

“I didn’t know about this!” Festival Plaza “Tower 2” Community Engagement Process

This paper addresses the community engagement process for the Festival Plaza Code Amendment that re-zoned Festival Plaza 2024. It does not go into the entire background (going back to 2012) of how Walker Corporation gained the rights to build a car park, 29-storey tower and planning approval for a three-storey building.

In 2024 a Code Amendment was proposed to replace the proposed three-storey building with a 38-storey skyscraper on public land next to Parliament House ([see Washington 2024 InDaily](#)). The Code Amendment is a legal requirement to re-zone the land to allow for a second tower on the plaza, Adelaide’s centre of culture and just nine metres away from Parliament House.

The structure will lay a permanent shadow over North Terrace in winter and create a permanent wind tunnel on the Plaza.

So many young people I met had no idea this was happening and didn’t know they could have had a say, me included. There may be more to this story, but my desk-top research, emails and phone calls to public servants has uncovered the following information on how consultation on a skyscraper on public land sailed through unnoticed.

There is a [legal requirement](#) for Code Amendments to follow the State Planning Commission’s [Community Engagement Charter](#). There are five mandatory principles that need to be followed when consulting on Code Amendments. The principles are “engagement is genuine, inclusive and respectful, fit for purpose, informed and transparent and engagement processes are reviewed and improved”¹.

This paper argues that those principles were not followed.

The announcement

On 9 April 2024 the SA Government announced its intention to change zoning laws to allow for another skyscraper in Festival Plaza via a media release. The release allowed readers to believe it was a done deal, as there was no mention of the legal requirement for public consultation on the Code Amendment. Of note, the [media release](#) included a quote from a Walker Corporation executive, pre-empting the code amendment process.

The Festival Plaza Code Amendment

From 12 Sept to 24 Oct 2024 the [Code Amendment](#) was released for a six week public consultation. As you can see from the full [Engagement Report](#) dated 4 Dec 2024 it appears that consultation was largely limited to those in the planning ecosystem. The engagement activities listed in a table from page five shows that

¹ 2025 [Community Engagement Charter](#), State Planning Commission, pg 8.

consultation was limited to people who subscribe to PlanSA newsletters, follow their social media or are on a stakeholder mailing list.

Alarminglly, on page nine under media coverage, it states that “A draft media release was prepared to promote the launch of consultation but was not issued. Media notes were provided to the Minister’s office”. Instead, it appears the Government relied on the 9 April media release, made five months previously, which said nothing about consultation or a code amendment. This was despite the Code Amendment’s [consultation plan](#) identifying statewide and local media to receive information and provide stories on “potential development opportunities and economic impacts, impacts on building heights, amenity, parklands heritage values, heritage buildings and public space in Festival Plaza and interconnections across the broader precinct”. **Reading the final engagement report, it appears this did not happen.**

One radio interview was held on ABC radio on 23 October 2024, the **day before consultation closed**. The only other outreach outside the planning ecosystem appears to be one Facebook boost costing \$100. **And that post had an illustration that did not include a tower nor did the headline mention a tower or skyscraper** (see engagement report).

Language was misleading. The term “Code Amendment” sounds like a minor alteration – not the massive rezoning of public land in the centre of our cultural precinct.

Because so very few citizens knew about the Code Amendment process and its implications, only 87 submissions were received and of those 71% were opposed. There was one letter to the Kaura Yerta Aboriginal Corporation and a meeting with them was not held.

More evidence that this limited strategy worked for the developer: There was a total of only 108 'engagement participants'. Only 14 people attended an information session. Only three email queries were received. Only 46 completed the survey,

There was no meaningful outreach to the general public including young people, who will be mostly affected as their cultural precinct will be blighted by a corporate office tower and wind tunnels.

Interestingly, in a letter from the Delegate of the State Planning Commission to the Environment, Resources and Development Committee dated 3 February 2025, she wrote **“The Minister resolved to not seek advice on the Code Amendment from the State Planning Commission under section 73(10)(a) of the Act as the matter was not considered to be significant”.**²

Development Application to State Planning Commission

² Link to the 2025 letter to ERD Committee from S Smith:

<https://www.dropbox.com/scl/fo/i9i5ul6980sun1jde2k3s/AGaogIODQwhZBL3pAOmWA90?rlkey=51u57ffb4a6vbug1q90dzec0&st=51jww617&dl=0>

On **9 January 2025** the Minister for Planning Approved the Code Amendment, and it was adopted for the Planning and Design Code on 30 January.

On **12 March 2025** the Code Amendment went to the [ERDC committee of Parliament](#) in a **private** hearing. I am not clear what the purpose of this was, but it concluded with a letter to the Minister for Planning stating “the Committee has resolved that it does not object to the Code Amendment”

The committee’s Parliamentary Officer provided me with this information in an email on 19 May: *“The ERDC meeting on 12 March was deliberative only and deliberations of the committee are conducted confidentially so meetings are not open to the public, not recorded by Hansard and not promoted to the public. Minutes remain confidential. We received some feedback re the Festival Plaza CA yes. These documents were provided to members to assist them with their deliberations. They are considered confidential correspondence and are not made public. We don’t consider feedback on code amendments to be submissions in the same as a committee inquiry which are generally made public”.*

Unlike the PlanSA website, the ERDC website did have the full Engagement Report for download, but members of our advocacy were not able to download the document. The very helpful officer kindly sent it to me in an email explaining, “The Parliament website isn’t very good and it might not work properly on some devices.”

On **20 March 2025** The applicants (Walker Riverside (Retail) Pty Ltd) made a planning application to the State Planning Commission ([Application ID 25008091](#)). The State Commission Assessment Panel will consider the application, but no hearing date has yet been set as of the day of writing. It is telling that **members of the public are excluded from making submissions or speaking at the hearing.**

As confirmed by an email from a Senior Planning Officer from the Department for Housing and Urban Development on 12 May, “the application is not subject to formal public notification for assessment purposes in accordance with Item 2 of the Planning and Design Code’s City Riverbank Zone Table 5 – Procedural Matters – Notification, which excludes development from public notification in this location ...”

He goes on to say, “The site of the proposed development is not adjacent to established residential uses in a neighbourhood-type zone, and any demolition work needed to accommodate the development in question would be limited to building fabric having no heritage value as Adelaide’s Festival Plaza has been rebuilt over recent years and is not considered to be a legitimate part of the original heritage building fabric associated with the Adelaide Festival Centre.”

Members of the public may be allowed to observe the meeting but will not be allowed to speak or ask questions. On Fridays the [meeting schedule](#) of the SCAP is updated, so members of the public have to log in weekly as no notifications are sent. If people want to attend, “A request to attend any future meeting (once scheduled) would need to be submitted to DHUD.SCAPSecretary@sa.gov.au to arrange access arrangements needed to enter the premises used for this purpose (Level 9, 83 Pirie Street, Adelaide).”

This is looking like State Capture. In 2022 The Australian Democracy Network published a paper ‘[Confronting State Capture](#)’. It outlines how powerful interests

interfere with decision-making by gaining significant access to politicians and so gradually assume a degree of control over the rule-making process. The World Bank defines state capture as “the exercise of power by private actors to shape policies or services in their narrow interest”. It’s real, it’s happening in Australia, and it’s frightening.

South Australians expect to be electing people who will represent them and their interests, but this report demonstrates that corporations (including property developers) are undermining democracy to advance their interests, regardless of the election outcome. For example, direct and formal contact between industry and policymakers is only partially regulated, with specialist lobbying firms, PR consultants, business forums, and peak bodies undertaking informal lobbying.

The whole point of good community engagement, as per the Government’s own Community Engagement Charter, is to improve decision making and avoid the bias bubble.

Perhaps our politicians can ask themselves one question when approached for a meeting: is this person being paid to see me, or not?

Dr Christel L Mex
Councillor, City of Norwood, Payneham & St Peters
Views are my own
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christelmex@gmail.com