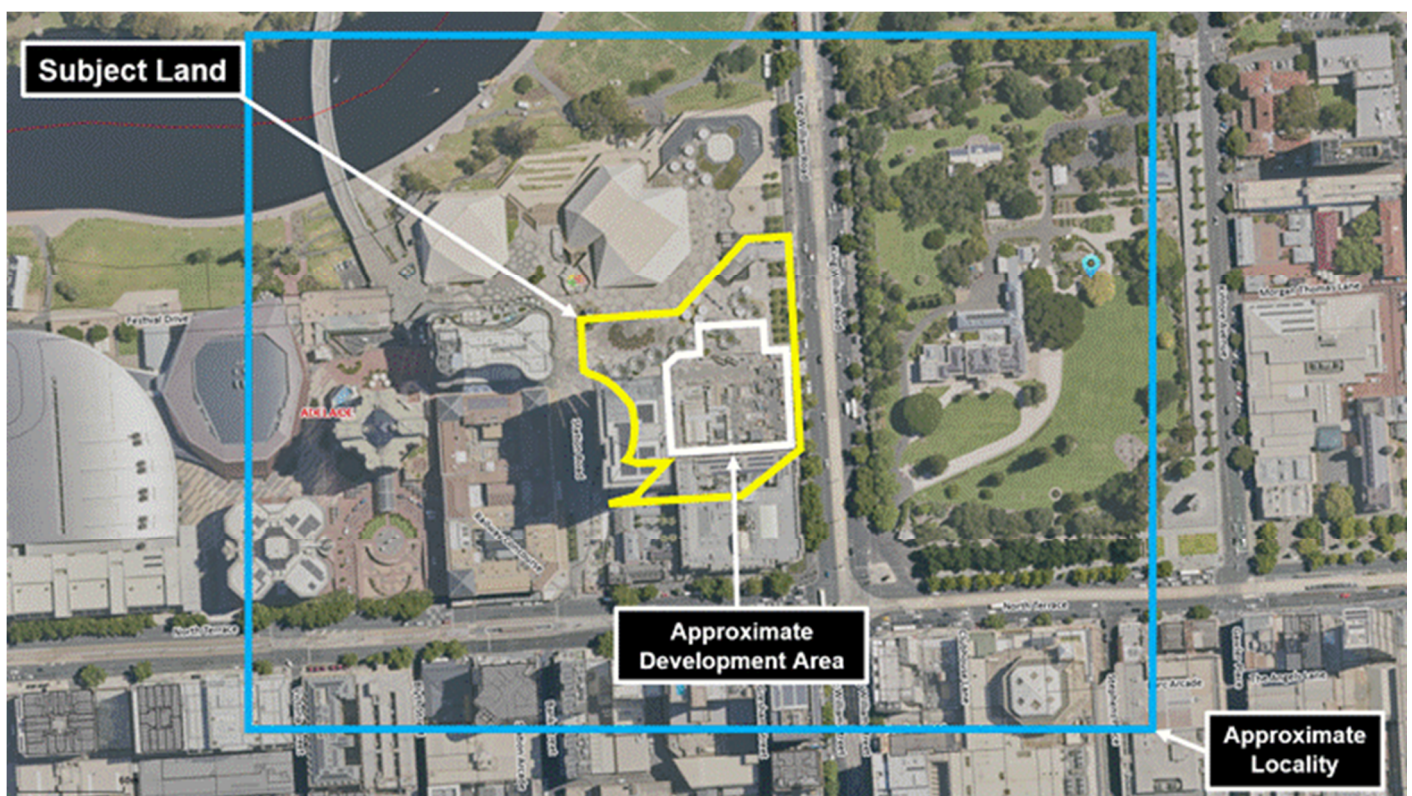


Figure 2 – Subject Land

Prominent landmark buildings exist nearby including the Adelaide Festival Centre, Parliament House, Old Parliament House, SkyCity Casino, Adelaide Railway Station and Festival Tower.

The subject land incorporates the 'Southern Plaza' of the Adelaide Festival Centre which is recognised as a SHP. The original plaza and its former car park structure were recently demolished for construction of a five-level basement car park which currently services several precinct stakeholders.

It should be noted that on this basis, demolition works required for any future development in this location would not involve the removal of recognised heritage fabric, as legitimate historic fabric has previously been removed from this location as part of the recent plaza redevelopment.

Several easements are established over the subject land and elsewhere within the precinct serving purposes including (but not limited to) rights or way with and without limitations over several basement levels and the plaza level.

Locality

The broader locality comprises a diverse mix of cultural, institutional, recreational and commercial facilities with built form ranging from between two and 29 levels above ground. Notable built form and community assets in the locality are summarised in the following table:

Direction	Development
North	<ul style="list-style-type: none"> Adelaide Festival Centre, Riverbank Bridge, Elder Park and the south bank of Karrawirra Pari
East	<ul style="list-style-type: none"> Government House
South	<ul style="list-style-type: none"> Parliament House, Old Parliament House, various commercial premises along North Terrace (including shops, offices, Stamford Plaza Adelaide Hotel and the Myer Centre complex)
West	<ul style="list-style-type: none"> Adelaide Rail Station, SkyCity Casino, Intercontinental Hotel, Adelaide Convention Centre

Several SHPs are situated in the precinct and broader locality as detailed in the following table (and indicated in Figure 3).

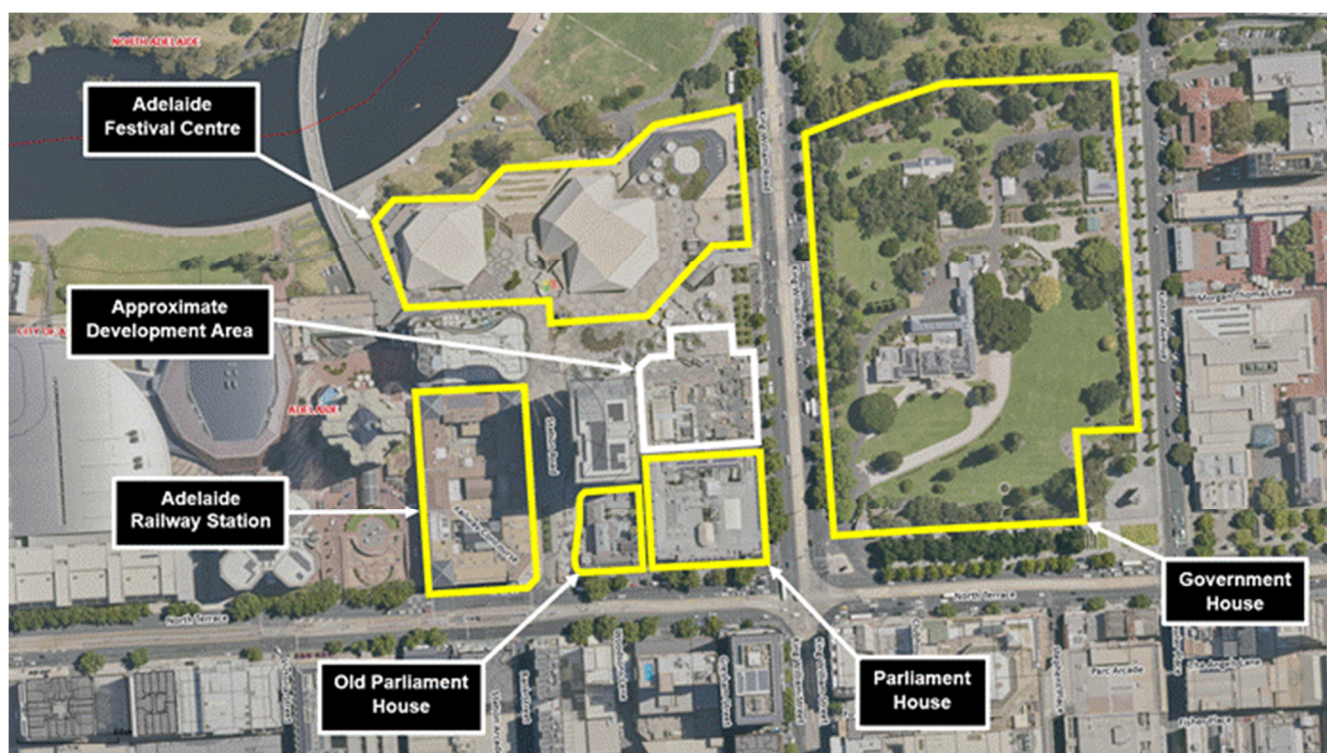


Figure 3 – State Heritage Places in the locality

Heritage Place	Designation	Heritage Significance (Extent of Listing)
Adelaide Festival Centre	State Heritage Place	The Place has received critical acclaim as an extremely functional performing arts complex, exhibiting a modern and bold structuralist approach to form expressed by the dominant formality of octagonal modules reflecting the period in which the concept was first contemplated
Parliament House, Old Parliament House	State Heritage Place	Significant heritage value (registered on National Heritage List) is attributed to each Place's role in facilitating democratic reforms, exhibiting architectural styles of the colonial era and their importance in the development of the South Australian government.
Adelaide Railway Station	State Heritage Place	Adelaide Railway Station holds significant heritage value as a prominent landmark building and a key example of neoclassical architecture in Australia and its association with the development of rail travel in South Australia. The Place has been heavily modified over recent years to adapt to contemporary requirements for public transport services, supporting

		commercial tenancies and pedestrian access to the River Torrens / Riverbank precinct
Government House	State Heritage Place	The residence, grounds and its contents figure prominently in the social and political history of South Australia being the oldest public building in South Australia and also potentially the finest example of a Georgian mansion in South Australia

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- PER ELEMENT:**

Advertisement: Code Assessed - Performance Assessed

Hotel: Code Assessed - Performance Assessed

Office: Code Assessed - Performance Assessed

Shop: Code Assessed - Performance Assessed

Solar photovoltaic panels (roof mounted): Code Assessed - Performance Assessed

Other - Commercial/Industrial: Code Assessed - Performance Assessed

- OVERALL APPLICATION CATEGORY:**

Code Assessed - Performance Assessed

- REASON**

'Office', 'shop' and 'advertisement' are classified as 'Code Assessed – Performance Assessed' forms of development in Table 3 (Performance Assessed Development) of the Planning and Design Code's City Riverbank Zone. 'Civic space and office', 'public realm', 'hotel' and 'solar photovoltaic panels (roof mounted)' are neither classified as 'Accepted', 'Deemed-to-Satisfy' nor 'Restricted' forms of development and therefore the overall proposal defaults to a 'Code Assessed – Performance Assessed' form of development.

PUBLIC NOTIFICATION

No

- REASON**

Item 2 of the Code's City Riverbank Zone Table 5 – Procedural Matters – Notification: The proposal is a form of development that would occur on land where the site of the development is not adjacent land to a site (or land) used for residential purposes in a neighbourhood-type zone, and would not involve either:

- 1) the demolition (or partial demolition) of a State or Local Heritage Place (other than an excluded building); or
- 2) the demolition (or partial demolition) of a building in a Historic Area Overlay (other than an excluded building).

Any demolition works needed to accommodate the development would be limited to building fabric having no recognised heritage value, as Festival Plaza has been rebuilt over recent years and is not considered to be a legitimate part of original (heritage) building fabric associated with the Adelaide Festival Centre.

This view has been reinforced by formal referral advice provided to the Commission for application ID 23025330 in October 2023 by Heritage SA (this advice is available for public inspection via the online Development Application Public Register).

AGENCY REFERRALS

Referral Body	Function	Summary of Response
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Minister Responsible for administration of the <i>Heritage Places Act 1993</i> (Heritage SA) <i>Regulation 41</i>	Direction	Heritage SA has not raised an explicit objection to the proposal by way of a direction to refuse the application, but has indicated the development would introduce physical and visual dominance over Parliament House and compromise views of SHPs with comments and directed conditions regarding: <ul style="list-style-type: none"> • visual impacts of bulk and scale on Parliament House, including by the cantilevered structure over the proposed south elevation, the proposed column grid and features intended for the first level plaza element; • effect on views of the Adelaide Festival Centre from across the River Torrens; • affect on views of the Adelaide Railway Station from King William Road; and • refinement and resolution of design detailing, external material selections, exposed column profile and podium balustrading
The Secretary of the relevant Commonwealth Department responsible for administering the <i>Airports Act 1996</i> (Adelaide Airport Limited) <i>Regulation 41</i>	Direction	No objection to the proposal with advisory notes to be assigned to any planning consent (separate approvals required from aviation authorities for built form and crane operations)
Government Architect <i>Regulation 41</i>	Advice	No objection, with comments / recommendations regarding: <ul style="list-style-type: none"> – refinement of connectivity between the elevated plaza, civic spaces and the existing plaza; – review of east and south elevations of the tower's base to improve the development's relationship with Parliament House; – simplification of façade expression including consideration of solar shading strategy devices and advertising signage; and – resolution of external materials and public realm additions
City of Adelaide <i>Regulation 23(3)(b)</i>	Advice	No objection, with comments and recommended conditions / advisory notes related to various matters including: <ul style="list-style-type: none"> – vehicle access arrangements and provision of bicycle parking and disability access car parking; – opportunities for installation of public art in the development area; – stormwater management arrangements; – waste management arrangements; and – National Heritage requirements associated with the <i>Environment Protection and Biodiversity Conservation Act 1999</i>

INTERNAL REFERRALS

N/A

SERIOUSLY AT VARIANCE CONSIDERATION

A development must not be granted planning consent if it is seriously at variance with Code policy in accordance with section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016* (the Act).

Development of this nature is not considered inappropriate on the subject land, as it would contribute to the ongoing redevelopment of a prominent destination of the Adelaide CBD in a way that would sufficiently address the policy expectations of the Code's Concept Plan 153, Entertainment Sub Zone (Sub Zone) and City Riverbank Zone (Zone) in terms of proposed mix of land uses, building height, provision of active frontages, landscaping and adequate preservation of views to SHPs located in the precinct.

Concerns raised by Heritage SA regarding visual impacts expected to be imposed on Parliament House from public vantage points along North Terrace and King William Street are acknowledged, however these impacts are not considered to exceed the built form and scale tolerances established for this location by Concept Plan 153, which envisages a building height limit of 40 levels above ground.

Heritage SA has identified significant visual impacts on adjacent SHPs. For Parliament House in particular, concerns include issues such as the proposed tower's visual dominance, compromised views, enclosure of open settings, and impacts on its historic landmark scale from key public vantage points. For other SHPs, impacts include varying degrees of visual alteration and restricted views.

However, despite these strong opinions regarding anticipated impacts, Heritage SA has not directed refusal of the application. Instead, through detailed conditions to be assigned to any Planning Consent granted, Heritage SA has recommended design amendments to mitigate the concerns raised. This position from Heritage SA, while highlighting significant impacts, indicates that these impacts may be considered manageable and would be capable of resolution through design adjustments, rather than representing a fundamental incompatibility with policy expectations.

In the context of the 'seriously at variance' test, therefore, the proposal is not considered to be so fundamentally inconsistent or materially detrimental to the heritage and cultural values of Parliament House, Old Parliament House, Adelaide Festival Centre, or Adelaide Railway Station as to constitute a 'seriously at variance' outcome for the purposes of the Heritage Adjacency Overlay or State Heritage Place Overlay.

As such the application is not considered to be one that could reasonably be determined to be seriously at variance to the relevant policy provisions.

PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in **Appendix 1**.

Quantitative Provisions

Design Parameters	P&D Code Guideline	Proposal	Achieved / Not Achieved
Maximum Building Height	40 levels	38 levels / 160 metres above ground	Achieved
Car Parking	No recommended minimum or maximum car parking rate in the City Riverbank Zone (Table 2 – Off-Street Car Parking Requirements in Designated Areas)	Potential parking allocation undefined	Intent of policy achieved
Bicycle Parking	301 bicycle parking spaces (Table 3 – Off-Street Bicycle Parking Requirements)	243 bicycle parking spaces	Not Achieved (58 space shortfall)
Boundary Setbacks	Minimum nine metre separation from the northern elevation of Parliament House (Concept Plan 153 – City Riverbank – Festival Plaza)	8.7 metre setback from the northern elevation of Parliament House (from ground floor to level seven, decreasing over upper levels to approximately 4.5 metres)	Intent of policy achieved

Concept Plan 153 (City Riverbank - Festival Plaza) proposes several outcomes in the precinct including a recommended maximum height of 40 building levels, preservation of views of SHPs, landscaping, active frontages and separation from the northern elevation of Parliament House (minimum of nine metres).

The proposed building setback (of 8.7 metres) intended between Parliament House and the proposed new tower plaza level up to level seven would fall marginally short of the nine metre setback recommended by

Concept Plan 153, however the proposed setback would be expected to provide adequate physical separation and be sufficient for provision of public laneways oriented in an east-west direction enabling convenient pedestrian circulation, occasional outdoor dining spaces and opportunities for public activation.

The ground floor layout and intended contributions to the public realm at the existing plaza level would also provide opportunities for active building edges along all proposed building facades, a landscaped edge along the King William Road frontage and retention of significant views towards heritage places and pedestrian access corridors.

Heritage SA considers the proposed location of the column grid of the tower, elevated plaza level and associated metal wind canopy would substantially restrict views of the north-west corner of Parliament House. Heritage SA also believes the proposal would impact on views of Parliament House and Old Parliament House available along North Terrace, dominating their setting such that the intent of policy established in Concept Plan 153 would only be partially achieved.

Land Use

The Sub Zone encourages development of a prominent, vibrant and safe public plaza that provides a focal point for the precinct supported by a vibrant mix of land uses including cultural, parliamentary, office, entertainment, retail, conference facilities and ancillary land uses. The Zone anticipates a range of community, commercial and employment generating land uses including offices, entertainment facilities and community and cultural institutions promoting the establishment of a dynamic and lively destination.

The proposed land use mix would comprise shop tenancies expected to incorporate several food and beverage offerings and licensed premises positioned in locations expected to support the Zone's intent for public visitation and activity. In combination with substantial commercial office accommodation and space intended for undefined civic uses, the intended land use offering would be likely satisfy the outcomes envisaged by Code policy by providing opportunities for community and commercial activity spread over day and evening hours throughout the week.

Further, the Government Architect (GA) strongly supports the intent to include a civic use within the development, noting the combination of this function and its expected physical and visual connectivity with the elevated plaza level proposed at the development's western edge would be critical to the success of the raised public realm.

In summary, the intended mix of land uses would adequately satisfy the Code's expectations for land use proposed in this location.

Building Height

The Code's Concept Plan 153 recommends a maximum building height of 40 building levels in the proposed development area. The Zone anticipates building heights that would provide an orderly transition in scale, with lower buildings located towards the Adelaide Park Lands and River Torrens and taller situated buildings towards North Terrace. The outcomes of Concept Plan 153 apply to the extent of Festival Plaza, whereas policies of the Sub Zone and Zone extend more broadly throughout the Riverbank precinct including to development contemplated in the River Torrens corridor, to the south of the Intercontinental Hotel and to the west of Montefiore Road.

Adelaide Airport Limited (AAL) has confirmed the proposed 38-level structure would encroach into protected airspace (through AAL's established Obstacle Limitation Surface, or OLS) in this location by approximately 85 metres. Should the development proposal be authorised, separate approvals by Commonwealth airspace authorities would be required in accordance with the *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996* for the proposed built form and any associated crane operations.

The proposed development would reach the upper limit of the PANS-OPS surface established for this location but would not infringe through that level. Subject to the corresponding approvals being granted by airspace authorities, AAL has no objection to the proposed development.

Sub Zone PO 2.2 recommends that development exceeding 20 building levels to be of exemplary design, not be located adjacent to the River Torrens and positively respond to local context. The GA considers that the proposed introduction of a second tower in this location, outside of the city grid and exceeding the height

of the existing tower warrants a thorough interrogation of merit in terms of contribution to the public realm, urban form and broader urban fabric.

Zone (Built Form and Character) PO 2.1 and PO 2.3 anticipate buildings that provide an orderly transition in scale with taller buildings located towards North Terrace, reinforcing the grand boulevard character of both North Terrace and King William Road.

The development would be located approximately 130 metres from the nearest portion of land designated by the Code as Adelaide Park Lands Zone and approximately 190 metres from the River Torrens, positioning a taller built form element appropriately as an urban interface element for the precinct and in reasonable proximity to the established city edge, adequately meeting the intent for scale transition (involving taller buildings positioned towards North Terrace and lower buildings further north) anticipated by Zone PO 2.1.

While consistent with the strategic intent for this precinct, the proposed 38-level development necessitates careful consideration of its relationship with nearby SHPs noting Heritage SA considers the interaction between a building of this scale and its proximity to SHPs could introduce undesirable visual impacts of bulk and scale and inhibit public views.

It is noted, however, that Heritage SA has not explicitly indicated the proposed building height is unacceptable in this location and instead has provided comments and conditions requiring design amendments, rather than directing that the application be refused. The detailed assessment of these identified visual impacts, including consideration of Heritage SA's recommended design changes and their efficacy in maintaining the heritage and cultural values of nearby SHPs, will be provided in the dedicated 'Heritage Impacts' section of this report.

As a significant public open space, Festival Plaza would continue to provide an important break in built form and contribute to the softening of character and reduction in scale towards the River Torrens. Crucially, the scale of the Festival Theatre and Dunstan Playhouse immediately north of the Plaza represents a discernible built form transition articulating a final shift in scale towards the River Torrens. The tower's location away from the immediate River Torrens bank further ensures the focus on the open space of the riverfront would be maintained.

Although significant in scale, the proposed development would adequately reference the existing and emerging built form character along North Terrace while sufficiently minimising impacts on the River Torrens satisfying Sub Zone (Built Form and Character) PO 2.1.

While the proposal would arguably not fully support a change in character from a strong city edge on the southern side of North Terrace and the landscaped setting further to the north envisaged by Zone (Built Form and Character) PO 2.2(e), the existing 29-level Festival Tower constitutes a significant built form feature established in the precinct such that the proposed development would be broadly consistent with expectations of building proportions and scale in this location, aligning with expectations of Zone PO 2.3.

The 38-level development would ultimately be compatible with the building height outcome sought for this portion of the precinct by Concept Plan 153, satisfying the intent of Zone PO 5.1.

Design & Appearance

Design Overlay PO 1.1 recommends that high-rise buildings demonstrate high-quality design which positively contributes to the liveability, durability and sustainability of the built environment. The Zone anticipates development demonstrating exemplary design quality and architecture that is contemporary, innovative and respectful of the heritage buildings, Adelaide Park Lands setting and civic functions established in the locality.

The proposed ground floor and level one base or 'plinth' would feature striated masonry elements with integrated landscaping, shelter structures and retail tenancies bound by sections of the proposed 'Parliament Laneway' oriented in east-west and north-south alignments, and public spaces comprising the northern plaza area and the eastern forecourt along the King William Road frontage. Exposed, shaped columns with varying masonry textures would frame the boundary of upper levels and a series of level changes (comprising platforms, steps and a disability access ramp) would be included adjacent the forecourt and wrapping around to the plinth's northeast corner.

Internal areas over levels one to five would operate as 'civic office' space intended to accommodate civic functions, gallery uses and the like with distinct pleated glass façades over west, north and east elevations configured to reference the plaza's diagonal geometry and contrast the development's base from upper

levels. The south portion of levels one-seven would be composed of vertically expressed masonry panels with bronze elements referencing the scale, parapet height and frieze lines of Parliament House.

From levels four to five (and slightly higher for the building's south portion) the tower above would be composed of a combination of pleated glazing in diagrid frames over west portions of the building and oriented vertically orientation over east portions, linked by recessed sections of secondary façade with horizontally expressed shade devices.

The form and appearance of the tower element is intended to offer a visual counterpoint to the pleated façade of the mid-level civic spaces, reference triangular and rectilinear built form geometries in the precinct and draw literal inspiration from the form of South Australia's floral emblem (the Sturt's Desert Pea).

Indicative advertising signage zones are nominated over portions of levels 36-37 of the development's south façade and level 37 of the north and west façades. The interior of the restaurant proposed at Level 36 would be uplit during evening hours to assist in identifying the development as a prominent new destination in the Riverbank precinct.

Mechanical plant and miscellaneous service equipment would be concealed in dedicated enclosed areas intended in basement levels two and one and above ground in a portion of level four, levels 17-18, a portion of level 36, level 37 and the rooftop level.

In principle, the GA supports the applicant's intent for:

- a civic use within building's base to provide physical and visual connectivity between the building's interior and the elevated plaza;
- visual connections created between the lobby areas, Parliament House and King William Road;
- base and podium levels designed to reflect cultural and historic importance of the place;
- active indoor and outdoor spaces, particularly along the northern retail edge to the existing plaza;
- grouping of slender tower forms in the city skyline including reference to Festival Tower's form and appearance;
- differentiation between overall and expression of the west and east portions of the proposed building and the resulting roofline treatment; and
- embedded ecologically sustainable development initiatives promoting sustainable outcomes.

The GA suggests further refinements to built form geometry, detailing and materiality are warranted in the interests of further improving legibility of the design intent and achieving a coherent expression including through:

- improved visual connections between the existing ground level and the elevated plaza to reinforce the topographic concept;
- resolution of the design of hard and soft landscape elements proposed along public laneways and canopies projecting over the public realm;
- reconsideration of the use of curved edges in various areas contrasting geometries of upper-level building edges and glazing alignments;
- preparation of full-size physical prototypes for podium masonry elements and façade types;
- confirmation of the final external material selection supported by provision of physical material samples;
- simplification of the eastern tower façade expression to accentuate the planar / folding of the façade system;
- further consideration of an integrated solar shading strategy; and
- review of the size and number of advertising signage zones, in recognition of the proposal's distinct architectural expression and built form scale.

Overall and subject to further resolution and confirmation of design detail, the GA has indicated support for the applicant's ambition to deliver the highest quality outcome commensurate with the significant civic, historic and cultural precinct and location. The GA appreciates a proposal of this stature requires due consideration of interrelated issues such as (but not limited to) built form massing and architectural expression, public realm contribution, response to context and relationship with surrounding buildings, particularly SHPs.

Heritage SA has raised various concerns with the proposal's southern interface with Parliament House suggesting the development would introduce a dominant built form that would impact on the setting of

adjacent SHPs through inhibited views and limited separation distance. These matters, interrelated with the development's fundamental design and appearance, are discussed in the following Heritage Impact section.

The base of the development would nonetheless reference Parliament House's datum heights and parapet levels, distinguishing levels above and below the prevailing datum line and responding to local context consistent with expectations of the Design in Urban Areas (All Development – Medium and High Rise – External Appearance) PO 12.1.

In recognition of the balanced views and opinions of referral agencies, the proposal is considered worthy of measured support due to its positive overall performance against the Design Overlay and the following Code policy outcomes and objectives, as the development would:

- reinforce the boulevard character of North Terrace and King William Road by reflecting established and emerging patterns of built form and landscaping, noting the conglomeration of contemporary multi-level developments constructed and authorised recently along North Terrace, satisfying Zone PO 2.3;
- recognise the Karrawirra Pari / Riverbank precinct as a place of gathering and significance for traditional custodians of the land by referencing their stories and reinforcing the precinct's historical characteristics, identity and purpose in accordance with Zone PO 2.7;
- be composed of façade types designed to assist in reducing built form mass by breaking up elevations into distinct, visually interesting elements, reference contextual elements in the precinct and screen services and mechanical equipment from public views which collectively would be expected to offer an attractive, high quality and pedestrian-friendly frontage to King William Road in alignment with outcomes anticipated by General Development (Design in Urban Areas) PO 12.1, PO 12.3 – PO 12.4 and PO 12.6 – PO 12.8; and
- involve ancillary development of (currently unspecified) advertising signage nominated in locations and incorporating dimensions comparable with the appearance of signage existing in the precinct, satisfying the intent of Zone (Advertising) PO 3.1.

Sub Zone (Built Form and Character) PO 2.2(a) recommends that buildings exceeding 20 building levels (or 71 metres in height) be of exemplary design. The development proposal is considered to exhibit an appropriately high level of design quality by pursuing an outcome expected to achieve commendable levels of architectural expression, opportunities for public activity, pedestrian accessibility and acknowledgement of historic and cultural values attributed to the locality, commensurate with principles and objectives documented in Masterplan concepts prepared for the Riverbank precinct over recent years.

In combination these characteristics would be likely to result in a carefully considered built form addition to the precinct which would adequately meet the intent of Sub Zone PO 2.2(a). The development would also not be located adjacent to the River Torrens satisfying Sub Zone PO 2.2(b) and would respond positively to established local context, substantially achieving the Zone's desired outcomes consistent with the intent of Sub Zone PO 2.2(c).

Although the development concept exhibits design merit at this stage, conclusive achievement of the envisaged design standard requires further attention to details and matters including façade detailing, materiality, landscaping additions and public realm treatments which are proposed to be reserved for further assessment and resolution as part of any Planning Consent granted.

The applicant has provided comments addressing matters raised in the GA's referral response (included in **Attachment 4B**) reiterating a commitment to refine and resolve detailed design matters including the relationship between the existing plaza and the proposed level one plaza, podium articulation, facade configuration, material selection, advertising signage and an intent to prepare prototypes of key building elements.

The GA's conditional support for elements of the development is indicative of its performance against the expectations of the Design Overlay, and accordingly the development's design and appearance are generally considered to respond positively to key planning and design outcomes anticipated for development of this nature in this location. Selected design matters would be reserved for further assessment (as appropriate) or otherwise be subject to directed conditions should any Planning Consent be granted.

Heritage Impacts

The SHP Overlay anticipates maintenance of the heritage and cultural values of Heritage Places through their conservation, ongoing use and adaptive reuse. The Heritage Adjacency Overlay advocates for development adjacent heritage places that would maintain their values and would not dominate, encroach or unduly impact on their settings. Both overlays apply to the subject land.

The applicant engaged Hosking Willis Architects to prepare a Heritage Impact Statement (**Attachment 1E**) which reviewed the identified significance of the SHPs adjacent the development site being the Adelaide Festival Centre (including the Southern Plaza), Adelaide Railway Station, Old Parliament House and Parliament House.

Hosking Willis' assessment had regard to Conservation Management Plans and Statements of Significance included for these items in the SHP database. This assessment identifies that Parliament House:

- represents the political and economical development of South Australia and is intrinsically linked to the social history and physical pattern of development of the State;
- is an important landmark building at the intersection of two major city streets;
- exhibits an Italian Renaissance inspired classical design which is amongst the finest examples of the style and one of the greatest civic buildings in South Australia; and
- can be appreciated from most important views available from North Terrace and King William Street, with the south and east elevations being the most important, noting some of these views have been compromised by mature street trees along each frontage.

Hosking Willis' assessment concedes the proposal would impact on views of Parliament House from the north but has been carefully refined to minimise the impact of obstructed views and would be an improvement on the current authorisation for development of a three-level retail building on the subject land.

Hosking Willis asserts the proposal has been deliberately designed to provide a recessive transition above the roof line of Parliament House, concluding the development concept would not diminish the heritage value of the adjacent SHPs and that the proposed detailing of the masonry backdrop to Parliament House, when viewed from North Terrace, would provide a neutral and recessive transition in the background to the SHP.

Hosking Willis also considers Adelaide Railway Station and Old Parliament House are sufficiently separated from the proposed site of the development as to not be impacted further than what has already been established by the existing Festival Tower building.

Having considered this application and Hosking Willis' assessment, Heritage SA has advised it does not object to the proposal despite suggesting the development would result in the following expected impacts:

- a degree of visual impact on the setting of the Adelaide Festival Centre (AFC) buildings, without obstructing the 'visual cone' identified by Concept Plan 153;
- a built form cantilever over the south laneway which would contribute to the tower's visual dominance over (and compromise views of) Parliament House;
- views of Parliament House along North Terrace and looking north along King William Street would be significantly impacted by the proposal compromising the historic landmark scale of Parliament House along the North Terrace boulevard;
- limited (close range) views of the north-west corner of Parliament House would be maintained, although distant views of the SHP's north façade would be restricted including through the configuration of the proposed level one plaza and associated wind canopy devices;
- the setting of Old Parliament House would be indirectly impacted, and reduced visibility of the northeast corner of Adelaide Railway Station.

Importantly, Heritage SA has not directed that the application be refused on the grounds of the concerns it has raised, although it has a legitimate ability to do so in accordance with section 122(5)(b)(i) of the *Planning, Development and Infrastructure Act 2016* and regulation 41(1) of the *Planning, Development and Infrastructure (General) Regulations 2017*.

In the interests of improving the extent of views to the sky and minimising impacts on Parliament House, Heritage SA has directed assignment of five conditions to any Planning Consent granted requiring provision of further details confirming design detailing and material composition of various elements including the

southern cantilever height clearance and setback, elevated plaza level, east and north façade systems and exposed structural columns.

On the basis of Heritage SA's expert advice, the development's performance would not conclusively satisfy the policy expectations of the Code's Heritage Adjacency Overlay PO 1.1. The SHP Overlay anticipates built form outcomes advocating development that maintains and / or contributes to the heritage values of SHPs, and Heritage SA's views suggest the proposal would also fail to achieve the desired outcomes. Heritage SA has indicated:

- further open space above Parliament House would aid in reducing the visual and physical dominance of the proposed tower on the architectural qualities of Parliament House;
- future screening of Parliament House windows may be necessary due to the proximity of the proposal, with associated visual impact; and
- the applicant's consideration of requirements established under section 75 of the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act) is recommended.

In its response to Heritage SA's comments (included in **Attachment 4C**), the applicant asserts that:

- angular brackets proposed above slender masonry blades intended over the southern elevation are inspired by marble brackets supporting Parliament House's balcony;
- the repetitious module of these slender elements references regular spacing and rhythm of elements of Parliament House's north elevation, while diminishing their appearance from the public realm; and
- key datum lines of the Parliament House's cornice line and detailing are used to define the height and proportion of the proposed elements of the development's southern façade.

Having carefully considered the anticipated impacts on nearby SHPs, the current proposal's performance against heritage-related Overlays represents a substantial departure from Code policy expectations. The five conditions directed by Heritage SA would be expected to substantially address the deficiencies identified in the current proposal, noting satisfaction of these matters would be required on the part of Heritage SA. The applicant has confirmed all elements referenced in the directed conditions would be refined, tested and finalised through design development including input by specialist engineering and other consultants.

It should also be noted that for the purposes of assessing potential environmental impacts associated with application 020/A012/16 for redevelopment of the Adelaide Festival Centre Plaza including basement carpark, 27-storey tower, three-storey retail building and upgrades to the surrounding public realm, a referral to the former Australian Department of the Environment and Energy was undertaken in accordance with provisions of the EPBC Act. The referral response from that agency concluded that the nature of the development did not constitute a "Controlled Action" as defined by the EPBC Act and associated Regulations.

It is also recognised that in its advice to the Commission for application 020/A012/16, Heritage SA indicated it was not supportive of:

- the irreversible loss of fabric within the northern section of Festival Plaza (attributed to the car park development) which exhibited design attributes of 'Considerable' and 'Exceptional' significance;
- the height and physical presence of the 27-storey tower which would be expected to crowd the immediate setting of SHPs; and
- the consequential impact on views of SHPs from vantage points in the precinct.

At that time, the Commission weighed these views against established policy aspirations for uplift and rejuvenation of the Riverbank Precinct, concluding that policy ambitions could not be realistically accommodated without some impact on the value of SHPs. The Commission resolved that, on balance, the proposed outcomes of the development would outweigh the expected disadvantages of the impacts to SHPs by maximising new place-making opportunities within the state's premier cultural precinct.

The circumstances of this application are not believed to be significantly different to those of the original proposal, in recognition of the aspirations for further built form uplift within the precinct established by Concept Plan 153, the recently endorsed amendment to Code policy and other Code policy of relevance in this circumstance including:

- Sub Zone (Built Form and Character) PO 2.4 which envisages buildings along King William Road designed to enable views through to important SHPs and the public plaza area;
- Zone (Built Form and Character) PO 2.6 which encourages development that enhances the contribution of heritage buildings by maintaining physical connections to heritage buildings, and incorporating publicly accessible spaces and active land uses at the interface of heritage buildings.

It is acknowledged that during consultation undertaken for the purposes of the Code amendment, Heritage SA registered concerns regarding the visual dominance of a second tower development over the landmark status of Parliament House, consistent with its recent advice to the Commission for this application.

In summary and while Heritage SA has identified the proposal would result in significant visual impacts on adjacent SHPs, the nuanced and arguably inconsistent nature of the agency's advice, coupled with the composition of its directed conditions, make it uncertain whether the submitted proposal would ultimately achieve policy expectations of the Code's Heritage Adjacency Overlay and State Heritage Place Overlay.

However, it is recognised that for this strategic precinct, policy ambitions for uplift and rejuvenation may realistically result in some degree of impact on the value of SHPs. The circumstances of this application are consistent with this precedent, where a balance between strategic aspirations and heritage values was implicitly accepted.

Therefore, the proposal presents a delicate balance of strategic vision for the precinct against heritage impacts, the significance of which – particularly as they relate to the built form envisioned for this precinct – will require careful consideration within the overall assessment of the application.

Public Realm

Code policy generally envisages development that:

- includes land uses at ground floor level that maximise pedestrian activity to provide visual interest;
- includes universally accessible access that is safe, convenient and legible and gives priority to pedestrians and cyclists; and
- maximises views to the Park Lands and not clutter existing views of the Adelaide Hills when viewed from the public realm.

The applicant's landscape proposal has been influenced through collaboration with representatives of the Kaurna Nation as Traditional Owners of the land, resulting in a Country-centred narrative referencing and reinforcing the historical stone escarpment, ponds of the Karrawirra Pari river valley and the traditional use of the land as a ceremonial meeting place.

The applicant also had regard to relevant principles and guidelines established in the 2013 Festival Plaza Precinct Masterplan and the 2024 Festival Plaza Urban Design Review, both prepared by Ashton Raggatt McDougall Architecture. Proposed public realm contributions are documented in a Landscape Design report prepared by Aspect Studios (provided in **Attachment 1C**) comprising the following key features:

- pedestrian laneways and activated building edges incorporating pedestrian furniture and shelter, outdoor dining opportunities, secure public toilet facilities and landscaping;
- a landscaped forecourt adjacent the King William Road frontage;
- an elevated public plaza level accessible from the existing plaza by two stairways and including landscaping, pedestrian furniture, shelter, opportunities for outdoor dining and entry into the foyer of the proposed civic spaces above;
- complementary paving pattern extending from King William Road through the proposed building's ground and first floor interiors and stairway connecting the elevated plaza space and the existing plaza level; and
- alterations to harbour structures constructed in (and authorised for) the existing plaza area to contribute to convenient pedestrian movement and retention of key sightlines across the plaza (removal of four authorised harbours and relocation of three existing harbours).

Aspect predicts high intensity pedestrian usage would occur to varying degrees throughout the day, and the applicant suggests the raised plaza level would assist in retaining a memory and some of the landform character of the traditional Tarnda Kanya escarpment. Paving, materials and finishes intended for alterations to the public realm would be expected to match those existing in (and approved for) the existing plaza area.

The GA supports the applicant's intent to provide accessible entry points, landscaping, public amenities and permeable building edges with direct connection to the existing plaza space offering potential for active public spaces. Opportunities for artwork adjacent primary entry points are encouraged by both the GA and the Council.

Although the elevated (level 1) plaza level and level changes including large format stairs would be inconsistent with Sub Zone (Built Form and Character) PO 2.5 which recommends development occurring on a single plane to minimise grade changes, these features would not compromise the outcome sought by Zone (Movement, parking and access) PO 4.2 which advocates for a central pedestrian pathway allowing people to move through the Zone from east to and west and connect with north-south pathways.

The intended additions to the public realm would be likely to contribute to activation, provide pedestrian shelter from inclement weather, allow sunlight access to public spaces across much of the plaza level and would provide a clear sense of address and entry to the building reinforcing the use of the area as a contemporary meeting place in accordance with Zone (Built Form and Character) PO 2.2 (a-d), PO 2.4 – PO 2.5 and PO 2.7 and General Development (Design in Urban Areas) PO 12.7.

Configuration of the public realm would also assist in contributing to positive performance against the outcomes anticipated by Concept Plan 153, and the composition of architectural detail and external materials at lower building levels would assist in reinforcing a human scale, consistent with expectations of (Design in Urban Areas) PO 12.2.

Wind Impacts

The applicant engaged MEL Consultants to undertake environmental wind speed measurements to assess expected wind conditions associated with the development (included in **Attachment 11**) including wind tunnel tests conducted on a 1:400 scale model of the proposed development (without consideration of existing or future street trees) to determine likely environmental wind conditions based on internationally recognised safety and comfort criterion specified by planning schemes operating in Victoria.

For the Proposed Configuration, MEL found that wind conditions for most locations in the streetscapes surrounding the development would satisfy the walking comfort criterion with many locations also passing the standing comfort criterion.

Predicted wind conditions at four test locations in precinct were shown to exceed the walking comfort criterion, but it was noted that the expected conditions would be comparable to existing circumstances. MEL has recommended installation of solid screens adjacent selected outdoor dining areas and the main pedestrian entry at level 1 to mitigate wind conditions, noting that proposed landscaping features and canopy elements (including the 3 metre-wide steel-framed canopy to be included along sections of the development's south and southeast elevations) would be expected to improve wind conditions.

Conclusions of MEL's assessment and the design strategies already applied by the applicant are expected to substantially satisfy Zone (Built Form and Character) PO 2.2(b) and General Development (Environmental) PO 14.1 and PO 14.3 recommendations related to potential for wind impacts within the public realm.

Crime Prevention

The Code's Design in Urban Areas (Safety) policy provisions anticipate development that maximises opportunities for passive surveillance of public realm and incorporates safe and direct access for pedestrians and appropriate lighting.

The applicant contends the proposal would achieve a pedestrian-friendly design in accordance with Code policy expectations by:

- including multiple pedestrian access points and retail tenancies at ground and first floor levels, providing potential for community activity throughout the day;
- lighting infrastructure (to be designed in detail in collaboration with Renewal SA and the Department for Infrastructure and Transport) providing opportunities for passive surveillance after daylight hours; and
- Including built form elements that would provide adequate lines of sight while limiting potential for creation of concealment spots.

The applicant suggests public realm features (including southern and western laneways) would be further reviewed as part of the detailed design stage of the project, in the interests of incorporating additional crime prevention initiatives that able to be incorporated.

The development would be expected to perform adequately against Code policy expectations regarding contributions to the public realm related to maintaining community safety by providing:

- active land uses that would contribute to vitality, safety and activation of the precinct in accordance with Sub Zone (Built Form and Character) PO 2.8; and
- reasonably safe night-time environment along streetscapes, pedestrian and cycle paths and building surrounds by arranging built form and active building frontages that enhance casual surveillance, provide appropriate lighting, clear lines of sight and differentiation in public areas in alignment with Zone (Movement, parking and access) PO 4.4 and General - Design in Urban Areas (Safety) POs 2.1 - 2.5.

The GA recommends further consideration of public realm contributions in terms of the design of laneways including soft and hard landscape elements, canopies proposed over public areas and potential modification of the fence to the north of Parliament House. These items are proposed to be reserved for further assessment, should any Planning Consent be granted for the application.

An appropriately worded condition would also be assigned to any Planning Consent granted to ensure the solid screens recommended by MEL Consultants would be implemented in the development in the interests of achieving acceptable environmental conditions for the elevated plaza level and outdoor dining areas.

Interfaces

The subject land is subject to the Noise and Air Emissions Overlay, which advocates for protection of community health and amenity from adverse noise and air emission impact. It should be noted the land uses proposed in the application are not subject to the achievement of requirements prescribed by the [*Ministerial Building Standard MBS 010 – Construction requirements for the control of external sound*](#). Development in this location should be also designed to manage interfaces with sensitive uses regarding building proportions, massing, overshadowing and instances of glare.

The proposed mix of land uses is not expected to result in substantial impacts on users of nearby development in relation to noise emissions, and the applicant asserts the development would be designed to achieve an indoor environment that would meet or exceed the relevant Australian Standards, Green Star standards, and WELL Building standards for interior noise levels, reverberation, and sound privacy meeting the intent of General (Interface between Land Uses) PO 4.1.

Shadow diagrams prepared by the applicant (included in **Attachment 1B**) indicate the proposed tower would cast shadow over several properties to the south during the winter solstice including student accommodation, tourist accommodation and offices, however the nature of these uses are not highly susceptible to overshadowing impacts of this nature.

The development would introduce a substantial built form to the locality and exert mass and scale impacts on adjacent SHPs, as identified by Heritage SA. These specific impacts, and their detailed assessment against relevant heritage policy outcomes, are addressed in the dedicated 'Heritage Impact' section of this report.

It is nonetheless recognised that within Festival Plaza, the Code's Concept Plan 153 anticipates provision of buildings of a substantial scale. Given this intent for significant built form and the likelihood of a tightly constrained building envelope adjacent to sensitive heritage places, some degree of interface impact is an inherent and the likely consequence for development of this nature.

With respect to potential for overlooking, opportunities for direct views into external balconies or windows of nearby buildings used for residential (or short-stay accommodation) purposes would occur over significant separation distances, consistent with the Code's Design in Urban Areas (Residential Amenity in multi-level buildings) PO 28.1.

As such, anticipated interface impacts likely to result from the development are not considered likely to be unacceptable or unreasonable, relative to expectations of Code policy.

Traffic Impact, Access and Parking

The Code's General (Transport, Access and Parking) policy advocates for efficient operation of the transport system including safe and convenient access to and from the road network for all road users and adequate provision of on-site vehicle parking.

The applicant engaged Wallbridge Gilbert Aztec (WGA) to undertake a review of the existing basement car park and loading dock layout (included as **Attachment 1F**) having regard to the potential operational implications resulting from the proposed development in combination with activities associated with existing development in the precinct, as discussed in the following sections.

Site Access

Development in the Zone should be designed so that vehicle access for servicing, deliveries and pedestrian access would be located to minimise interruptions to the operation of public roads and pedestrian paths, including by vehicle queuing. Vehicle access to the development would occur via the existing basement level car park, which would be modified as shown in **Attachment 1A** to accommodate service areas and vertical transportation.

The use of the basement facility for vehicle access would be capable of accommodating the anticipated operations of the proposed development and would not be expected to unreasonably compromise the availability of car parking available (on a leasehold basis) to operators in the precinct, and would ensure arrangements for access to the proposed development would:

- place priority on pedestrian movement and minimise potential for pedestrian conflict, in accordance with Zone (Movement, Parking and Access) PO 4.3;
- enable vehicle movements that would not be expected to interrupt the operation of and queuing on public roads and pedestrian paths, satisfying the Code's Transport, Access and Parking (Movement Systems) PO 1.4 and (Vehicle Access) PO 3.1;
- ensure loading and unloading activities would be contained within the boundary of the site, consistent with (Vehicle Parking Areas) PO 6.6.

The existing basement facility is also considered to adequately satisfy Code expectations related to appropriate sightlines between pedestrians and motorists, substantially satisfying key access-related outcomes anticipated by Code policy.

Vehicle Parking

The Code's General Development (Transport, Access and Parking) policy Table 2 – Off Street Parking Requirements in Designated Areas specifies that no recommended minimum or maximum car parking rate apply to all classes of development. Modifications to the basement car parking structure would result in retention of 1,354 spaces in total, comprised as follows:

Basement Level	Car Parking Spaces	Disability Access Spaces
1	104	1
2	169	5
3	349	3
4	371	3
5	360	2

The existing car park facility includes a supply of parking spaces reserved for paid public parking, others leased to precinct operators and an allocation of spaces intended for use by tenants of Festival Tower and potential tenants of the second tower, as required. Under the established leasehold terms, precinct operators have the flexibility to place a portion of their leased spaces into (or out of) the public parking 'pool' depending on operational needs and user demands.

While no parking spaces would be allocated to potential future tenants of Tower 2 consistent with Code policy provisions, the applicant has indicated that it intends to continue to maintain approximately 200 unallocated

car parking spaces that could be made available for use by future occupants depending on the needs of existing and potential future tenants.

This is considered appropriate and would be likely to meet the reasonable needs of future building occupants, irrespective of Code policy expectations of no minimum or maximum allocation of off-street car parking for development within a Designated Area.

Based on the areas attributed to the proposed land use mix, Table 3 (Off-Street Bicycle Parking Requirements) of the Transport, Access and Parking module prescribes a theoretical minimum on-site parking rate of 301 bicycle parking spaces. A total of 243 spaces are proposed in basement levels, representing a theoretical shortfall of 58 spaces.

The applicant considers that although the recommended minimum bicycle parking has not been provided, the proposed shortfall would be compensated for by provision of end-of-trip facilities (including showers, lockers and toilets), a proposed wellness centre and gymnasium at basement level 1 which in combination would be likely to assist in encouraging active and sustainable transport options.

While the shortfall represents a numerical deficiency in performance against Code policy recommendations, the development would be very close to all available high-frequency AdelaideMetro public transport options (train, tram and bus services) such that the applicant asserts the proposed provision of on-site bicycle parking should be considered sufficient.

This view is considered acceptable, and accordingly the proposal is expected to adequately satisfy the intent of the Code's Transport, Access and Parking (Bicycle Parking in Designated Areas) PO 9.1 - PO 9.3 which advocate for encouragement of active modes of transport, secure and convenient bicycle storage and provision of end-of-journey facilities for employees.

Traffic Generation

WGA estimates the existing loading dock facilities at basement level two would be required to accommodate an additional 25 deliveries and/or waste collections per day, expected to result in 47 deliveries/collections occurring per day on average.

Having assumed an average 45-minute duration of stay and a loading dock operational period of 8AM-5PM, WGA estimates that the intended loading dock facilities (including one additional loading bay) would be capable of accommodating up to 60 service vehicles per day with each of the five loading bays being capable of accommodating 12 vehicles per day.

During the predicted usage peak period of 9AM-10AM, WGA predicts the loading dock facility would be expected to accommodate up to 13 service vehicles per hour, and that some queuing of loading vehicles would be likely to occur.

WGA recommends coordination of loading and waste collection activities to accommodate the expected loading and waste collection activities likely to be generated by the combined operations of both Festival Tower and the proposed second tower. WGA's recommendations include:

- implementation of a dock management system (eg Veyor Delivery Management Software or similar) to provide a consolidated booking system and allow the building/dock manager to specify which vehicles should access specific loading bays, as required, to distributed service vehicle movements evenly throughout the day;
- coordination of service vehicle movements involving longer durations (eg for building maintenance or fit-out works) to occur outside of peak loading periods to ensure sufficient turnover of loading bays;
- assignment of management staff to ensure compliance with the dock management system and limit the potential of service vehicle overstay; and
- requiring that visitors conduct a site induction prior to accessing the loading dock so that they are aware of operational procedures and expectations.

Provided these recommendations are fully adhered to, WGA considers the proposed loading dock facilities would be expected to be sufficient to accommodate the daily loading and waste collection demands generated by both Festival Tower and the proposed second tower.

WGA suggests the efficient operation of the loading dock is considered to be dependent of the effective management of the dock, particularly during peak periods. Accordingly, an appropriately worded condition would be assigned to any Planning Consent granted to ensure that WGA's recommendations are implemented during the development's operation.

Despite the identified theoretical shortfall in on-site bicycle parking spaces, the overall proposed site access, potential for car parking provision and traffic arrangements are considered acceptable and within the thresholds anticipated by performance outcomes contained in the applicable Zone and General Development policies.

Environmental Factors

The Code's Design in Urban Areas (Environmental) policies encourage development that minimises detrimental micro-climatic impacts on adjacent land and buildings and incorporates design features that would contribute to ecologically sustainable outcomes regarding community health and safety, urban heat, environmental performance and biodiversity. The proposal's performance against Code policy expectations concerning environmental matters is discussed in the following sections.

Stormwater Management

The Hazards (Flooding – Evidence Required) Overlay anticipates development that minimises impacts on people, property, infrastructure and the environment from high flood risk through appropriate design and siting. The Code's Design in Urban Areas policy module provides guidance related to stormwater management and application of water sensitive urban design (WSUD) strategies including use of landscaping and vehicle access design to improve stormwater runoff quality, mitigate peak flows and manage the rate and duration of stormwater discharges from the site.

The applicant engaged Mott MacDonald to prepare a Stormwater Management Report addressing the existing stormwater system, the proposed system and maintenance of stormwater quality. Mott MacDonald indicates drainage infrastructure constructed in previous stages of the Festival Plaza development (comprising under-slab drainage within the basement carparking structure with capped connections at the top of the slab) are connected to existing Council drainage network established along King William Road which discharges to the River Torrens.

The stormwater drainage intended for the for the proposed development area will be designed to comply with the relevant (Plumbing and Drainage) Australian Standard and the Council's City Works Guidelines, while having regard to Australian rainfall and runoff data published in 2019 and Water Sensitive SA's *Urban Design Technical Manual – Greater Adelaide Region* published in December 2010

The Council's Development Controls requires that the minor (below ground pit and pipe) system be designed for a minimum 20-year average recurrence interval with 150mm freeboard to be achieved for areas other than local catchments within Park Lands.

The major drainage system incorporates overland flow routes using roads, hardstand areas and landscaped spaces and is considered against 100-year storm events with priority given to maintaining personal safety by ensuring overland flow rates would not exceed 0.4m² per second.

Proposed drainage infrastructure would include a combination of trench drains, grated surface inlet pits and pipework connected to existing equipment constructed in basement levels one and two, which have been designed to accommodate rainfall anticipated during 100-years events. The locations of downpipe connections are to be resolved during detailed design.

In a Stormwater Management Plan prepared in 2015, Mott MacDonald concluded there was no requirement for stormwater detention for the collective development including the site of the current proposal as it would have an equivalent impervious area to the existing site and the predicted amount of runoff would likely remain unchanged. Further, Mott MacDonald assumes that stormwater quality treatment is not needed for runoff to be collected from the proposed tower rooftop or from plaza areas to be constructed around the proposed building.

In its response to Council comments the applicant reiterates that stormwater reuse/retention system has been dealt with at a precinct level and was delivered as part of the previous construction of Festival Tower, the plaza level and basement car park, and that the recommendation included in the Hazards (Flooding – Evidence Required) Overlay (Flood Resilience) DTS/DPF for a finished floor level at least 300mm above the highest point of the top of kerb of the primary street is not required as the minor drainage system and existing stormwater pipes meet the required capacity and freeboard standards for both minor and major storm events.

The applicant has committed to coordinate with the Council during any future stages of detailed design to ensure appropriate connections with Council infrastructure are achieved. Based on its response to Council's referral response, including a copy of the Stormwater Management Plan prepared by Mott MacDonald in 2015 for the initial stages of the plaza redevelopment, the proposed stormwater management arrangements are considered acceptable and expected to satisfy the Overlay's (Flood Resilience) PO 1.1.

Waste Collection

The Code's General Development (Design in Urban Areas) policy recommends that development address negative visual impact of outdoor storage, waste management, loading and service areas. The applicant engaged Rawtec to prepare a waste management plan in support of the application for Planning Consent including a high-level proposal for a waste management system and a preliminary design demonstrating how collection activity would be managed.

Rawtec's management plan had regard to the South Australian Environment Protection (Waste to Resources) Policy 2010 (version 1.6.2019), the South Australian Better Practice Guide – Waste Management in Residential or Mixed Use Developments prepared in 2014 by Green Industries SA and policy contained in the Planning and Design Code.

Rawtec prepared estimates of waste generation based on analysis of the waste and recycling produced by the existing tower (at 70 percent occupation), to predict waste generation metrics and volumes for both the existing tower and proposed second tower at full occupation. Rawtec predicts a total quantity of waste produced by both tower developments to be in the order of 300,500 litres (all waste streams combined) per week.

Rawtec considers the development require 97 bins (46 for Festival Tower and 49 for the proposed second tower) requiring 26 collections per week for each tower development. Bins and associated signage must meet the relevant Australian Standards, and Rawtec has provided indicative layouts intended for positioning bins (of varying dimensions and quantities) within envisaged waste rooms at basement level 2 to service each tower at full occupation.

Standing areas for waste collection vehicles (either small or medium rigid vehicles) adjacent the storage rooms have also been nominated. Waste would be transferred to corresponding storage rooms by cleaning staff and/or building tenants, and be positioned for collection by the driver/s of waste collection vehicles before being returned to storage areas.

Facility management would coordinate waste and recycling collections, analysis of relevant data on waste generation and arrangement of equitable invoicing for costs incurred by future building occupants. Collections would occur through the engagement of a private contractor using a rear-lift vehicle for routine tasks and separate on-call collection for infrequent or irregular waste streams.

The Council recognises that waste collection by private waste contractor would occur, but that no confirmation has been provided indicating that collection can occur from the proposed servicing location. The applicant intends to confirm the private waste contractor as part of a future detail design stage of the project, anticipating that the existing private waste contractor for Festival Tower would also be engaged to collect waste generated by the second tower development.

Overall the proposed waste management arrangements are expected to minimise the negative visual impact of waste storage and collection areas, be readily accessible via established roadways in the basement level carpark for collection purposes and would accommodate bin wash down areas required to suit best practice, substantially satisfying policy expectations and outcomes relevant to waste management in the Code's Design in Urban Areas policy module.

Energy Efficiency

The applicant engaged Dsquared to prepare a Sustainability Strategy Report summarising Ecologically Sustainable Development (ESD) initiatives to be applied to the development to reduce its environmental impact during construction and in operation. The sustainability performance outcomes targeted for the proposal by the applicant are summarised (but not limited to) the points below:

- minimum five-star Green Star certification using the Green Building Council of Australia's Buildings v1 tool which defines five-star performance as 'Australian Excellence in Sustainable Buildings';
- six-star National Australian Built Environment Rating System (NABERS) energy rating which defines a six-star rating as 'Market Leading' in terms of managing energy use and greenhouse gas emissions;
- fully electrified building qualifying for carbon neutral readiness by achieving a zero net energy carbon outcome, embodied carbon reduction of at least 20 percent and water and refrigerant emissions offset to zero via the purchase of carbon offset credits in accordance with the Green Building Council of Australia's Climate Positive Pathway;
- five-star NABERS water rating which defines such a rating as 'Excellence Performance' in terms of managing water use;
- gold certification from the International WELL Building Institute intended to provide benefits for building occupants regarding various internal amenity and health and wellbeing attributes in accordance with the WELL Building Standard v2 tool;
- a thermally broken, double-glazed curtain wall facade system designed to effectively balance energy performance, thermal performance and access to natural light expected to exceed expectations of the Green Star Buildings v1 tool and the WELL Building Standard v2 tool;
- incorporation of automated systems for climate control and energy efficient light fittings linked to a central energy management system including metering (and sub-metering) of future tenancies;
- provision of a rooftop solar photovoltaic array with 130kW capacity;
- use of recycled water obtained via the Glenelg to Adelaide Pipeline system for toilet flushing and landscape irrigation, and use of water efficient fixtures and fittings;
- provision of end-of-trip facilities available to all building occupants including secure bicycle storage, showers, and lockers to encourage sustainable transport options;
- a minimum of 90 percent diversion of construction waste to landfill;
- implementation of an Environmental Management System and site-specific management plan to minimise construction impacts

The applicant is reportedly committed to further consideration of risks highlighted in the Department for Environment and Water's 2022 publication "*Guide to climate projections for risk assessment and planning South Australia*" during detailed design, focusing on potential for increases in temperature and storm intensity and reduction in rainfall.

Based on the initiatives summarised above, the development would be expected to appropriately satisfy the Code's performance outcomes related to energy efficiency including Design in Urban Areas (Environmental Performance) PO 4.1 and PO 4.3 and (Environmental) PO 14.2. In combination these outcomes would be commendable and are worthy of support.

CONCLUSION

Upon careful consideration of all relevant factors, the proposal's overall performance against Code policy is considered to be acceptable, as its specific challenges are measured against its broader strategic contributions. In summary, the proposal would perform acceptably against Code policy expectations by including:

- a land-use mix compatible with uses established in the locality and likely to assist in increasing activation of the plaza and visitation to nearby facilities;
- a proposed building height that would remain within the maximum height tolerance recommended by Concept Plan 153 – City Riverbank – Festival Plaza;

- an appropriately high level of design quality expected to achieve commendable levels of architectural expression, opportunities for public activity, pedestrian accessibility and acknowledgement of historic and cultural values attributed to the locality;
- considered contributions to the public realm expected to provide pedestrian shelter, legibility, reinforce the precinct as a meeting place and allow for convenient pedestrian movement through the locality;
- interface conditions which would not be unacceptable or unreasonable relative to Code policy expectations;
- acceptable arrangements for site access, potential for car parking provision and traffic arrangements;
- appropriate arrangements for management of stormwater and waste; and
- a commitment to implementation of notable ecologically sustainable development initiatives.

While the assessment of heritage impacts highlights unresolved issues and uncertainties regarding the success of the proposal's performance against Heritage Overlay policies, particularly concerning the nature of identified impacts and the content of directed conditions, it is considered reasonable to attribute appropriate weight to the satisfaction of recommended heritage outcomes against the proposal's strong performance in delivering key strategic outcomes for the broader Riverbank Precinct.

The anticipated shortfall in bicycle parking would be adequately compensated by the availability of high frequency public transport options in this central city location and development of this nature is not considered inappropriate on the subject land, as it would contribute to the ongoing redevelopment of a prominent destination of Adelaide's CBD and sufficiently address policy expectations of the Code's Concept Plan 153, Entertainment Sub Zone and City Riverbank Zone.

The application would appropriately respond to key objectives and performance outcomes encouraged by General Development policies, and unresolved technical matters are expected to be addressed through the assignment of a reserve matter and conditions of any Planning Consent granted, which the applicant is reportedly prepared to address by providing further information and preparing physical prototypes of key building features.

RECOMMENDATION

On balance, it is recommended that the SCAP resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
2. Development Application Number 25008091, by Walker Riverside (Retail) Pty Ltd is granted Planning Consent subject to the following Reserved Matters and Conditions:

RESERVE MATTER

Pursuant to section 102 (3) of the Planning, Development and Infrastructure Act of 2016, the following matter(s) shall be reserved for further assessment prior to the granting of Development Approval:

Final architectural detailing, external material and landscaping selections (supported by provision of physical material samples and evidence of physical prototypes) prepared in consultation with the Government Architect, with appropriate consideration given to matters including:

- detailing of the three proposed façade types (namely diagrid pleats, vertical pleats and the tower secondary façade);
- external materials for each component of the development (including soft and hard landscape elements intended within the public realm),
- the design and materiality of canopies proposed over public areas, and the wind barriers recommended by MEL Consultants;
- potential modification of the fence to the north of Parliament House;
- specification of vegetation species and anticipated plant height/s and canopy coverage (as applicable) at maturity;

- paving treatments, public realm furniture and lighting infrastructure; and
- detailed design of wayfinding signage.

CONDITIONS

Planning Consent

Condition 1

The development authorisation granted herein shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the State Planning Commission, except where varied by conditions below (if any).

Condition 2

The use of loading bays within the basement loading dock shall be coordinated to through the implementation of appropriate scheduling and traffic control measures in accordance with recommendations made in the Loading and Car Parking Assessment Report prepared by Wallbridge Gilbert Aztec (reference WGA232086-RP-TT-0002_B dated 17 March 2025) to reasonably avoid potential for vehicle queuing occurring during peak usage periods. Such measures shall be made operational prior to the occupation or use of the development and maintained at all times to the satisfaction of the State Planning Commission.

Condition 3

Solid screens recommended in the Environmental Wind Speed Measurement Report prepared by MEL Consultants (reference 24130A-WT-ENV00 dated 19 March 2025) shall be implemented in the development to ensure acceptable environmental conditions would be achieved for the elevated plaza level and outdoor dining areas. Such measures shall be made operational prior to the occupation or use of the development and maintained at all times to the satisfaction of the State Planning Commission.

Condition 4

All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2018 (Part 3) to ensure that stormwater does not adversely affect any building, adjoining property, or public road.

Conditions imposed by Minister responsible for the administration of the Heritage Places Act 1993 under Section 122 of the Act

Condition 5

Confirmation of final height clearance and further development of proposed cantilever setback and design detailing to south façade, overhanging Parliament Lane, to the satisfaction of Heritage South Australia, of the Department for Environment and Water. Final profile of cantilever to be developed further to improve extent of sky view and reduce building bulk/dominance over Parliament House façade will manage adverse impact on the setting of the adjacent State Heritage Place, Parliament House.

Condition 6

Provision of south façade architectural detailing and façade materials selection, from plaza level to the soffit of the cantilevered floor slab, to be resolved, to the satisfaction of Heritage South Australia, of the Department for Environment and Water. Documentation to date is not detailed in resolution and may have an adverse impact on the setting of the adjacent State Heritage Place, Parliament House.

Condition 7

Design resolution of elevated podium balustrading and 'metal wind canopy' to be resolved, to the satisfaction of Heritage South Australia, of the Department for Environment and Water. Documentation to date is not detailed in resolution and may have an adverse impact on the setting of the adjacent State Heritage Place, Parliament House.

Condition 8

Design development of east and north façade architectural detailing and façade materials selection, from plaza level to diagrid and vertical pleated glazing panels, to be resolved, to the satisfaction of Heritage South

Australia, of the Department for Environment and Water. Final façade detailing and materials selections to be developed further to mitigate adverse impact on the setting of the adjacent State Heritage Place, Parliament House.

Condition 9

Design of exposed structural columns to proposed building, located adjacent the Parliament House balcony to be resolved, to the satisfaction of Heritage South Australia, of the Department for Environment and Water. Final column profile (tapered, or rectilinear) and material finish to be developed further to mitigate adverse impact on the setting of the adjacent State Heritage Place, Parliament House.

ADVISORY NOTES

Planning Consent

Advisory Note 1

The approved development must be substantially commenced within 24 months of the date of Development Approval, and completed within 3 years from the operative date of the approval, unless this period has been extended by the relevant authority.

Advisory Note 2

This consent or approval will lapse at the expiration of 24 months from its operative date (unless this period has been extended by the Relevant Authority).

Advisory Note 3

No works, including site works can commence until a Development Approval has been granted.

Advisory Note 4

The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.

Advisory Note 5

All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.

Advisory Note 6

The applicant is reminded of their obligations under the *Local Nuisance and Litter Control Act 2016* and the *Environment Protection Act 1993*, in regard to the appropriate management of environmental impacts and matters of local nuisance. For further information about appropriate management of construction site, please contact the relevant Local Government Authority.

Advisory Note 7

Further consultation for any stormwater drainage connection/s into the City of Adelaide (Council)'s existing drainage system would be required during any future detail design stage, requiring appropriate coordination and consultation with Council representatives.

Advisory Notes imposed by (Adelaide Airport) The Secretary of the relevant Commonwealth Department responsible for administering the Airports Act 1996 under Section 122 of the Act

Advisory Note 8

The application has been assessed and the development with a building height of RL 196.950 metres Australian Height Datum (AHD) the application **will** penetrate the Adelaide Airport Obstacle Limitation surfaces (OLS) which is protected airspace for aircraft operations.

The application will require approval in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996 with final approval by the Department of Infrastructure, Transport, Regional Development, Communication and the Arts.

The development will infringe the OLS by approximately 85 metres.

Crane operations associated with construction require approval in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996.

Advisory Notes imposed by Minister responsible for the administration of the Heritage Places Act 1993 under Section 122 of the Act

Advisory Note 9

Please note the following requirements of the *Aboriginal Heritage Act 1988*.

(a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) is to be notified under Section 20 of the *Aboriginal Heritage Act 1988*.

Advisory Note 10

Please note the following requirements of the *Heritage Places Act 1993*.

(a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity must cease and the SA Heritage Council must be notified.

(b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works. For further information, contact the Department for Environment and Water.