



CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE

Minutes

for the meeting on

Tuesday, 4 March 2025

in the Colonel Light Room, Adelaide Town Hall

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Our Adelaide.
Bold.
Aspirational.
Innovative.

Present – The Right Honourable the Lord Mayor, Dr Jane Lomax-Smith

Councillor Noon (Chair)

Councillor Martin (Deputy Chair)

Deputy Lord Mayor, Councillor Elliott and Councillors Abrahamzadeh, Couros, Dr Siebentritt and Snape

1 Acknowledgement of Country

The Chair stated:

‘Council acknowledges that we are meeting on traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.’

2 Apologies and Leave of Absence

Apologies:

Councillors Giles, Hou and Li

Absent:

Councillor Davis

3 Confirmation of Minutes - 4/2/2025

Moved by Councillor Siebentritt,
Seconded by Councillor Snape -

That the Minutes of the meeting of the City Planning, Development and Business Affairs held on 4 February 2025, be taken as read and be confirmed as an accurate record of proceedings.

Carried

4 Declaration of Conflict of Interest

Councillor Couros declared a general conflict of interest in Item 7.1 [Amendment to Acquisition & Disposal of Land & Assets Policy], pursuant to Section 74 of the *Local Government Act 1999* (SA) as she owns businesses in the area, but as one of a class, that she would stay in the room, participate in the debate and vote on the item.

Councillor Abrahamzadeh declared a general conflict of interest in Item 7.2 [Council Assessment Panel - Annual Report 2024], pursuant to Section 74 of the *Local Government Act 1999* (SA) as he is a Member of the Council Assessment Panel, but that he would stay in the room, participate in the debate and vote on the item.

Councillor Abrahamzadeh declared a general conflict of interest in Item 7.4 [Historic Area Statement Update Code Amendment for Endorsement], pursuant to Section 74 of the *Local Government Act 1999* (SA) as his workplace Housing Choices SA, manages properties within and in close proximity of the historic area, and out of an abundance of caution, would leave the room for the item.

The Lord Mayor declared a general conflict of interest in Item 10.1 [New Historic Areas in City Living Zone Code Amendment], pursuant to Section 74 of the *Local Government Act 1999* (SA) as she owns property in the area, but as one of a class, that she would stay in the room, participate in the debate and vote on the item.

Councillor Couros declared a general conflict of interest in Item 10.1 [New Historic Areas in City Living Zone Code Amendment], pursuant to Section 74 of the *Local Government Act 1999* (SA) as she owns property in the area, but as one of a class, that she would stay in the room, participate in the debate and vote on the item.

5 Deputations

5.1 Deputation - James Hilditch - Historic Area Statement Update - Code Amendment

Mr James Hilditch addressed the meeting:

- In relation to the inclusion of 66 Mills Terrace, North Adelaide as a representative place in the Historic Area Statement Update - Code Amendment.

The Chair thanked Mr Hilditch for his deputation and response to questions.

5.2 Deputation - Michele Slatter - Historic Area Statement Update - Code Amendment

Ms Michele Slatter addressed the meeting:

- In relation to the inclusion of 47 Stanley Street, North Adelaide as a representative place in the Historic Area Statement Update - Code Amendment.

The Chair thanked Ms Slatter for her deputation and response to questions.

5.3 Deputation - David Billington SC - Historic Area Statement Update - Code Amendment

Mr David Billington SC addressed the meeting:

- In relation to the inclusion of 424 Gilles Street, Adelaide as a representative place and 'inter-war' period houses in the Historic Area Statement Update - Code Amendment.

The Chair thanked Mr Billington SC for his deputation.

It was then –

Moved by Councillor Martin,
Seconded by Councillor Abrahamzadeh –

That the PowerPoint presentation provided by Mr Billington SC be included in the minutes of the meeting.

Carried

The PowerPoint presentation can be found at the conclusion of the minutes of the meeting for information.

6 Workshops

Nil

7 Reports for Recommendation to Council

The Chair sought leave of the meeting to bring forward Item 7.4 - Historic Area Statement Update Code Amendment for Endorsement for consideration.

Leave was granted

7.4 Historic Area Statement Update Code Amendment for Endorsement

Having declared a general conflict of interest, Councillor Abrahamzadeh left the Colonel Light Room at 8.04 pm.

Discussion ensued

It was then –

Moved by Councillor Martin,
Seconded by Councillor Couros -

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Defers consideration of the matter pending further advice from the Administration in relation to the submissions from the deputations received at the City Planning, Development and Business Affairs Committee on 4 March 2025.

Discussion continued

The motion was then put and carried

The Chair sought leave of the meeting to bring forward for consideration Item 10.1 - New Historic Areas in City Living Zone Code Amendment. Leave was not granted.

Discussion ensued, during which Councillor Abrahamzadeh re-entered the Colonel Light Room at 8.21 pm. The Chair then sought leave of the meeting to bring forward for consideration Item 7.3 - Catalyst Site Policy Review - Finalisation of Principles.

Leave was granted to bring forward Item 7.3

The Chair then sought leave of the meeting to continue the meeting past 8.30 pm.

Leave was granted

7.3 Catalyst Site Policy Review - Finalisation of Principles

Discussion ensued

Undertaking - Catalyst Site Policy Review - Finalisation of Principles

In response to a query from Councillor Martin, an undertaking was given to provide amended wording at part 1.5 of the motion, for the next Council meeting, regarding appeal rights, with the intention to make appeal rights more general rather than just in relation to developments which exceed the maximum height identified in the Planning and Design Code.

It was then –

Moved by Councillor Siebentritt,
Seconded by Councillor Martin -

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Endorses the following principles for the purposes of collaborating with the State Government to progress a review of catalyst site policy:
 - 1.1. Catalyst sites should not be permitted within or adjacent to residential areas, including from main streets or business zones within the wider residential locality.
 - 1.2. Policies that enable amalgamation of sites are supported where it can be demonstrated that site permeability and protection of fine-grained streetscape character and amenity can be achieved.
 - 1.3. Development of a greater height and scale in appropriate locations, informed by the City Plan, is supported, subject to clear policy guidance that provides greater certainty to all stakeholders about the development potential in these locations.
 - 1.4. The Expert Panel's recommendations regarding catalyst site policy be addressed:
 - 1.4.1. The size and purpose of catalyst sites should be reviewed.
 - 1.4.2. Applying additional incentive policy through both planning and non-planning mechanisms to encourage the creation of catalyst sites.
 - 1.4.3. Including additional design parameters and/or expectations to ensure catalyst sites satisfactorily transition into the urban landscape.
 - 1.4.4. Requiring the provision of a structure plan for catalyst sites to bring the community into the conversation at the policy level before approvals are sought and obtained.
 - 1.4.5. Requiring an outline consent to be obtained for catalyst sites (acknowledging the need for a Practice Direction to be prepared in accordance with section 120 of the *Planning, Development and Infrastructure Act, 2016* (SA)) to give both the applicant and community certainty.
 - 1.4.6. Preparing additional guidance material pertaining to catalyst sites and what is and is not capable of being deemed catalytic.
 - 1.5. Developments that exceed the maximum height identified in the Planning and Design Code should attract appeal rights.
2. Authorises the Chief Executive Officer, or delegate, to write to the State Planning Commission for the purposes of communicating the principles for collaborating with the State Government to progress a

review of catalyst site policy in the State Government's Planning and Design Code.

Discussion continued

The motion was then put and carried

The Chair sought leave of the meeting to bring forward Item 10.1 - New Historic Areas in City Living Zone Code Amendment.

Leave was not granted, therefore the meeting referred to the original agenda order for consideration of the remaining items.

7.1 Amendment to Acquisition & Disposal of Land & Assets Policy

Moved by Lord Mayor

Seconded by Deputy Lord Mayor, Councillor Elliott -

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Adopts the proposed Acquisition & Disposal of Land & Assets Policy at Attachment A to Item 7.1 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 March 2025, subject to the following inclusions:

Under 3.3 new dot point;

- Assessment of lands and / or buildings for disposal should consider current and future community value and uses.

Under 4.2 new dot point;

- Assessment of lands and / or buildings for acquisition should consider future community value and uses.

Discussion ensued

The motion was then put and carried

7.2 Council Assessment Panel - Annual Report 2024

Having previously declared a general conflict of interest, Councillor Abrahamzadeh reaffirmed his general conflict of interest in the item.

It was then –

Moved by Lord Mayor,

Seconded by Councillor Couros -

THAT THE CITY PLANNING, DEVELOPMENT AND BUSINESS AFFAIRS COMMITTEE RECOMMENDS TO COUNCIL

THAT COUNCIL

1. Notes the Council Assessment Panel Annual Report 2024 contained in Attachment A to Item 7.2 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 5 March 2024.

Discussion ensued

The motion was then put and carried unanimously

8 Reports for Noting

Nil

9 Exclusion of the Public

Moved by Councillor Abrahamzadeh,

Seconded by Councillor Siebentritt -

THAT THE CITY COMMUNITY SERVICES AND CULTURE COMMITTEE:

1. Having taken into account the relevant consideration contained in section 90(3) (m) and section 90(2) & (7) of the *Local Government Act 1999* (SA), this meeting of the City Community Services and Culture Committee dated 4 March 2025 resolves that it is necessary and appropriate to act in a meeting closed

to the public as the consideration of Item 10.1 [New Historic Areas in City Living Zone Code Amendment] listed on the Agenda in a meeting open to the public would on balance be contrary to the public interest.

Grounds and Basis

This Item is confidential as the material presented contains information regarding potential new Historic Areas and Representative Buildings to be included in a future draft Code Amendment that is not appropriate to be made public prior to the commencement of public engagement, due to the identification of individual properties in the draft Code Amendment.

The disclosure of information in this report could reasonably breach confidentiality of information prior to public engagement of the draft Code Amendment.

Public Interest

The Committee is satisfied that the principle that the meeting be conducted in a place open to the public has been outweighed in the circumstances because the disclosure of this information will release the draft Code Amendment prior to Council endorsement of the policy approach and public engagement plan.

2. Pursuant to section 90(2) of the *Local Government Act 1999 (SA)* (the Act), this meeting of the City Community Services and Culture Committee dated 4 March 2025 orders that the public (with the exception of members of Corporation staff and any person permitted to remain) be excluded from this meeting to enable this meeting to receive, discuss or consider in confidence Item 10.1 [New Historic Areas in City Living Zone Code Amendment] listed in the Agenda, on the grounds that such item of business, contains information and matters of a kind referred to in section 90(3) (m) of the Act.

Carried

Members of the public and Corporation staff present not directly involved with Item 10.1, left the Colonel Light Room at 8.57 pm.

10 Confidential Workshops

10.1 New Historic Areas in City Living Zone Code Amendment

The meeting re-opened to the public at 9.18 pm.

Item 10.1 – New Historic Areas in City Living Zone Code Amendment

Confidentiality Order

Authorises that in accordance with section 97(1) and (9) of the *Local Government Act 1999* (SA) and because Item 10.1 [New Historic Areas in City Living Zone Code Amendment] listed on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 March 2025 was received, discussed and considered in confidence pursuant to Section 90(3) (m) of the *Local Government Act 1999* (SA), this meeting of the City Planning, Development and Business Affairs Committee do order that:

1. The resolution, the report, the discussion and any other associated information submitted to this meeting and the Minutes of this meeting in relation to the matter remain confidential and not available for public inspection until 31 December 2025.
2. The confidentiality of the matter be reviewed in December 2024.
3. The Chief Executive Officer be delegated the authority to review and revoke all or part of the order herein and directed to present a report containing the Item for which the confidentiality order has been revoked.

Closure

The meeting closed at 9.18 pm

Councillor Noon

City Planning, Development and Business Affairs Committee Chair

Documents Attached:

Item 5.3 - Deputation - David Billington SC - Historic Area Statement Update - Code Amendment - PowerPoint Slides

City Planning, Development and
Business Affairs Committee
DEPUTATION – Tuesday 4 March 2025

Historic Area Statement Code Amendment

DAVID BILLINGTON SC

Barrister



HOWARD
ZELLING
CHAMBERS

Minute Item 14

What are we asking for

- Remove Inter-War period references from the Adel 14 HAS
- In any event, do not include 424 Gilles St as a representative building

Inter-War Period (1920-1942)

- No mention in previous Development Plan for this area [checked 2014-2021]
- Adelaide Historic (Conservation Zone):

The Zone's historic character is established by the many **cohesive groups of nineteenth century buildings** many of which are individually of historic significance

- No mention in draft P&D Code
- Historic Area Overlay HAS (Adel 14):

Era and themes

Cohesive groups of nineteenth century buildings many of which are individually of historic significance

Inter-War Period (1920-1942)

- Slipped into the P&D Code after public consultation without any supporting study, materials or analysis, HAS (Adel 14) now includes:

Eras, themes and context

Cultural and historic evidence of the creation of the colony and the consolidation of early settlement in Adelaide.

1837 to 1901 - Victorian period.

1901 to 1920s - Edwardian period.

1920's to 1942 - Inter-war period.

Broad range of residential stock, from nearby grand villas / mansions on South and East Terraces overlooking the Park Lands (1870-1880) to humble cottages lining the smaller street.

Inter-War Period (1920-1942)

Architectural styles, detailing and built form features

Gilles Street

- Intimate attached and detached cottages with consistent fenestration, pitched roof profiles and verandah styles.
- Large detached residences set in landscaped ground east of John Street.

Materials

Inter-War Houses

- Australian-made Wunderlich roof tiles.
- Timber joinery with some use of metal framed windows.
- Typically low masonry fencing, built from materials matching the main building.

Code Amendment

Architectural styles, detailing and built form features

- Second storey development located within the roof space or to the rear of the dwelling behind the ridgeline of the roof and not readily visible from the street.

Inter-War Houses (1920s to 1942)

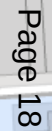
- ... new styles, particularly the Bungalow (based on the Californian version) and Tudor Revival styles. Bungalows incorporated a broad spreading roof and verandah with typical masonry columns ...
- roof tiles were Australian-made Wunderlich tiles of the same profile as earlier Marseilles tiles.
- Tudor Revival displays steeply pitched roofs with half timber gable ends and variations of verandah porch treatment.
- Other styles [included] Spanish Mission ('Mediterranean') and Art Deco/Moderne, although not as common.
- timber joinery remained characteristic ..., but there was some use of metal framed windows.







war bu

A red circle with five dots inside, highlighting a specific area on the map. The dots are arranged vertically, with the top dot at the top of the circle and the bottom dot at the bottom. The circle is centered over a portion of the map, specifically over a road labeled 'Allen Pl' and a building with a blue roof.

Code Amendment

Architectural styles, detailing and built form features [cont]

Gilles Street

- Victorian, Edwardian and Inter-war periods.
- Exhibits a collection of architectural styles including but not limited to Bungalow, Gothic and Queen Anne influences, Victorian cottages, villas and terraces with some Gothic influences.
- Consistent pitched roof profiles, verandahs and fenestration.

Building height

- buildings are single storey except ... [424 Gilles **not** listed]
- Second level additions not protruding above the roof line apparent from the primary street.

Code Amendment

Materials

- Buildings utilise materials relating to their architectural style as described in the various sections of this Statement.

Fencing (*Inter-War Houses*)

- Fencing was typically low masonry walls, built from materials matching the main building.

In summary, the Amendment takes the old Sch 2 text and applies it uncritically to Adel 14 without justification.

Staff:

There is merit to this argument, however, the interwar period is represented in the existing Statement for this area ...

424 Gilles

Representative buildings = display what is valued
Explanatory description:

Built 1925

Rejected as LHP

Mark Butcher, Conservation Architect:

- “an ordinary red brick 1920 bungalow of no particular architectural merit”
- “atypical of the area”
- “significantly altered and modified”
- “not a good representation example of its type”



424 Gilles – Significant modifications

Page 23



Bay window to west



Modern leadlight glazing



Garage to east

424 Gilles – Not representative

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Feature	Code	424 Gilles	Displays?
Style	Tudor Revival Gothic or Queen Anne Mediterranean Art Deco / Moderne Bungalow - California-based	“Atypical” hybrid Substantial modifications	 NO NO NO NO YES NO
Height / levels	Single storey Second level additions not apparent above roof line	Obvious second storey	 NO NO
Windows	Timber joinery Some metal frames Consistent fenestration	Timber joinery Much later leadlighting	 YES NO NO
Roof	Tiled Consistent pitch	Obvious sheet metal Pitch uncommon in locality	 NO NO
Fencing	Low masonry wall Matches house materials	Brush fence	 NO NO

Conclusion

- Remove Inter-War period references from the Adel 14 HAS
- In any event, do not include 424 Gilles St as a representative building