

Historic Area Statement Update Code Amendment for Endorsement

Strategic Alignment - Our Places

Public

Tuesday, 4 March 2025

City Planning, Development and Business Affairs Committee

Program Contact:

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Approving Officer:

Ilia Houridis, Director City Shaping

EXECUTIVE SUMMARY

The purpose of this report is to seek endorsement of the engagement report on the draft Historic Area Statement Update Code Amendment (the Code Amendment) (**Attachment A**) and the amended Code Amendment (**Attachment B**).

On 10 September 2024, the Council endorsed the draft Historic Area Statement Update Code Amendment for the purpose of public consultation ([Link 1](#)). Public consultation commenced on 28 October 2024 and closed on 9 December 2024. A total of 44 submissions were received from key stakeholders and the community. The Engagement Report is provided in **Attachment A**.

The Code Amendment updates the City of Adelaide's 14 existing Historic Area Statements in the Planning and Design Code and identifies Representative Buildings proposed to be included in the Historic Area Statements.

The Code Amendment will:

- Strengthen heritage protection policies in the State Government's Planning and Design Code (the Code) by outlining important historic character elements of the Historic Areas in updated Historic Area Statements.
- Enhance the assessment of future development applications and better protect historic character.

Historic Area Statements describe local features of historic character and relevant contextual information that support applicants when designing new developments, including alterations and additions. Representative Buildings are buildings that display characteristics of importance in a particular area.

Sixteen of the proposed 55 Representative Building owners objected to their proposed listing.

Administration proposes to include Representative Buildings in the eligibility criteria for funding under the Heritage Incentive Scheme (HIS) program. The Chief Executive Officer or delegate will finalise the updated HIS Operating Guidelines included in **Attachment C**.

Potential new Historic Areas will be discussed in a separate confidential workshop on the Agenda of the City Planning, Development and Business Affairs Committee on 4 March 2025.

RECOMMENDATION

The following recommendation will be presented to Council on 11 March 2025 for consideration

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

THAT COUNCIL

1. Endorses the Historic Area Statement Update Code Amendment Engagement Report as contained in **Attachment A** to Item ## on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 March 2025.

2. Endorses the amendments to the Planning and Design Code for the Historic Area Statement Update Code Amendment as contained in **Attachment B** to Item 7.4 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 March 2025.
 3. Authorises the Chief Executive Officer, or delegate, to make minor typographical, syntactical and technical amendments to the documents as contained in Attachment A and Attachment B to Item ## on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 March 2025 for the purpose of seeking approval from the Minister for Planning.
 4. Notes consultation feedback on the draft historic area Statement Update Code Amendment as contained in Attachment A to Item 7.4 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 March 2025.
 5. Notes the updated Heritage Incentives Scheme Operating Guidelines as contained in Attachment C to Item 7.4 on the Agenda for the meeting of the City Planning, Development and Business Affairs Committee held on 4 March 2025 to be finalised by the Chief Executive Officer or delegate.
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IMPLICATIONS AND FINANCIALS

City of Adelaide 2024-2028 Strategic Plan	Strategic Alignment – Our Places Encourage bold, interesting and purposeful development that supports the changing needs of our community and city. Review the heritage overlays to ensure our heritage places are known and accommodated during development by 2025.
Policy	The Code Amendment seeks to amend the City of Adelaide's existing 14 Historic Area Statements in the Planning and Design Code and introduce Representative Buildings. The Code Amendment progresses Council's submission to the Expert Panel on the State Planning Implementation Review endorsed in January 2023, to seek the urgent update of City of Adelaide's Historic Area Statements to provide greater context, description and guidance.
Consultation	Public consultation on the draft Code Amendment was undertaken in accordance with the Engagement Report (Attachment A), the City of Adelaide's Community Consultation Policy and the State Government's Community Engagement Charter.
Resource	Not as a result of this report
Risk / Legal / Legislative	Not as a result of this report
Opportunities	The Code Amendment seeks to improve the content of the Planning and Design Code to assist development assessment and conservation of historic character in the City of Adelaide. The Code Amendment proposes amendments to the existing Historic Area Statements to improve the clarity, accuracy and comprehensiveness of descriptions of historic character. The Administration proposes to include Representative Buildings in the eligibility criteria for funding under the Heritage Incentive Scheme (HIS) program as an initiative to support the long-term conservation of Representative Buildings in Historic Areas.
24/25 Budget Allocation	The 2024/25 Annual Business Plan and Budget includes a strategic project allocation of \$240,000 to deliver the Planning and Design Code Amendment Program – Year 2. The Historic Area Statements Update Code Amendment commenced in Year 1. In June 2024, the Department for Trade and Investment provided grant funding of up to \$75,000 (with matching contribution from Council), to support the finalisation of the Historic Area Statement Code Amendment by 30 June 2025.
Proposed 25/26 Budget Allocation	Not as a result of this report
Life of Project, Service, Initiative or (Expectancy of) Asset	Changes to the Planning and Design Code are through the State Government's Code Amendment process. The City of Adelaide is one of the first Councils to be well advanced with a review of existing Historic Area Statements.
24/25 Budget Reconsideration (if applicable)	Not as a result of this report
Ongoing Costs (eg maintenance cost)	Not as a result of this report

Other Funding Sources	The State Government announced financial support for councils to progress Historic Areas Statement Update Code Amendments through its Planning and Development Fund on 15 March 2024. The City of Adelaide is a recipient of funding for the Code Amendment.
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DISCUSSION

Purpose

1. The purpose of this report is to seek endorsement of the Historic Area Statement Update Code Amendment (the Code Amendment) that has been amended following public consultation (**Attachment B**).
2. The Code Amendment is being undertaken as per the State Government's statutory Code Amendment process. Steps undertaken to date include:
 - 2.1. Council endorsed the 'Proposal to Initiate' for the Historic Area Statement Update Code Amendment on 8 August 2023 ([Link 2](#)).
 - 2.2. The Minister for Planning, the Hon. Nick Champion MP, endorsed the Proposal to Initiate the Historic Area Statement Update Code Amendment on 16 November 2023.
 - 2.3. On 10 September 2024 Council endorsed the draft Code Amendment for public consultation ([Link 1](#)).
 - 2.4. The draft Code Amendment was open for public consultation from 28 October 2024 until 9 December 2024.
3. The draft Code Amendment that was on consultation is provided in [Link 3](#).

Background

4. The existing Historic Area Statements were prepared by the State Planning Commission as part of the introduction of the Planning and Design Code in March 2021.
5. On 17 March 2023, the Minister for Planning wrote to all councils supporting an update of the Statements for Historic Areas and Character Areas (the City of Adelaide does not have the latter).
6. The draft Code Amendment progresses Council's submission to the Expert Panel on the Planning System Implementation Review which recommended an urgent update of the City of Adelaide's Historic Area Statements to improve guidance for development assessment in historic areas.
7. The Code Amendment does not include new Historic Areas or Character Areas. Under the 'Proposal to Initiate' the scope did not propose any additional Historic Areas or to modify existing boundaries.
8. Additional Historic Areas are being investigated separately and will be brought to Council for consideration this financial year. A Code Amendment to introduce a new Historic Area requires State Government approval as a separate and subsequent Code Amendment.
9. Additional Local Heritage Places are not within the scope of this Code Amendment and are being pursued separately by the City of Adelaide through its Code Amendment program.
10. On 6 August 2024, a workshop was conducted with Council Members at the City Planning, Development, and Business Affairs Committee to provide an update on the Code Amendment ([Link 4](#)).

Summary of Consultation

11. Public consultation on the draft Code Amendment opened on 28 October 2024 and closed on 9 December 2024 (6 weeks).
12. A total of 44 submissions were received from community groups, residents, and individuals during the public consultation period.
 - 12.1. Twenty-one written submissions were received.
 - 12.2. Twenty-one participants provided their feedback via a survey relating to the Code Amendment.
 - 12.3. Two submissions from Plan SA Portal Engagement Platform.
13. 42 submissions expressed a range of views through the consultation, many of which were supportive of the Code Amendment. Of the submissions received:
 - 13.1. Twenty-six were generally in support of the Code Amendment.
 - 13.2. Sixteen of the proposed 55 Representative Building owners objected to their proposed listing. These properties are dispersed within the Historic Area Overlay.
14. Some of the general feedback received during the consultation period included:
 - 14.1. The Historic Area Statements are a good way of preserving heritage fabric.
 - 14.2. The Code Amendment does not go far enough to protect heritage.

- 14.3. Objection to the listing of buildings as representative places.
- 14.4. A perception that the Historic Area Statements could prevent innovative design of additions and put restrictions on renovations and opportunities.
- 14.5. Suggested changes to the content of the Historic Area Statements.
- 14.6. The Code Amendment should include other areas of the city e.g. the East End, the south west corner of the city, parts of East Terrace, South Terrace, Melbourne Street, Hutt Street, the eastern part of North Terrace and gardens within the Adelaide Park Lands.
 - 14.6.1. Potential new Historic Areas will be discussed in a separate confidential workshop on the Agenda of the City Planning, Development and Business Affairs Committee on 4 March 2025.
- 14.7. Consideration of heritage protection should be given to Twentieth Century buildings.
 - 14.7.1. Administration is undertaking a review of Local Heritage listings for 20th Century Buildings.
- 15. The Engagement Report is provided in **Attachment A** and includes the key themes identified during the consultation and the proposed changes to the Code Amendment.
- 16. Consultation was undertaken in accordance with the approved Engagement Plan and the State Government's Community Engagement Charter and Practice Direction 2.
- 17. The City of Adelaide undertook early engagement with the State Government Agency, Planning and Land Use Services (PLUS).
- 18. Public consultation activities included:
 - 18.1. Letters/electronic direct mail to relevant state and local government agencies, Members of Parliament, First Nations, and community groups.
 - 18.2. Letters and Factsheet were sent by post to owners and occupiers of land within and adjacent to the Historic Area Overlay.
 - 18.3. Notices on the Plan SA Portal Engagement Platform.
 - 18.4. Notice on the City of Adelaide Our Adelaide Engagement Platform included the draft Code Amendment, FAQs, information brochure, link to Engagement Plan and Interactive Map.
 - 18.5. Hard copies of the Code Amendment were available for reading at the City Library and the City of Adelaide Customer Service Centre.
 - 18.6. Information packs were available at the Hutt Street Library, North Adelaide Library, Minor Works Building Community Centre, Box Factory Community Centre, and the North Adelaide Community Centre.
 - 18.7. Public notification via The Advertiser.
 - 18.8. Administration attended a meeting following an invitation from the North Adelaide Society Inc on 20 November 2024 by invitation publicly available information about the Code Amendment.
 - 18.9. Phone and email enquiries.
 - 18.10. An online submission form was available through the Plan SA Portal and Our Adelaide Engagement Platform as a method for providing feedback on the Code Amendment.
 - 18.11. Face to face/online briefings by request.

Proposed Amendments to Code Amendment

- 19. In response to the public consultation feedback, the Administration is proposing to make several amendments to the content of the draft Code Amendment policies. The key changes arising from the consultation include:
 - 19.1. The removal of the following three proposed Representative Place designation:
 - 19.1.1. 39 - 40 Kingston Terrace, North Adelaide
 - 19.1.2. 123 Barnard Street, North Adelaide
 - 19.1.3. 171 Barnard Street, North Adelaide.
- Note: The remaining proposed 52 Representative buildings are considered worthy of inclusion as representative Buildings.

- 19.2. Incorporating suggested minor editorial changes to the Historic Area Statements including the removal of reference to the school oval on Gover Street as it is not part of the area's historic character.

Opportunities

- 20. As an initiative to support the long term conservation of the Representative Buildings in Historic Areas, the Administration is recommending the expansion of the Heritage Incentive Scheme (HIS) program's eligibility criteria to include Representative Buildings.
- 21. There is no budget increase requested arising from the inclusion of Representative Buildings in the HIS.
- 22. The revised HIS Operating Guidelines are provided in Attachment C and will be finalised by the Chief Executive Officer or delegate.

Next Steps

- 23. Pending Council decision, the Code Amendment and Engagement Report will be sent to the Minister for Planning for approval.
- 24. If the Minister decides to adopt the Code Amendment it is then referred to the Environment Resources and Development Committee (ERDC) in Parliament within 28 days of the Code Amendment taking effect.
- 25. Following the outcome of the statutory processes, the Administration will close the public consultation process in accordance with its Engagement Plan.

DATA AND SUPPORTING INFORMATION

Link 1 – [Minutes, Council Meeting, Tuesday 10 September 2024](#)

Link 2 – [Minutes, Council Meeting, Tuesday, 8 August 2023](#)

Link 3 – [Draft Historic Area Update Code Amendment – Consultation Version](#)

Link 4 – [Workshop City Planning, Development and Business Affairs Committee, Tuesday, 6 August 2024](#)

ATTACHMENTS

Attachment A – Historic Area Statement Update Code Amendment Engagement Report

Attachment B – Amendments to the Planning and Design Code for the Historic Area Statement Update Code Amendment

Attachment C – Draft Heritage Incentives Scheme Operating Guidelines

- END OF REPORT -