

HISTORIC AREA STATEMENT UPDATE CODE AMENDMENT

Engagement Report

Section 73(7) of the *Planning, Development and Infrastructure Act 2016*

February 2025

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1. Purpose

This report has been prepared by City of Adelaide (the Designated Entity) for consideration by the Minister for Planning and Local Government (the Minister) in adopting the Historic Area Statement Update Code Amendment (the Code Amendment).

The report has been prepared in accordance with Section 73(7) of the Planning, Development and Infrastructure Act 2016 and Part 6 of Practice Direction 2: Preparation and Amendment of a Designated Instrument (Practice Direction 2). The report includes:

- details of the engagement process undertaken
- a summary of the feedback received
- a response to the feedback including recommended amendments
- an evaluation of the effectiveness of the engagement and whether the principles of the Community Engagement Charter have been achieved.

The report also confirms that engagement has been undertaken in accordance with the Engagement Plan, prepared under part 2(5) of Practice Direction 2.

The report recommends amendments to the proposed Code Amendment in response to the submissions received.

2. Introduction

The City of Adelaide seeks to amend the Planning and Design Code (the Code Amendment), by revising the Historic Area Statements and nominating the listing of Representative Buildings.

The draft Code Amendment proposes to update the City of Adelaide's 14 existing Historic Area Statements in the Planning and Design Code and identifies 52 Representative Buildings proposed to be included in the Historic Area Overlay.

The updated Historic Area Statements include further information describing attributes and elements of historic character to guide context-sensitive design and decision-making in the Historic Area Overlay and identify Representative Buildings.

The draft Code Amendment proposes to strengthen the current heritage protection policies in the Planning and Design Code by describing relevant contextual information, attributes and important historic character elements of the Historic Areas in the Historic Area Statements for applicants to inform how they design proposed developments, including alterations and additions and to enhance the effectiveness of assessment of future development applications and to strengthen the protection of historic character.

The inclusion of Representative Buildings that exhibit historic themes and attributes of the historic built character described in the relevant Historic Area Statement clarifies the assessment of development proposals in Historic Area Overlays by providing further examples of desirable built form and streetscape characteristics.

The draft Code Amendment also seeks to include 52 Representative Buildings in the relevant mapping layer in the South Australian Planning and Property Atlas (SAPPA) within the Affected Area within the Historic Area Overlay (31 in the Adelaide Historic Area and 23 in the Historic Areas in North Adelaide).

3. Engagement Approach

The process for amending a designated instrument (including the process to amend the Planning and Design Code) is set out in the *Planning, Development and Infrastructure Act 2016* (the Act). The Act requires public engagement to take place in accordance with the Community Engagement Charter.

The City of Adelaide prepared an engagement plan (the Engagement Plan) to apply the principles of the Community Engagement Charter. The State Planning Commission approved the Engagement Plan on 30 September 2024.

The purpose of the engagement was to ensure that individuals, organisations and communities interested in and/or affected by the proposed Code Amendment were able to provide feedback and influence particular elements of the proposed Code Amendment prior to the finalisation of the Code Amendment.

The engagement period for this Code Amendment was six (6) weeks from Monday, 28 October 2024 until Monday, 9 December 2024.

3.1 Purpose of Engagement

The purpose of the Engagement was to:

- Raise stakeholder, affected and interested community awareness of the proposed changes to the Historic Area Statements.
- Seek feedback from stakeholders, affected and interested community on the Draft Code Amendment to enable their needs, ideas and concerns to be considered in the Code Amendment.
- Raise awareness of the Final Code Amendment and close the loop on community engagement.
- Meet the statutory requirements for engagement on a Code Amendment.

3.2 Engagement Objectives

The engagement objectives were to:

- Ensure community and stakeholders were aware of the Code Amendment and have the opportunity to comment and inform the Code Amendment.
- Make information available about the Code Amendment in ways that enable ease of understanding about what a Code Amendment is, what this Code Amendment is proposing, the rationale, how the Code Amendment relates to future development of land, and how people can comment.
- Encourage stakeholders to ask questions in order to understand how it might impact them.
- Maintain constructive relationships with stakeholders and the community through timely and direct communication.
- Follow through on commitments made over the duration of the consultation process and ensure that all documentation is easily accessible to the public.
- Integrate a feedback loop and evaluation process into the engagement process.

- Ensure that engagement with stakeholders and the community is sufficiently resourced and managed to deliver high-quality results.
- Implement an engagement approach directed by the principles of International Association for Public Participation 2 (IAP2) and the State Community Engagement Charter in accordance with the requirements of the Planning, Development and Infrastructure Act 2016.

3.3 Engagement Activities

Public engagement for the Historic Area Statement Update Code Amendment was held for a six-week period from Monday, 28 October to Monday, 9 December 2024. Engagement Activities included:

Table 1 - Engagement and promotion activities

Engagement Activity	Description	Target audience
Initial meetings with staff from PLUS	An initial meeting was held with the senior staff from PLUS to discuss the content of the Code Amendment. PLUS was sent consultation material prior to formal consultation.	PLUS
Webpage on the Plan SA Portal	Relevant information including draft Code Amendment and information on the multiple ways that feedback can be accepted was included on the webpage	All audiences
Our Adelaide - Community engagement page on City of Adelaide website	The City of Adelaide's Our Adelaide online community engagement platform included the draft Code Amendment, FAQs, information brochure, link to Engagement Plan and Interactive Map. The frequently asked questions were in plain English. The interactive map was a useful visual tool to illustrate what Historic Area Statements applied to different areas.	All audiences
Hard copies of the Code Amendment	Printed hard copies of the Code Amendment were available for reading at the City Library and the City of Adelaide Customer Service Centre. Information packs were also available at the Hutt Street Library, North Adelaide Library, Minor Works Building community centre, Box Factory community centre, and the North Adelaide community centre.	All audiences.
Letter to owners and occupiers	A letter and Factsheet were posted to the owners and occupiers of land within and adjacent to the Historic Area Overlay. They were also offered the opportunity to meet. 8477 were sent information.	Owners and occupiers of within and adjoining the Historic Area Overlay including Representative Buildings.
Letters to stakeholders	A letter and factsheet were sent electronically to identified stakeholders who had an interest in this Code Amendment. They were also offered the opportunity to meet. 35 letters/emails were sent information.	LGA, Councils, Government Agencies, members of parliament, First Nations, and local business and community groups.

Public Notice	An advertisement was placed in The Advertiser advising of the consultation.	All audiences
Online Survey	An online survey form was linked to the PlanSA Portal as a more targeted way that feedback could be received about elements of the Code Amendment. This survey also included evaluation questions in line with the Community Engagement Charter. A total of 21 survey responses were received.	All audiences
Online Submission Form	An online submission form was available through the PlanSA Portal as a method for providing feedback on the Code Amendment. A total of 2 submissions were received via PlanSA.	All audiences
Briefings to key individuals/groups	City of Adelaide presented the Code Amendment to The North Adelaide Society Inc on 20 November 2024.	Residents of North Adelaide
Fact Sheet & FAQ	A plain-English fact sheet and FAQ were prepared that clearly outlined what a Code Amendment is, the changes proposed and how people could provide feedback. The fact sheet and FAQ were available electronically on the City of Adelaide and PlanSA websites. Hard copies were available at the City Library, City of Adelaide Customer Service Centre, Hutt Street Library, North Adelaide Library, Minor Works Building community centre, Box Factory community centre, and the North Adelaide community centre and distributed to local residents and key stakeholders. 8477 owners and occupiers received a copy of the fact sheet and FAQ in their letterbox.	All audiences
Online and face to face meetings by request	City of Adelaide held one meeting with key stakeholders by request.	Identified stakeholders
Phone and email enquiries	A phone number and dedicated email address was promoted through all correspondence as well as on the fact sheet, as a way further information could be requested or feedback provided. A total of 27 individuals contacted the City of Adelaide regarding the Code Amendment during the engagement period.	All audiences
Hard copy mail address	A hard copy mail address was promoted through all correspondence and the fact sheet as a way that people could provide feedback in hard copy should they not wish to or be unable to participate online. 2 responses were received via post.	All audiences
Feedback acknowledgements	Acknowledgement of feedback received via hard copy or email.	Those who provided feedback on Code Amendment

Post Engagement Evaluation Survey	A link to a post engagement survey was sent to all respondent who provided feedback.	Those who provided feedback on Code Amendment
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3.4 Mandatory Requirements

The following mandatory engagement requirements have been met:

3.4.1 Notice and consultation with Owners and Occupiers of Land which is Specifically Impacted

Under section 73(6)(d) of the Act, where a Code Amendment will have a specific impact on one or more particular pieces of land in a particular zone or subzone (rather than more generally), the Designated Entity must take reasonable steps to provide a notice to Owners or Occupiers of the land (and each piece of adjacent land) as prescribed by the Regulations.

Regulation 20 of the PDI (General) Regulations requires such notice to:

- a) identify the piece or pieces of land in relation to which the specific impact will apply; and
- b) describe the impact; and
- c) indicate where and when the relevant amendment to the Planning and Design Code may be inspected; and
- d) provide information about the consultation that is to occur under the Community Engagement Charter

A letter, notice and Frequently Asked Questions Factsheet was sent by post to owners and occupiers of land within and adjacent to the Historic Area Overlay. They were also offered the opportunity to meet.

3.4.2 Notice of proposal to include the nomination of Representative Buildings Listing to Owner of Land

The Community Engagement Charter requires that, where a Code Amendment proposes to include a heritage character or preservation policy that is similar in intent or effect to a local heritage listing, the owner of the land on which the places resides, must be directly notified in writing of the proposal and consulted for a minimum period of four weeks.

- A letter, Notice, and Frequently Asked Questions Fact Sheet were posted to the owners and occupiers of each of the 54 proposed Representative Buildings.
- The letter also offered to opportunity to meet with the project team.

3.4.3 Notice and consultation with Council/s and the Local Government Association

The Historic Area Statement Update Code Amendment has been undertaken by the City of Adelaide and is specifically relevant to the City of Adelaide. As such, it is not a mandatory requirement of the Community Engagement Charter to notify other councils or the Local Government Association (LGA). However, as part of the Engagement Plan, the LGA and adjoining councils were notified as key stakeholders.

Representatives of these councils were engaged in the following ways:

- Letter and fact sheet emailed to the CEO of seven (7) adjoining councils on 28 October 2024 providing information about the Code Amendment and its engagement.

- The letter also offered to opportunity to meet with the project team.

The LGA was engaged in the following ways:

- Letter and fact sheet emailed to CEO of the LGA on 28 October 2024 providing information about the Code Amendment and its engagement.
- The letter also offered to opportunity to meet with the project team.

3.5 Compliance with Engagement Plan

The above-described activities were undertaken in accordance with the engagement plan. In line with the Community Engagement Charter, the engagement process was regularly monitored. Based on feedback from stakeholders and the community, no variations occurred or were needed.

It is noted that post-consultation activities set out in the engagement plan to 'close the loop and report back' are still in progress, pending the final determination of the Code Amendment.

4. Engagement Outcomes

The engagement approach for this Code Amendment was designed to provide multiple ways for information to be accessed and feedback provided. Both targeted and broad communications methods were used including direct notification of 8477 landowners and occupiers as well as advertising in The Advertiser newspaper which also had the potential to reach thousands. The 44 submissions received during the formal consultation period are considered relatively low given the breadth and numerics of the various methods of engagement undertaken. The responses were received in the following ways:

- 21 Written submissions (via post and email)
- 21 Our Adelaide submissions
- 2 PlanSA Portal submissions
- 27 individuals contacted City of Adelaide via phone or other means of inquiry.

It is noted that some individuals engaged via multiple platforms.

The key themes and issues raised through the consultation process was as follows:

Table 2 – Themes and Issues raised in submissions

Themes and Issue Identified in submissions	No. of submissions that raised issue	% of submissions that raised issue
Objection to inclusion of specified Representative Building/s	15	34
Supportive (in part or generally) of Historic Area Statements etc.	20	45
Broader concern / opposition regarding the Code Amendment	4	9
Proposals beyond scope of this Code Amendment (eg. apply Historic Area Overlay to other areas)	8	18
Proposals for specific changes to Historic Area Statements	7	16
Proposed minor change to align Historic Area with lot boundary	1	2
Development related comment (eg. Crown & Anchor, high rise)	5	11

Attachment 1 provides a summary of the submissions and detailed responses to each submission. Consultation responses were primarily collected through written submissions and the online survey.

4.1 Online Survey

A survey prompted community's insights and feedback relating to the Code Amendment and the associated outcomes of the policy. The online survey was undertaken through City of Adelaide's Engagement platform, Our Adelaide.

The engagement response was as follows:

- 21 participants undertook a survey relating to the Code Amendment with all participants providing feedback
 - 19% (4) of the survey respondents supported all of the proposed revisions to the Historic Area Statements within the draft Code Amendment.
 - 47.6%(10) of the survey respondents supported some of the proposed revisions to the Historic Area Statements within the draft Code Amendment.
 - 14.2% (3) of the survey respondents did not support the Code Amendment.
 - 14.2% (3) indicated support for heritage protections and/or increased spatial application of the Historic Area Overlay
- Two survey respondents own properties proposed as Representative Buildings in the draft Code Amendment. They did not support the proposed designation as a Representative Building.
- Survey respondents included owners and occupiers of the City of Adelaide, visitors, city workers, and people with a general interest in the Code Amendment

The survey included free-form responses that sought views on the Code Amendment and areas for improvement. Most of the survey respondents recommended acknowledged support of the draft Code Amendment.

4.1.1 What we heard

The survey feedback on Representative Buildings was mixed, but owners of proposed Representative Buildings who objected were more likely to comment. Some examples follow:

"I believe buildings should either be given heritage listing protection or not. I don't believe that identifying "representative buildings" is a good means of preserving heritage fabric as it creates ambiguity about what is prohibited and what is encouraged."

"It will place further limitations on what I do and offer zero benefits to me as a land holder."

"The broad concept of having Representative Buildings as part of existing Historic Area statements to provide additional contextual information...is supported in certain areas. Particularly in respect of front facades of relevant properties...I think it should be more specific in terms of key aspects of representative houses to be preserved."

"Its selection as the sole nominated Representative Building from...Street...raises significant questions about the nomination process."

It is noted that some objected to heritage listing of their property which can be taken, in these cases, to mean objection to proposed designation as a Representative Building.

The survey feedback on revision of Historic Area Statements was mostly supportive. Only a few survey respondents elaborated on this topic. In response to the relevant survey question, most indicated that they supported some revisions. A few all supported all, or none, of the revisions.

There were also comments that were more generic in nature or went beyond the scope of the Code Amendment, such as:

“Strongly supportive of all means to retain the historic amenity, appeal and streetscape of the area.”

“Encourage development that increases the population of these parts of the city.”

“The SW area is a rich precinct of 19th Century workers cottages which have largely been spared destruction so far. Surely that should be included as an Historic Area.”

“I want the character of North Adelaide preserved.”

4.2 Written Submissions

There were multiple ways for the community to provide feedback including via written submission through the PlanSA Portal, email or post.

A total of 21 written submissions were received and have been summarised in **Attachment 1** with all submissions included in **Attachment 3**. The submissions can be broadly categorised into Community Submissions and Key Stakeholder and Agency submissions.

4.2.1 What we heard

The feedback on **Representative Buildings** was mixed. However, the submissions received about Representative Buildings tended to include an accompanying letter from a lawyer and/or statement by a heritage consultant acting for the land holder, to be very site specific in nature, and to contest the merits of designation. Examples of the types of feedback include:

“The proposed representative items are supported but “Local Heritage Places” is preferred.”

“These representative items should be re-evaluated to determine whether they meet either LHP or SHP status”.

“...the house has previously been rejected for listing as a local heritage place on several occasions.”

“Inclusion of a dwelling that is an unfortunate hybrid of architectural styles including an unsympathetic dominant addition that has considerably altered the original single storey dwelling, would potentially devalue the meaning and interpretation of Representative Buildings.”

“The historic development...is well represented in the existing State and local heritage places and proposed Representative Buildings with significantly higher integrity than the subject dwelling.”

“I oppose the nomination of my building...as a “Representative Building”. I consider this to be a heritage listing by stealth.”

In terms of the revision of **Historic Area Statements**, feedback was mixed but mainly supportive:

“The use of the Statements to provide a reference point for upgrading, refurbishment and conservation work on the main body of heritage and representative buildings is supported.

However, we do have some concern that the Statements could be used to unreasonably limit the creative and innovative design of additions to the rear of existing heritage and representative buildings. Away from the historic street frontage creative and innovative design solutions should be... encouraged as they can provide improved accommodation, amenity and environmental outcomes.”

“...a substantial improvement to the paucity of the existing historic area statements...”

“The Historic Area Statements are not concise, nor particularly useful in guiding the assessment process.”

Other feedback reflected on the (limited) **scope of the Code amendment** – for example:

“supports in principle...but concerned that the existing code amendment is too narrow and restricted.”

“The Main Street precincts in North Adelaide (O’Connell and Melbourne Streets) should become subject to historic area statements, consistent with the rest of North Adelaide”.

4.3 Phone Calls

Seventeen phone calls were received regarding the proposed Code Amendment. The phone calls were from owners of buildings within the Historic Area Overlay, owners of Representative Buildings and the South East City Residents Association.

4.3.1 What we heard

Comments and queries relating to the proposed Code Amendment raised via phone calls included:

- Is their building identified as a Representative Building?
- How will the Code Amendment impact what they can do to property?
- Concerned about the listing of their property as a Representative Building.
- Why were they notified?
- Request for a copy of the report by historian, Dr Peter Bell. (The report is cited in the Code Amendment in relation to the rationale for proposed Representative Buildings on land previously the subject of objections to heritage listings which were reviewed by Dr Bell.)

4.4 Key themes

Several themes/planning policy matters were raised in the consultation that require further consideration and response. A more detailed summary of issues is provided in **Attachment 1**.

A summary of key issues raised, and responses follows.

4.4.1 Listing of Representative Building

Submissions from some property owners of proposed Representative Buildings were concerned or objected to the listing of their buildings and have argued that they do not meet the criteria for designation as a Representative Building.

In contrast, there were other submissions that were supportive of the proposed listing of Representative Buildings; others were concerned that Representative Building listing is not enough to ensure their protection and that they should be listed as Local Heritage Places. The submissions indicated that there was limited awareness about the limited criteria for listing of Representative Buildings.

The ‘testing’ of merit applied varied, some being more analogous with the approach taken in assessment of heritage places, while others clearly provided a fresh assessment of the proposed status of Representative Building as opposed to a heritage place.

Response

Representative Buildings in the Code Amendment were buildings identified as representing historic character described in the relevant Historic Area Statement (but do not include State and Local Heritage Places which may also represent that character). The existing Historic Area Overlay contains demolition control that protects places that contribute to the historic character of the neighbourhood. A Historic Area without Representative Buildings creates ambiguity as to which buildings have merit in the retention. Designation confirms there is value in retention.

For each Representative Building, an assessment of the current streetscape context and condition of each potential Representative Building as far as possible to judge from viewing for the street has been made. This occurred in conjunction with a holistic review of Historic Areas to inform a review of the Historic Area Statements.

Key factors considered in the assessment process include:

- The building style and era should be consistent with those assessed as significant in the Historic Area as per the revised Historic Area Statement.
- The building demonstrates historical theme/s important in the area.
- For dwellings (whether converted to another use or still residential) there is visual continuity with buildings with similar characteristics in the streetscape, noting that this is a matter of fact and degree and can still occur where there is intervening development of another era in the same street or section of a street.
- Where there is a current valid approval for total demolition of a building.

Past character analyses were compared with present streetscapes involving physical drive-by surveys with a heritage architect and planning professionals.

Following public consultation, the objector Representative Buildings have been further re-examined. The information provided by the objectors has been further reviewed and considered by City of Adelaide's Heritage Architects. Based on the information provided, three (3) of the objector properties have been reconsidered and assessed as being unsuitable for listing as a Representative Building.

For those properties that are considered to demonstrate characteristics of the Historic Area Statement staff resources are available to assist with the heritage development process. There may also be opportunity for owners of Representative Buildings to be eligible for funding through the Heritage Incentives Scheme.

4.4.2 Protection of Heritage

While many submissions are happy with the added protection the Code Amendment will provide to preserving heritage fabric and they consider it is a substantive improvement to the current statements, there remains some concern that the Code Amendment does not go far enough to protect heritage. There is also concern that the Representative Buildings listing is not enough, and they should be listed as Local Heritage Places. There was a suggestion that twentieth century buildings should also be included as Local Heritage Places.

Response

The Historic Area Statement updates have been prepared to further clarify the limited information for these areas currently in the Planning and Design Code.

The proposed Historic Area Statements have been drafted to identify historic elements that are important to the character of the area.

The Code Amendment includes additional contextual information about the significant attributes of historic character including the eras, themes, styles, patterns and detailing of historically significant development in each of the Historic Areas. It aims to improve the clarity, certainty and efficiency of decisions on development proposals in these Areas.

Part of this update is to clarify for owners within the Historic Area Overlay which buildings are considered to demonstrate the historic characteristics as expressed in the Historic Area Statement for the purposes of planning assessment.

Historic Area Overlay Performance Outcome 7.1 - Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished.

As the areas do not have a Representative Building list currently, planning assessment staff must make a determination when they receive a development application whether or not a building in the overlay has features that demonstrate the historic characteristics of the Historic Area Statement.

Therefore, a Representative Building list is an opportunity to increase transparency in the development assessment process, by clarifying which properties will be subject to Historic Area Overlay based demolition controls.

There is limited or minimal scope to list proposed Representative Buildings instead as heritage places based on the current thresholds for heritage place listing.

The inclusion of twentieth century buildings as Local Heritage Places is outside the scope of this Code Amendment approved by the Minister of Planning.

4.4.3 Expansion of Historic Area Overlay

Whilst many submissions supported the Code Amendment, many submissions expressed that the Historic Area Overlay did not cover enough of the city with important historic character and that the Historic Area Overlay should be expanded to include additional areas such as 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.

Other comments suggested the inclusion of localities with, and adjacent/cy to, State and Local Heritage Places.

Response

This Code Amendment only covers areas within the existing Historic Area Overlay boundaries.

The inclusion of new character and historic areas and any changes to or outside the boundaries of the current Historic Area Overlay are outside the scope approved by the Minister of Planning. The expansion of the Historic Area Overlay will be investigated separately and this investigation will inform a future program of Code Amendments subject to Council and Ministerial approvals.

4.3.4 Historic Area Statements could prevent innovation and good design

Some of the submissions raised concern that the Historic Area Statements could unreasonably prevent innovation in design of additions to the rear of existing heritage and Representative Buildings and put restrictions on renovations and opportunities.

Response

Development in South Australia is assessed against the Planning and Design Code, which includes Zones, Subzones and Overlays. The Historic Area Overlay identifies areas of historic value to the local area. This Overlay specifies Desired Outcomes (DO), Performance Outcomes (PO), and Historic Area Statements (HAS), that along with the underlying zone and subzone, guide local development while preserving the area's historic character.

The Historic Area Statements, updated as part of this Code Amendment only describe the historic attributes and character of the area. The Desired and Performance Outcomes of the Historic Area Overlay aim to conserve these attributes and ensure that development visible from the public realm responds contextually, remaining consistent and complementary to the identified character.

For additions and alterations, assessments would primarily made against Performance Outcomes of the Historic Area Overlay, particularly PO 3.1 *Alterations and additions complement the subject building, employ a contextual design approach and are sited to ensure they do not dominate the primary façade.*

The objective of this Performance Outcome is for additions to adopt a contextual design approach, rather than closely replicate the original, while ensuring the historic building's visual prominence is preserved within its setting.

It is best practice for additions to heritage buildings to be contemporary design to clearly different the new from the old. These additions should feature contemporary finishes that complement and reflect the historic elements. The design's appropriateness also depends on its visibility from the primary streetscape, with greater flexibility allowed for additions.

The State Government has prepared a guideline ('Historic Area Overlay Design Advisory Guideline') to assist applicants in the interpretation of policy in the Historic Area Overlay. The City of Adelaide is also developing guidelines to support the development in Historic Areas and to heritage places.

5 Summary of Recommended Changes

Key changes to the Code Amendment arising from the consultation are:

- Removal of the proposed Representative Place designation of the following buildings:
 - 39 - 40 Kingston Terrace, North Adelaide
 - 123 Barnard Street, North Adelaide
 - 171 Barnard Street, North Adelaide
- 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.

6. Evaluation of Engagement

6.1 Performance Indicators for Evaluation

To ensure the principles of the Community Engagement Charter (the Charter) are met, an evaluation of the engagement process for the Code Amendment was undertaken.

The minimum mandatory performance indicators have been used to evaluate engagement on the Code Amendment. These measures help to gauge how successful the engagement has been in meeting the Charter's principles for good engagement.

Evaluation of Engagement by Community Members

The minimum mandatory performance indicators required an evaluation of responses from members of the community on the engagement. This includes an evaluation of whether (or to what extent) community members felt:

1. That the engagement **genuinely sought** their input to help shape the proposed Code Amendment.
2. **Confident their views were heard** during the engagement.
3. They were given an adequate **opportunity to be heard**.
4. They were given **sufficient information** so that they could take an informed view.
5. **Informed** about why they were being asked for their view, and the way it would be considered.

This evaluation was undertaken via a survey provided to all those who engaged with the process and provided their contact details (including signatories of submissions). The survey received 12 responses.

A copy of the engagement survey can be found in **Attachment 2**.

Evaluation of Engagement by the Designated Entity

City of Adelaide is required to conduct a further evaluation of the engagement process.

The minimum performance indicators for this evaluation include assessing the following key areas:

1. **Occurred early enough** for feedback to genuinely influence the planning policy, strategy or scheme.
2. **Contributed to the substance** of the final draft Code Amendment.
3. **Reached those identified** as communities or stakeholders of interest.
4. **Provided feedback to the community** about outcomes of engagement.
5. Was **reviewed throughout** the process and **improvements put in place** or recommended for future engagement.

The evaluation of the engagement was undertaken by Colleen McDonnell, Manager City Planning & Heritage on behalf of the City of Adelaide. The results of the evaluation are contained in **Attachment 2** to this Engagement Report.

6.2 Evaluation against the Charter principles

The following is a summary of the evaluation of the engagement against the five principles of the Charter. The full results of the evaluation can be found in **Attachment 2** to this Engagement Report.

Charter Principle 1 - Engagement is genuine

People had faith and confidence in the engagement process

- The engagement process provided an opportunity for any person to identify their issues through a submission (via letter, e-mail or on-line submission through the SA Planning Portal and City of Adelaide's Our Adelaide website) that were reviewed and considered before finalising the Code Amendment.
- Engagement was encouraged by directly contacting key stakeholders including government agencies, community groups, industry representatives and owners/occupiers within or adjacent the Historic Area Overlay.
- The consultation was promoted via Our Adelaide newsletter, Facebook and an advertisement in the Advertiser newspaper

Community members were able to provide feedback via:

- A website, direct letters, e-mails, contact with City of Adelaide employees by telephone, email and meetings by request
- The engagement material articulated the policy proposed, potential impacts the engagement process and how interested persons could provide their feedback. The information provided aimed to be in plain English.
- The engagement process provided an opportunity for any person to identify their issues through a submission (via letter, e-mail or on-line submission through the SA Planning Portal and City of Adelaide's Our Adelaide website) that were reviewed and considered before finalising the Code Amendment.

The engagement process provided an opportunity for any person to identify their issues through a submission (via letter, e-mail or on-line submission through the SA Planning Portal and City of Adelaide's Our Adelaide website) that was reviewed and considered before finalising the Code Amendment. The engagement evaluation survey noted that 25% of respondents were unsure if engagement genuinely sought their input to shape the proposal. Public engagement occurred at the draft Code Amendment stage where there was an opportunity for feedback to genuinely shape planning policy.

The engagement evaluation survey was conducted after the consultation period, before a decision was made on the Code Amendment and the Engagement Report was published. As a result, survey respondents were likely unaware of how their views were considered and their impact on the finalisation of the Code Amendment.

Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I feel the engagement genuinely sought my input to help shape the proposal (Principle 1)	16.67% (2)	33.33%(4)	25%(3)	8.33%(1)	16.67%(2)

Charter Principle 2 - Engagement is inclusive and respectful

Affected and interested people had the opportunity to participate and be heard. A substantial number of letters were sent directly to community groups, industry representatives, government agencies and owner/occupiers of land within or adjacent to the Historic Area Overlay.

Feedback was received from various people/interested parties, including community groups, industry representatives, government agencies and the public. The feedback was received via written submissions and an online survey. A presentation to a community group was also provided on request to ensure understanding of the Code Amendment.

The variety of engagement techniques was considered suitable for the identified stakeholder groups to be informed and provide feedback on the Code Amendment.

The engagement evaluation survey indicated that respondents were not sure if their views were heard. Due to the timing of the engagement evaluation survey, respondents were unclear about how their views had influenced the outcome. Comments indicated that some respondents were awaiting the final report. Additional feedback suggested a lack of trust in the process/planning system, with one respondent noting heritage properties had previously been approved for demolition.

Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I am confident my views were heard during the engagement	25%(3)	8.33%(1)	33.33%(4)	33.33%(4)	0%

Charter Principle 3 - Engagement is fit for purpose

- People were effectively engaged and satisfied with the process
- People were clear about the proposed change and how it would affect them

The engagement information aimed to be presented in plain English and included information about the proposed changes, a frequently asked questions page, and supporting written material. An interactive map was provided to illustrate the spatial application of the Historic Area Statements. Information was available in hard copy and electronically and interested parties could speak to a representative in person, via phone or email. Information was available from a range of sources, including the Planning SA Portal and Our Adelaide Engagement webpage. The public consultation period was open for six (6) weeks.

The survey results indicate that many respondents felt they had an adequate opportunity to be heard. Given the scale and complexity of the Code Amendment, the six-week public consultation period is considered sufficient. Five respondents (40%) felt that sufficient information was provided to form an informed view, while one third of respondents felt there was insufficient information. The draft Code Amendment and engagement materials outlined the scope, purpose, and in-depth investigations related to the amendment. Although survey respondents did not explain why they felt the information was insufficient, City of Adelaide staff noted that many individuals sought assistance during the public consultation period to locate information within the draft Code Amendment. While this may not directly correlate with the survey results, the large size of draft Code Amendment document and the numerous direct letters sent may have made it difficult for people to find the most relevant information for their needs.

Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I was given an adequate opportunity to be heard	8.33%(1)	8.33%(1)	25%(3)	41.67%(5)	16.67%(2)
I was given sufficient information so that I could take an informed view	16.67%(2)	16.67%(2)	25%(3)	25%(3)	16.67%(2)

Charter Principle 4 - Engagement is informed and transparent

- All relevant information was made available, and people could access it
- People understood how their views were considered, the reasons for the outcomes and the final decision that was made

All information, including the Code Amendment report, Frequently Asked Questions, link to Engagement Plan and Interactive Map was available to any interested party via the PlanSA Portal and the City of Adelaide's Our Adelaide Engagement webpage.

The City Library and the City of Adelaide Customer Centre had printed hard copies of the Code Amendment available for reading. Information packs were also available at the Hutt Street Library, North Adelaide Library, Minor Works Building community centre, Box Factory community centre, and the North Adelaide community centre.

Letters were sent to owners/occupiers within or adjacent to the Historic Area Overlay. Additional letters were also sent to owners/occupiers of proposed Representative Buildings. These letters identified that their building was proposed to be nominated as a Representative Buildings and included a brief rationale as to why it was nominated.

Engagement material included information regarding the Code Amendment process and how the Minister would decide on the proposed Code Amendment. As indicated in the responses received, 33% of respondents understood how their views would be considered. Although, it was apparent there was uncertainty about why people were being asked for their view, and the way it would be considered.

Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
I felt informed about why I was being asked for my view and the way it would be considered.	25%(3)	8.33%(1)	33.33%(4)	16.67%(2)	16.67%(2)

Charter Principle 5 - Engagement processes are reviewed and improved

All feedback has been reviewed and considered in the preparation of this Engagement Report. The Engagement evaluation survey revealed that some respondents were unclear about how their feedback was considered and how it impacted the proposal. Following the Council's decision on the Code Amendment, the Our Adelaide Engagement Page and related newsletter will be updated to inform the public about the engagement outcomes and the submission of the Code Amendment to the Minister.

The Engagement Plan guided the process and was followed closely. Throughout the engagement, additional stakeholders were identified and contacted. However, some stakeholders outlined in the Engagement Plan, such as the South West City Community Association (SWCCA), and the O'Connell Street and Melbourne Street Main Street Groups, are no longer operational and were not engaged.

The engagement process was continuously reviewed and improved. Feedback from other Code Amendment Engagement evaluations also contributed to these improvements. For example, tailored letters were sent to the owners/occupiers of buildings proposed for nomination as representative buildings, ensuring they received the information by post before the public consultation period began.

7. Refer to the Minister for Planning

On 11 March 2025 the City of Adelaide approved the Code Amendment and this Engagement Report to be provided to the Minister for Planning and Local Government.

Attachments

Attachment 1 Summary of Written Submissions and Response

Attachment 2 Engagement Survey and Evaluation Results

Attachment 3 Copies of Submissions Received

Attachment 1 – Summary of Written Submissions

Background

The Historic Area Update Code Amendment amends the content of 14 existing Historic Area Statements by including additional contextual information about the existing important historical elements of the area and introduces Representative Buildings.

The **goals and methodology of engagement** were:

- Inform the community about the proposed changes to the Planning and Design Code.
- Provide an opportunity for community and key stakeholders to provide feedback on the Code Amendment through Our Adelaide, PlanSA Portal, email and written submissions.

Public Consultation

Consultation ran from 28 October 2024 to 9 December 2024.

Submissions were invited from internal stakeholders, the community, and external stakeholders, including the following State Government agencies and industry associations:

- Planning and Land Use Services
- Department for Infrastructure and Transport
- Department of Environment and Water
- The Office for Design and Architecture
- SA Tourism Commission
- Renewal SA
- National Trust of South Australia
- Urban Development Institute of Australia SA
- Property Council of Australia SA
- Australian Institute of Architect
- Planning Institute of Australia
- Housing Industry Association SA
- Master Builders Association SA
- City of Burnside
- City of Charles Sturt
- City of West Torrens

- City of Unley
- City of Walkerville
- City of Norwood, Payneham and St Peters
- City of Prospect

Response to Engagement & Submissions

A brief summary of the engagement response is provided below while details of specific responses to the engagement process reflected in the updated HMP are provided in the table in the following section. Feedback was received from:

- Email submissions
- Our Adelaide submissions
- PlanSA portal submissions

A total of **44** submissions were received and elaborated on below.

Community consultation

Online engagement was undertaken through *Our Adelaide* and promoted through various City of Adelaide social media and online platforms. The engagement response was as follows:

- **703 Views** - The number of times a visitor views any page on a site.
- **403 Visitors** - The number of unique public or end-users to a site. A visitor is only counted once, even if they visit a site several times in one day. There were 601 visits to the Our Adelaide webpage, which means some people visited your page more than once.
- **530 Total Downloads** - the total set of unique documents downloaded.
- **21 Contributors** - The unique number of visitors who have left feedback or contributions on a site through the participation tools.
- **6 Followers** - The number of visitors who have 'subscribed' to a project using the 'Follow' button.

Submissions Received

	Stakeholder	Summary of Submission	Administration Response and Recommended changes
Key Stakeholders			
1	City of Burnside	Supports the proposed improvements to the Planning and Design Code. The Code Amendment addresses many concerns raised by the City of Burnside during the transition to the Planning and Design Code. Pleased with the following aspects of the Code Amendment: • Enhancement of the City of Adelaide’s distinctive character and heritage • Reinforcement of the importance of heritage and character while recognising the need for a balanced approach to change and growth • Improved clarity, certainty and efficiency of decisions • reinforcement of Representative Buildings through their identification to further support their value and retention • Updates Historic Area Statements to further describe attributes and elements of historic character, themes, context, landscape setting and descriptions of fencing and materials appropriate to periods of architecture to guide context-sensitive design and decision-making • The use of diagrams to provide further guidance for development and development assessment.	Acknowledge support of the Code Amendment. Comments do not request a change to the Code Amendment.
2	Anna Moeller CEO Australian Hotels Association SA	The Association is not opposed to the draft Code Amendment on the basis that the changes will: • Provide better definition of the significant attributes of historic character including the eras, themes, styles,	Comments noted. Acknowledge that the Association is not opposed to the Code Amendment.

		patterns and detailing of historically significant development in each of the 14 Historic Areas will improve the clarity, certainty and efficiency of decisions on development proposals in these Areas; and • Enable development applicants and others to check if a particular building is a Representative Building signifying value in its retention.	Comment does not request change.
3	South East City Residents Association	Supports the principle of the Code Amendment.	Acknowledge support in principle to the Code Amendment.
		Concerned the code amendment is too narrow and restricted. The statement for the south-east of the city does not include: • Items Minister Rau removed from the Local Heritage Register in 2013 • Areas of significant historical importance including parts of East Terrace and South Terrace and the historic and unique main street of Hutt Street. • Consideration of 20th-century buildings (i.e. post-WW II). • The Adelaide Park Lands, where Veale Gardens (Park 21), Himeji Garden (Park 18), Grandstand (Park 16), and native garden hosting cultural burns (Park 17) which all add to the historical diversity of Adelaide. There is not an historic area statement for the south-west of the city despite its significant contribution to the early development of Adelaide. Most proposed representative items are in the south-east of the city. They do not have the same status as heritage places and should be re-evaluated to determine whether they meet either Local or State Heritage Place status. They should be awarded additional protections, such as financial penalties for damage and neglect like those found in	Comments are noted. This Code Amendment only covers areas within the existing Historic Area Overlay boundaries. The inclusion of new Local Heritage Places and any changes to the boundaries of the Historic Area Overlay are outside the scope approved by the Minister of Planning and are not proposed to be changed as part of this Code Amendment. New character and historic areas are being investigated separately and this can inform a future program of Code Amendments subject to Council and Ministerial approvals. There is limited or minimal scope to list proposed Representative Buildings instead as heritage places based on the current criteria for heritage place listing.

		the Heritage Places (Protection of State Heritage Places) Amendment Act 2024. As this issue is essential to recognising the area's cultural and historical importance, an additional Historic Areas Code Amendment should be commenced as soon as possible to include more of south-east Adelaide.	
4	North Adelaide Society Inc	The North Adelaide Society comments are summarised as follows: Respecting the Past in Planning for the Future The history, heritage and character of localities and precincts of the CoA make Adelaide unique. The content and coverage of Historic Area Statements (HAS) within the CoA must respect and not detract from enhancing that intergenerational value and uniqueness.	The intent of the Historic Area Statements is to focus on identifying historic elements that are important and contribute to the character of the area. The Statements <i>include additional contextual information about the significant attributes of historic character including the eras, themes, styles, patterns and detailing of historically significant development in each of the Historic Areas. It aims to improve the clarity, certainty and efficiency of decisions on development proposals in these Areas.</i> Comment does not request change.
		The Code Amendments is a substantive improvement to the current statements and bleakness of the Planning and Design Code.	Comment is noted.
		The Code Amendment can be further improved and provide greater certainty of intent and interpretation by including the following. - desired outcomes and performance outcomes from the previously well developed Adelaide (City) Development Plan. - O'Connell St and Melbourne St should become subject to historic area statements. Alternatively, adjacency from within an historic area statement should extend into an adjoining (contiguous) zone.	As mentioned above, the Code Amendment <i>includes</i> additional contextual information about the significant attributes of historic character. Although the proposed Historic Area Statements reference historic character elements that were referred to and addressed in the former Development Plan, the content of the proposed Statements is more detailed and comprehensive. This Code Amendment only covers areas within the existing Historic Area Overlay boundaries. Any changes to the boundaries of the Historic Area Overlay to include the Main Streets are outside the scope approved by the Minister of

	• The coverage of historic area statements should be expanded to include localities with, and adjacent to, state and local heritage places within the CoA. • The CoA should expeditiously seek further code amendments and ministerial approval for interim effect pending requisite formal processes.	Planning and are not proposed to be changed as part of this Code Amendment. New character and historic areas outside the current Historic Area Overlay will be investigated separately and this can inform a future program of Code Amendments. There is no Overlay in the Code addressing adjacency to a Historic Area – only the Heritage Adjacency Overlay which a land adjacent to a heritage place.
	Support proposed representative items however the listing as a “Local Heritage Places” is preferred. Items from within adjacent main streets should also be considered. Items from within the main street zones adjoining a HAS ought to be considered, assessed and included as “representative items”, absent the preferred characterisation as a “local heritage place”	Acknowledge support for the proposed Representative Buildings. The inclusion of new Local Heritage Places and any changes to or outside the boundaries of the Historic Area Overlay are outside the scope approved by the Minister of Planning and are not proposed to be changed as part of this Code Amendment. Refer also to comments above regarding expansion of the Historic Areas and in relation to the Main Street Zones.
	The Code Amendment, should also the include the spatial application (i.e., area coverage) of historic area statements within the CoA to include localities with, and adjacent/cy to, state and local heritage places, within the CoA. This is especially important in the southern and other residential areas of the CoA in which there are local/state heritage places, but without the benefit of being within an HAS.	Comments noted. As mentioned above, this Code Amendment only covers areas within the existing Historic Area Overlay boundaries. Any changes to the boundaries of the Historic Area Overlay are outside the scope approved by the Minister of Planning and are not proposed to be changed as part of this Code Amendment. New character and historic areas outside the current Historic Area Overlay will be investigated separately and this can inform a future program of Code Amendments subject to Council and Ministerial approvals.

Community			
Written Submissions			
5	Andrew Mill on behalf of Mill Investments Pty Ltd	Object to the rear of the property situated at 134 Melbourne Street, North Adelaide being included in the proposed Historic Area. Request that the boundary of the proposed Historic Area undergo minor adjustment to align with the 'true' rear boundary of 134 Melbourne Street (which is the rear of the Sussex Street Strata Plan).	Non-alignment of the Historic Area Overlay boundary with the cadastral boundary of 134 Melbourne Street is a technical error that can be remedied by the Minister for Planning as a Minor Correction (rather than via the Code Amendment process). To this end, Planning and Land Use Services has been requested, via the relevant PlanSA online request form, to investigate a Minor Correction by the Minister.
6	Matthew Gerschwitz	Under Architectural styles, Brougham Court incorrectly refers to the Edwardian period and semi-detached Edwardian villas within the North Adelaide Cathedral Historic Area Statement. The construction was completed by 1901 the City of Adelaide Council Heritage Plaque that sits on the front fence of most of the properties identifies them all as late Victorian. They do not reflect an Edwardian style of architecture or construction. The content should be revised to correctly reflect the Victorian era.	Comment noted. The properties higher on the street are of 1901 construction and demonstrate Edwardian era detailing including Queen Anne-style gables and coursed brick detailing. Those toward the bottom of the street also reflect the Edwardian period: however, they include late Victorian Gothic-style elements, <i>and, also, unusual projecting brick quoins more typical of Georgian buildings.</i> Amend the Architectural styles for Brougham Court within the North Adelaide Cathedral Historic Area Statement to read as follows: <u><i>Brougham Court</i></u> <i>Late Victorian and Edwardian period.</i> <i>Architectural styles include but not limited to detached and semi-detached late Victorian and Edwardian villas and former Ebenezer Chapel.</i>
7	Alistair and Sally McHenry	Want to see the historic area preserved and heritage values maintained.	Comment noted. Acknowledge support for Code Amendment.

	Support the use of the Statements to provide a reference point for upgrading, refurbishment and conservation work on the main body of heritage and representative buildings.	
	Concerned the Statements could unreasonably limit the creative and innovative design of additions to the rear of existing heritage and representative buildings, for example, if planners and heritage consultants were to use the statement to demand that the design of an addition to the rear a Victorian villa closely matches its form and materials. Away from the historic street frontage creative and innovative design solutions should be possible and encouraged as they can provide improved accommodation, amenity and environmental outcomes.	Comment noted. The Historic Area Statements were prepared to provide guidance in assessment of proposals rather than prescribe a specific design approach. Assessment is made against the Historic Area Overlay Performance Outcomes in the Planning and Design Code, primarily PO 3.1 <i>Alterations and additions complement the subject building, employ a contextual design approach and are sited to ensure they do not dominate the primary façade.</i> The key outcome sought is that the design of the additions would employ a contextual design approach, rather than closely match, and that the historic building would retain its visual prominence in the historic context. It is best practice in historic areas for additions to historic/ heritage buildings to be a contemporary design to clearly differentiate the old and new portions of the building and should utilise contemporary finishes that resemble the historic elements. The appropriateness of an addition's design also depends on its visibility in the primary streetscape, with greater flexibility provided to additions that are not greatly visible from the street.
	<u>Allotments, subdivisions and built form patterns</u> <i>....Typically, there is either no on-site parking space for a car or else space is situated at the rear of the Dwelling.....</i> While correct there are examples where driveways and parking exist at the front between houses. In the immediate vicinity of Kate Court 10% of the off-street parking is like this.	Comment noted. Although there may be some examples of where driveways exist between dwellings, the intent of the Historic Area Statements is to focus on identifying historic elements that are important and contribute to the character of the area. It is not the role of the Historic Area Statement to describe all

			features of the area, only those contributing to its historic character. No further change to Historic Area Statements is proposed.
		<u>Architectural styles, detailing and built form features</u> <i>....Typical and appropriate siting of carports and garages is illustrated below.(part plan)</i> Given security and vandalism concerns it would be unduly restrictive to only allow “open carports only”. Roll up doors are very common in the area and should not be excluded.	Comment noted. The intent of the Historic Area Statements is to focus on identifying historic elements that are important and contribute to the character of the area. It is not the role of the Historic Area Statement to describe all features of the area, only those contributing to its historic character. If new roll up doors are proposed, all relevant policy provisions of the Code that apply will need to be considered. No further change to Historic Area Statements is proposed.
		<u>Building Height</u> <i>... Second level additions not protruding above the roof line apparent from the primary street.</i> Did they mean: <i>... Second level additions protruding above the roof line should not be apparent from the primary street.</i> The use of the word apparent is vague and could be interpreted that additions should not be readily seen from the street and would be unduly restrictive. Most existing second level additions are higher than the existing single storey roof line at the front and while well set back are visible from the primary street. Additional height is essential for good architectural outcomes, space planning and amenity.	Comment noted. As explained above, the proposed Historic Area Statements within the Code Amendment have been drafted to identify historic elements that are important to the character of the area. Rear additions that are not visible from the streetscape are reflective of the historic character of the area. No further change to Historic Area Statements is proposed.
		<u>Building Height</u> <i>Building height, including the floor to ceiling clearances of each level, reference the prevailing floor level and building</i>	“As Above”

		<i>heights of Heritage Places and Representative Buildings within the locality</i> For many rear additions particularly single storey cottages this would be unduly restrictive for a second floor.	
		<u>Materials</u> <i>Paint colours consistent with the era and style of the building as defined by archival sources</i> Very few buildings have paint colours strictly as defined by archival sources. The “archival sources” wording is restrictive and needs to be relaxed to meet community expectations. Suggestion: <i>Paint colours consistent with the era and style of the building as defined by archival sources are preferred, however a range of colours that are consistent with the established streetscape is also acceptable.</i>	Comment noted. The paint colours should be consistent and complementary to the era and style. The archival sources provide information that can be referenced to ensure the choice is complimentary and consistent. Revise the Materials section of each Historic Area Statement as follows: <i>Paint colours consistent or complementary with the era and style of the building as defined by archival sources.</i>
		<u>Materials</u> A list of prevailing materials is provided. Concerned if this material palette is applied to additions and alterations at the rear of dwellings (where well set back from the street) it would be unduly restrictive and not result in good design outcomes. It would be good if there was a distinction made between the requirements for renovation and restoration of the main part and street frontage of existing heritage buildings and new works behind this.	Noted. The list of materials provided provides a reference point for selecting contemporary materials with similar qualities and applies to the visible prevailing streetscape qualities. No further change to Historic Area Statements is proposed.
8	Dr. Drew Toth Susy Gounder JP	Strongly objects to the inclusion of 123 Barnard St, North Adelaide as a representative building. Grounds for objection to any nomination as a representative building are:	Acknowledge opposition to the Code Amendment including the listing of 123 Barnard Street, North Adelaide as a Representative Building.

		Historian Dr P. Bell engaged by Council stated in his report: 1. 'the house has undergone major alterations to its form 'such that there is relatively little of the existing fabric of the house from the nineteenth century' and 2. 'recommended that the property be removed from the schedule of local Heritage places'. 3. It would be 'ultra vires 'etc. to nominate the house at 123 Barnard St, Nth. Adelaide including due to *#1 and # 2 above etc.: Based on 1 & 2, categories are negative, there are insufficient grounds for the building to be nominated as a representative building and we would regard it as 'ultra vires 'etc. to do so. Please also note previous submission/s and /or objection/s for this house for previous heritage and/or PAR/s etc. Enclosed as part of the submission is expert advice from Douglas Alexander from Douglas Alexander Architecture and Heritage Pty Ltd summarised below.	The Historic Area Statement updates have been prepared to further clarify the limited information for these areas currently in the Planning and Design Code. Part of this update is to understand community sentiment and expectations around which buildings within the Historic Area Overlay are considered to demonstrate the historic characteristics as expressed in the Historic Area Statement. On review and in consideration of the additional information provided 123 Barnard Street, while being of the appropriate era of construction, setbacks and detailing is not considered to retain sufficient integrity to demonstrate its original design, due to the poor quality and highly unsympathetic second storey addition that has compromised the significant roof form and impacts the visual amenity of the representative place and historic area. Objection supported.
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		<u>Advice from Douglas Alexander supporting the objection to 123 Barnard Street as a Representative Building as follows:</u> - the Code Amendment falls short in the following areas: - the Historic Area Statements are not concise, nor particularly useful in guiding the assessment process; - Wrongly identify the dwelling at 123 Barnard Street as a Representative Building and potentially devalue the meaning of a Representative Building. - It is already sufficiently protected by the Historic Area Overlay and Heritage Adjacency Overlay; 123 Barnard Street has been substantially altered to the extent that it does not sufficiently represent significant historic character described in the relevant Historic Area Statement. It is also in a portion of streetscape that has been altered with modern new dwellings and modern institutional buildings on the north side. - The upper-level addition is not a quality design nor an architectural style relating to North Adelaide's development as a residential village from the 1830s-1940s; - The upper-level addition is dominant and intrusive and detracts from the original single storey portion, and would be unlikely to be approved today; - The upper-level addition has involved demolition of the dwelling's original ridge and the construction of a much lower ridge line which has changed the proportions and composition of the dwelling; - The verandah is non-original, the walls have suffered the application of plastic paint and the front doorway has suffered accretions and change. - The front original portion is fortunately not highly visible; the removal of vegetation would reveal just how invasive the alterations have been and set up an unfortunate contrast with 125 Barnard Street, that would not result in visual cohesion and confuse the nature of identified buildings.	Refer to response to Dr Drew Toth.
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9	Richard Crowley	Objects to the inclusion of 171 Barnard St as an important Representative Building. The property was recently sold after purchasing it approximately 10 years ago in a derelict condition and renovated. The house was built in 1915 and its roofline is at the same height as Gibbon Lane adjacent to the side of 171. The house has NO historical significance, and the neighbouring derelict houses to its North and East. The brush and colour bond fencing should be considered permanent, both for security and privacy purposes thus making the house inconspicuous. The Insubstantial brick dwelling significantly reduces the value of the beautiful large corner allotment and should be replaced with a dwelling sympathetic to its potential & surroundings. There is no value in retaining or further conserving the original building, it provides modest accommodation for 2-3 people. Strongly disagrees with the proposed Amendment.	Acknowledge opposition to the Code Amendment including the listing of 171 Barnard Street, North Adelaide as a Representative Building. The Historic Area Statement updates have been prepared to further clarify the limited information for these areas currently in the Planning and Design Code. Part of this update is to understand community sentiment and expectations around which buildings within the Historic Area Overlay are considered to demonstrate the historic characteristics as expressed in the Historic Area Statement. On review and in consideration of the additional information provided 171 Barnard Street, while have been constructed in the stated eras, the building is not considered to represent key aspects of the patterns and characteristics of the Historic Area, namely Barnard Street's prevalence of large/grand residences set on large allotments with consistent setbacks. Objection supported.
10	James Katsaros	Opposes the nomination of the building at 174 Ward Street North Adelaide as a "Representative Building" and considers this to be a heritage listing by stealth. Enclosed as part of the submission is expert advice from Mr Brian Hayes KC and Assoc and Professor Danvers, heritage architect, in support of the opposition to this nomination.	Acknowledge opposition to listing 174 Ward Street, North Adelaide as a Representative Building within the Code Amendment. Noted. Refer to detailed response to Assoc. Professor Danvers below.
		<u>Advice from Assoc. Professor Danvers to support the objection</u> is as follows: 174 Ward Street retains much of its architectural character, but its landscape setting has been sacrificed to provide for its	The property as noted in Assoc Professor Danvers's letter retains much of its architectural stylistic elements (despite the alterations made), which Administration have assessed as

	use as consulting rooms. The front garden having been rebuilt, not unattractively, to improve pedestrian access from the street and also the improved vehicle access and parking to the eastern side. The building does not meet the criteria for designation as a Representative Building as the code defines, because of the extremes in character of its urban context. It is on the edge of the area covered by the relevant Historic Area Statement and the majority of buildings in its immediate locality fall outside the “diverse collection of architectural style” described in that statement. Designation as a Representative Building would not therefore contribute to greater legibility in understanding the historic area as defined. Recommends that 174 Ward Street not be designated as a Representative Building.	sufficient to meaningfully express the characteristics as described in the Historic Area Statement. This Statement recognises that there is a prevailing pattern counterintuitively defined by diversity e.g.: Characterised by a range of architectural styles relating to North Adelaide’s development as a residential village from the 1830s-1940s and from the 1960s It is recognised that the context of these proposed representative places includes later buildings that do not reinforce the established character as provided in the Historic Area Statement. The more recent buildings opposite are not in the relevant Historic Area because the Area’s boundary follows the centre-line of Ward Street. (The Historic Area boundary was set under earlier legislation, as a Policy Area boundary. It is not within the scope of the Code Amendment agreed with the Minister for Planning to review these boundaries.) With regard to 174 Ward Street being on the edge of a Historic Area, all such Areas must have an edge. In this case, Ward Street being a wide street (and forming the edge in question) there is significant separation of the building lines and built form on either side of the street. It is the purpose of the statements to speak only to the characteristics/patterns that are historic, rather than make comment or concession relating to the relative integrity of the urban context. Therefore, as the Historic Area Statement only considers the contribution of historic buildings, the collection of historic buildings on Ward Street represents and reinforces what could otherwise be considered a limited historic character.
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			Having regard to the built-form character of the northern side of Ward Street including a row of four similar aged buildings (that on 174 Ward Street being the eastern-most of these) respectfully assert that 174 Ward Street demonstrates the historic characteristics of the Historic Area Statement.
		<u>Advice from Brian Hayes KC to support the objection</u> is as follows: Refers to the Code Amendment’s explanation that for each representative building an assessment of the current streetscape context and condition of each potential representative building as far as possible to judge from viewing from the street has been made. Refers to the Code Amendment’s recommendation of 174 Ward Street because it’s in a row of four similar aged buildings of which 182c to 284 Ward Street are listed as local heritage places and 178 Ward Street is a state heritage place. “It then describes the architectural merits of the building. There is no further stated justification for its inclusion.” The proposal to nominate 174 Ward Street as a representative building cannot be justified having regard to the criteria set out above. 174 Ward Street is the only proposed representative building in that Street. It is not part of a “cohort of representative buildings “nor is it part of a collection of buildings of historic character. Refers to report from Prof Ron Danvers reinforcing “the view that I have expressed”. For the reasons set out above there is no proper justification for including 174 Ward Street as a representative building as part of this amendment to the code.	174 Ward Street, North Adelaide is recommended as a Representative Building not because it is the sole building or building type contributing to historic character but because it is part of a collective contribution by buildings also including nearby local heritage places and state heritage places. These buildings contribute to the significant historic character as described in the relevant Historic Area Statement. Noted. Refer to detailed response to Assoc. Professor Danvers above.

11	Charles W. Irwin	Requests that 112 Brougham Place be removed from the listing of proposed buildings. Would like previous letter dated 22 November 2004 objecting to a similar proposal be considered as part of my current objection as it remains relevant. The 2004 McDougall & Vines citation was erroneously generic and self-contradictory and correctly rejected on review. It is less accurate today as a substantial renovation of the building was undertaken in 2012, during which “outbuildings or staff accommodation” that were conjectured to fit the 2004 citation were replaced. The only part of the property that could date from the period referred to in the 2004 citation is the western section of the street wall Comments regarding dismissal by the Environment Court, precinct consistency, and the protection of character in stark contrast to other local heritage-protected places due to continuous family ownership remain accurate. Inaccuracies in your more recent letter of October 10th states that “the dwelling is well set back from the frontage” when in fact it is built right on the street. It refers to “the photos below” when no photos at all were included or appended to the letter. It further states that these illustrate “the roof form and chimney and part of the exterior wall of the dwelling can be seen from the street (and also from the public open space uphill to the north)” which, given its six foot boundary wall and solid gates, the actual exposure of the residence to any public space (certainly from the footpath and the low level parkland opposite and even from apartments several stories higher on the other side of the park, from which views into the property are well shielded by the many trees.	Acknowledge objection to listing of 112 Brougham Place, North Adelaide as a Representative Building within the Code Amendment. The Historic Area Statement updates have been prepared to further clarify the limited information for these areas currently in the Planning and Design Code. Part of this update is to clarify for owners within the Historic Area Overlay which buildings are considered to demonstrate the historic characteristics as expressed in the Historic Area Statement for the purposes of planning assessment. Historic Area Overlay Performance Outcome 7.1 Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished... As the areas do not currently have a Representative Building list, planning assessment staff must make a determination when they receive a development application whether or not a building in the overlay has features that demonstrate the historic characteristics of the Historic Area Statement. Therefore, a Representative Building list is an opportunity for City of Adelaide to increase transparency in the development assessment process, by clarifying which properties will be subject to Historic Area Overlay based demolition controls. Due to its visible architectural details including roof form, chimney, materials and boundary wall, 112 Brougham Place, North Adelaide is currently considered to sufficiently and meaningfully demonstrate the historic characteristics as expressed in the Historic Area Statement. It is important to note that being included as a Representative Building is not a measure of heritage value but rather whether
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		The latest citation of heritage values is inaccurate and self-contradictory as the 2004 proposal. As found by Dr Peter Bell in 2005, any recommendation for listing should be rejected.	a property meaningfully demonstrates the historic characteristics as expressed in the Historic Area Statement. The marking of this property as a Representative Building does not increase or decrease the protections already afforded under the current Historic Area Statements. No further change to the Code Amendment is proposed.
12	Luisa Manno	Objects to the nomination of 293, 301, 305 and 307 Halifax Street as "representative buildings". No change in circumstances have been found since we last petitioned and debated along with other resident's against placing our properties as Heritage listed. No noteworthy, famous or distinguished person be them., Historical or an Einstein has been connected to my families properties which my family has lived in, for well over 60 years. Our Properties have neither, Museum or Art Gallery importance. There have been no archaeological or fossils found. My late parents Mr Vittorio Manno and Mrs Amina Manno, built a name for themselves. Their legacy for us children was achieved honestly, by working hard with their blood sweat and tears whilst upholding the upkeep and integrity of the Street.	Acknowledge opposition to listing of 293, 301, 305 and 307 Halifax Street, Adelaide as a Representative Building within the Code Amendment. The Historic Area Statement updates have been prepared to further clarify the limited information for these areas currently in the Planning and Design Code. Part of this update is to clarify for owners within the Historic Area Overlay which buildings are considered to demonstrate the historic characteristics as expressed in the Historic Area Statement for the purposes of planning assessment. Historic Area Overlay Performance Outcome 7.1 Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished... As the areas do not have a Representative Building list currently, planning assessment staff must make a determination when they receive a development application whether or not a building in the overlay has features that demonstrate the historic characteristics of the Historic Area Statement. Therefore, a Representative Building list is an opportunity for City of Adelaide to increase transparency in the development assessment process, by clarifying which properties will be subject to Historic Area Overlay based demolition controls.

			Due to their visible architectural details, that closely align with the Historic Area Statement, these properties are currently considered to sufficiently and meaningfully demonstrate the historic characteristics as expressed in the Historic Area Statement. It is important to note that being included as a Representative Building is not a measure of heritage value, but rather whether a property meaningfully demonstrates the historic characteristics as expressed in the Historic Area Statement. The marking of this property as a Representative Building does not increase or decrease the protections already afforded under the current Historic Area Statements. No further change to the Code Amendment is proposed.
13	Michelle Slatter Andrew Alston	<i>Object to the nomination of 47 Stanley Street for the following reasons:</i> • is of uncertain date - there is no clear consensus about the age of the oldest remnants of the building. <i>The lack of certainty underlines the extreme alterations of form made to the dwelling.</i> • after many alterations, the building “no longer displays ... characteristics of importance to North Adelaide” [Bell, 2005] In 2005, Professor Bell found the building had experienced ‘severe alterations’ over the course of its life: <i>Everything visible of this building has undergone an unknown degree of alteration and has been heavily rendered.</i> <i>‘[it is] a mixture of architectural styles and eras. It is not typical and displays very little architectural merit.</i>	Acknowledge opposition to listing 47 Stanley Street, North Adelaide as a Representative Building within the Code Amendment. The Historic Area Statement updates have been prepared to further clarify the limited information for these areas currently in the Planning and Design Code. Part of this update is to clarify for owners within the Historic Area Overlay which buildings are considered to demonstrate the historic characteristics as expressed in the Historic Area Statement for the purposes of planning assessment. Historic Area Overlay Performance Outcome 7.1 Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished... As the areas do not have a Representative Building list currently, planning assessment staff must make a determination when they receive a development application

	<i>As a result, the building no longer displays ...design characteristics of significance to North Adelaide.'</i> Since 2005, further major alterations were undertaken. The alterations resulted in more changes to the dwelling's street-visible profile, façade, presentation, garden, boundary and gates. <i>The alterations, have added to the 'mixture of architectural styles and eras' than 20 years ago, when Professor Bell dismissed it as 'not typical' and its hotchpot design as 'of no significance to North Adelaide'.</i> • respects its street context simply by observing heritage protection requirements applicable. The recent alterations have considerably improved its street appeal. <i>This has been achieved simply by observing heritage controls prevailing across the Kentish Arms Historic area, without any additional limitations or restrictive status imposed on the development sites.</i> • recognises that the parameters for development are established by the large number of existing Local and State Heritage Places throughout the Street. <i>The character and context of this very special Street are well-protected by the numerous Heritage Places' influence and by the Kentish Arms Historic Area heritage controls without additional 'Representative Buildings'.</i> The nomination as a Representative Building is unjustified and inappropriate and hard to understand when the nominee	whether or not a building in the overlay has features that demonstrate the historic characteristics of the Historic Area Statement. Therefore, a Representative Building list is an opportunity for City of Adelaide to increase transparency in the development assessment process, by clarifying which properties will be subject to Historic Area Overlay based demolition controls. Due to the visible architectural details, that align with the Historic Area Statement, this property is currently considered to sufficiently and meaningfully demonstrate the historic characteristics as expressed in the Historic Area Statement. It is important to note that being included as a Representative Building is not a measure of heritage value, but rather whether a property meaningfully demonstrates the historic characteristics as expressed in the Historic Area Statement. The marking of this property as a Representative Building does not increase or decrease the protections already afforded under the current Historic Area Statements. No further change to the Code Amendment is proposed
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		is a building found by experts to 'lack characteristics of significance to North Adelaide'.	
14	Sofia Laparidis	Objects to the Historic Area Overlay and the listing of 25 Mann Terrace, North Adelaide as a representative building. This is the third time that the council has sought to list my property causing considerable stress and uncertainty. While the value of preserving significant buildings and sites is recognised the proposed listing is unwarranted and does not meet the necessary criteria for inclusion. Concerns are outlined as follows: • Lack of Historical or Architectural Significance: Over the years, the property has undergone significant alterations, particularly to the façade, verandah and fencing, which have eroded its original character. As a result, it no longer retains the distinct historical or architectural features that would justify its inclusion as a representative-listed site. • Deteriorating Property Condition and Aesthetic Impact to Area: The house does not retain its original features which have had to be replaced due to deterioration. The state of the property shows it is continuing to be subject to ongoing deterioration. The proposed listing could place restrictions on necessary repairs or modifications to the property and could severely limit my ability to address the building's issues in a timely and cost-effective manner. This could result in a situation where the property becomes uninhabitable or is lost entirely, reducing the potential for preserving any aspect of its historical value. • Impact on Property Value: Representative listing would have a detrimental effect on the value of my property. The restrictions on alterations and renovations would limit	Acknowledge opposition to the Historic Area Overlay and listing of 25 Mann Terrace, North Adelaide as a Representative Building within the Code Amendment. The Historic Area Overlay was introduced when the Planning and Design Code was introduced and replaced what was the North Adelaide Historic Conservation Zone in the former Development Plan. Removal of individual buildings from the Historic Area Overlay is outside the scope of this Code Amendment. The Historic Area Statement updates have been prepared to further clarify the limited information for these areas currently in the Planning and Design Code. Part of this update is to clarify for owners within the Historic Area Overlay which buildings are considered to demonstrate the historic characteristics as expressed in the Historic Area Statement for the purposes of planning assessment. Historic Area Overlay Performance Outcome 7.1 Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished... As the areas do not currently have a Representative Building list, planning assessment staff must make a determination when they receive a development application whether or not a building in the overlay has features that demonstrate the historic characteristics of the Historic Area Statement. Therefore, a Representative Building list is an opportunity for City of Adelaide to increase transparency in the development

		my ability to maintain or improve the property, leading to a reduction in its marketability and value. • Personal and Financial Impact: Restrictions associated with a representative listing would create considerable challenges. The ongoing costs of maintaining a representative building, combined with the limitations on necessary repairs or improvements, would place a significant financial burden on me. The potential for decreased property value and diminished flexibility in managing the property is a major concern.	assessment process, by clarifying which properties will be subject to Historic Area Overlay based demolition controls. Due to their visible architectural details, that closely align with the Historic Area Statement, these properties are currently considered to sufficiently and meaningfully demonstrate the historic characteristics as expressed in the Historic Area Statement. It is important to note that being included as a Representative Building is not a measure of heritage value, but rather whether a property meaningfully demonstrates the historic characteristics as expressed in the Historic Area Statement. The marking of this property as a Representative Building does not increase or decrease the protections already afforded under the current Historic Area Statements. No further change to the Code Amendment is proposed
15	Judith Thomas (Dr)	Accepts changes outlined in the draft Code Amendment. I hope the height of new buildings can also be considered contrary to preserving the Historic Area Overlay.	Acknowledge acceptance of the changes proposed by the Code Amendment. Height within the Finnis (Adel 13) Historic Area Statement identifies the historic character elements as low scale, one storey residential established by the prevailing patterns set by Heritage Places and Representative Buildings, except where the following Concept Plans apply: • Concept Plan 25 – Kathleen Lumley College Two-storey exceptions are the British Hotel and Finnis Corner (at 1-3 Finnis Street), and buildings of Heritage value (but more recent origin) ranging from two to four storeys in the Kathleen Lumley College site between Finnis Street and MacKinnon Parade. Building height, including the floor to ceiling clearances of each level, reference the prevailing floor level and building

			heights of Heritage Places and Representative Buildings within the locality. Comment does not request a change.
16	Angelo Kotses	Does not support the proposed changes to the Historic Area Statement. The changes: • introduce some arbitrary, ineffective and unsuitable attributes when detailing what is of historical significance. • the 54 buildings listed as Representative Buildings have been arbitrarily selected with no apparent justification or consistency, and in doing so yield yet further control to the City of Adelaide at risk of connection with the past. Does not have the confidence that expectations and the decision making now and, in the future, will be supportive and compatible with the past. The proposed changes grant Council with further discretion to make determinations as to what they see fit for the future and go beyond what is required to ensure the historic nature of the location is maintained.	Acknowledges opposition to the changes of the Historic Area Statements and listing of Representative Buildings within the Code Amendment. The Code Amendment includes additional contextual information about the significant attributes of historic character including the eras, themes, styles, patterns and detailing of historically significant development in each of the Historic Areas. It aims to improve the clarity, certainty and efficiency of decisions on development proposals in these Areas.
17	David Davies	<i>Objects to the nomination of 39-40 Kingston Terrace, North Adelaide as a Representative Building.</i> <i>Objection is supported by report by Mr Andrew Stevens, director of Stevens Architects Pty Ltd summarised below:</i> In summary the <u>advice from Andrew Stevens from Stevens Architects PTY Ltd supporting the objection</u> is as follows: The dwelling, does not “display characteristics of importance in a particular area” nor does it “exemplify the characteristics and elements to be protected within the respective Historic Area”. It is evident that the subject dwelling: - Is not of a building style and era consistent with those assessed as significant in the Historic Areas.	Acknowledge objection to the listing of 39-40 Kingston Terrace, North Adelaide as a Representative Building within the Code Amendment. Noted. Refer to detailed response to Andrew Stevens below: Acknowledge support for the objection to the listing of 39-40 Kingston Terrace, North Adelaide as a Representative Building within the Code Amendment. On review, the submission including advice from Stevens Architects, provides reasonable grounds to remove the proposed Representative Place designation.

		- Does not demonstrate the historic theme/s important in the area. - Does not display visual continuity with buildings with similar characteristics in the streetscape. The historic development of North Adelaide as a residential village and the continued residential nature of the suburb is well presented in the existing State and Local heritage Places and proposed Representative Buildings with significantly higher integrity than the subject dwelling. The subject dwelling should not be a Representative Building.	While it is recognised there is historical fabric remaining from the mid-1800s, the property was included in the proposed list of Representative Places due to its presentation as a late-interwar/early post war property also demonstrating the eclectic and transitional nature of North Adelaide's development. Stevens Architects advises that the 2-storeys were approved in 1948 and constructed after with further substantial alterations in the 1970-1980s. The majority of representative fabric therefore dates from after the significant period 1920-1942 disqualifying the property under the proposed guidelines as written. The fabric that may represent a mid-1850s building has also been treated in a manner that does not allow for its interpretation as a building of this era. Objection supported.
18	David Deakin Davies Nominees Pty Ltd	<i>Objects to the proposed nomination of the two properties at 41 and 43 Kingston Tce, North Adelaide as Representative Buildings.</i> Objection is supported by <i>report</i> by Mr Andrew Stevens, director of Stevens Architects Pty Ltd summarised below:	Acknowledge objection to the listings of 41 Kingston Terrace, North Adelaide and 43 Kingston Terrace, North Adelaide as Representative Buildings within the Code Amendment. Noted. Refer to detailed response to Andrew Stevens below:
		In summary the <u>advice from Andrew Stevens from Stevens Architects PTY Ltd supporting the objection</u> is as follows: The dwellings do not “display characteristics of importance in a particular area” nor does it “exemplify the characteristics and elements to be protected within the respective Historic Area”. It is evident that the subject dwellings: - Are not of a buildings style and era consistent with those assessed as significant in the Historic Area. - Do not demonstrate the historic theme/s important in the area.	Acknowledge support for the objection to the listing of 41 Kingston Terrace, North Adelaide and 43 Kingston Terrace, North Adelaide as a Representative Buildings within the Code Amendment. The property is noted by consultant Andrew Stevens as Victorian with 1960s Neo-Georgian style alterations. The property as noted, retains the silhouette, roof form, chimneys, Italianate detailing, quoins and stone-fronting that substantially displays a historic character through remaining

		- Do not display visual continuity with buildings with similar characteristics in the streetscape. The historic development of North Adelaide as a residential village and the continued residential nature of the suburb is well presented in the existing State and Local heritage Places and proposed Representative Buildings with significantly higher integrity than the subject dwelling. The subject dwelling should not be a Representative Building	fabric. The neo-Georgian alterations to the façade, do not detract in a way that compromises this representativeness. In the arguments against representativeness, it is noted that they have been previously assessed as ‘no longer excellent examples of the 1870s -1880s symmetrically fronted sandstone residences’. It is important to note that this was in the context of the thresholds for Local Heritage listing. I note the threshold for designation is not an excellent example as would be expected for a heritage place, it is instead whether or not the property is meaningfully demonstrative of the characteristics as written in the Historic Area Statement. On balance of remaining fabric, form and presentation of the property that relates to a Victorian era residence, we respectfully retain our opinion that the property be included as a Representative Place.
19	Daniel Farrugia Also submitted written submission	Does not support the proposed revisions to the Historic Area Statements Would like the deletion of his house at 99 Palmer Place as a “Representative Building”	Acknowledge objection to the listing of 99 Palmer Place, North Adelaide as a Representative Building within the Code Amendment. Noted. Refer to detailed response to DASH Architects below:
	Griffins Lawyers on behalf of Mr Daniel Lee Farrugia 99 Palmer Place, North Adelaide	Strongly opposes the inclusion of 99 Palmer Place, North Adelaide as a Representative Building. Notes that the Building has already previously been rejected for listing as a Local Heritage Place on more than one occasion. Objection is supported by report by DASH Architects summarised below:	Acknowledge objection to the listing of 99 Palmer Place, North Adelaide as a Representative Building within the Code Amendment. Noted. Refer to detailed response to DASH Architects below:

In summary the advice from DASH Architects supporting the objection is as follows:

The Subject Property does not exhibit any of the historic themes or attributes of historic built character described in the relevant Historic Area Statement, and accordingly should not be confirmed as a Representative Building.

99 Palmer Place fails to adequately display any of the attributes identified by the amended Historic Area Statements, with the possible exception of the use of bluestone in its facades in which 70% of this material has been reconstructed to a different layout in either salvaged or newly sourced material, so lacks any integrity to the original era of construction.

Accordingly, there is no basis for the inclusion of 99 Palmer Place as a Representative Building.

These findings remain consistent with two prior reviews undertaken by Administration in 1993 and 2005, that saw any pursuit of Local Heritage listing rejected.

The Code does provide limited circumstances, however, where demolition is contemplated, namely:

Performance Outcome 7.1 notes:

Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished, unless

- (a) *the front elevation of the building has been substantially altered and cannot be reasonably restored in a manner consistent with the BUILDING'S original style*
- (b) *the structural integrity or safe condition of the original building is beyond reasonable*

Acknowledge support for the objection to the listing of 99 Palmer Place, North Adelaide as a Representative Building within the Code Amendment.

The Submission asserts that the extensive alteration in the style of the original building is sufficient to exclude the property from consideration as a Representative Building.

As there is little guidance on how the Representative Building list should be populated and what threshold of change is grounds for exclusion, the building should remain on the Representative Building List.

Under Performance Outcome 7.1 (a) the front elevation of the building has been substantially altered and cannot be reasonably restored in a manner consistent with the building's original style

This requirement is not to match original detail, only the original style, which arguably the alterations do.

The Historic Area Statement updates have been prepared to further clarify the limited information for these areas currently in the Planning and Design Code.

Part of this update is to clarify for owners within the Historic Area Overlay which buildings are considered to demonstrate the historic characteristics as expressed in the Historic Area Statement for the purposes of planning assessment.

Historic Area Overlay Performance Outcome 7.1 Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished...

As the areas do not currently have a Representative Building list, planning assessment staff must determine when they receive a development application whether a building in the

		While PO7.1(b) would clearly not be satisfied for the subject property, the extent of alteration undertaken in the 1980's would almost certainly stratify (a). The scale and extent of alterations were extensive and included the demolition and reconstruction of the majority of the façade to a different form, scale and style. The extent of alteration is so great that it <i>cannot be reasonably restored in a manner consistent with the buildings original style</i>, and accordingly PO7.1(a) would support any demolition of the place In circumstance where reconstruction might be contemplated, there appears to be no specific details of what the building's original style was in order to facilitate this. The only current located image of the Palmer Place frontage is a c1980s real estate sketch. While this sketch shows the original form and configuration of the building, it lacks any illustration of the original 1880s architectural detail that heavily characterised development of this era. This is particularly the case for the verandah that is clearly not original (c1940 - 1950s).	overlay has features that <i>demonstrate the historic characteristics of the Historic Area Statement</i>. Therefore, a Representative Building list is an opportunity for City of Adelaide to increase transparency in the development assessment process, by clarifying which properties will be subject to Historic Area Overlay based demolition controls. Due to the property's visible architectural details, that align with the Historic Area Statement, the property is currently considered to sufficiently <i>demonstrate the historic characteristics as expressed in the Historic Area Statement</i>. It is important to note that being included as a Representative Building is not a measure of heritage value, but rather whether a property meaningfully <i>demonstrates the historic characteristics as expressed in the Historic Area Statement</i>. The marking of this property as a Representative Building does not increase or decrease the protections already afforded under the current Historic Area Statements. <i>No further change to the Code Amendment is proposed</i>
20	James Hilditch on behalf of Hib Pty Ltd 66 Mills Tce, North Adelaide	Advises that his client opposes the inclusion of the building 66 Mills Terrace, North Adelaide as a Representative Building in the proposed Code Amendment. The building has previously been rejected for listing as a Local Heritage Place on three occasions. The Building was never regarded as a Local Heritage Place or as contributing to the historic streetscape character. Enclosed as part of the submission is expert advice from Assoc. Professor Danvers, heritage architect, in support of objecting to the nomination.	Acknowledge objection to the listing of 66 Mills Terrace, North Adelaide as a Representative Building within the Code Amendment. Noted. Refer also detailed response to Assoc. Professor Danvers below.
		It is not to the point that the dwelling can be described as being representative of the Inter-War Spanish Mission Style.	There are no guidelines or thresholds established for the selection of Representative Buildings. The legislation/code

	All buildings of this age can be described as being representative of one particular style or another - but cannot all be designated as Representative Buildings for that reason alone. The real question is - does the building display characteristics of importance in a particular area? Assoc. Professor Ron Danvers is of the view the building is one which sits within an eclectic mix of buildings which are overwhelmed by the dominant character of the locality which is comprised of Victorian dwellings. It does not display characteristics of importance in this area.	does not note the degree to which something must demonstrate the characteristics. The approach of this amendment is as follows: The Planning legislation has been described as practical legislation, relating to practical outcomes. Therefore, utilising the Representative Building list to define which buildings demonstrate the historic characteristics as expressed in the HAS allows certainty for owners of non-representative places. It also assists planners by clearly identifying those buildings that require a 'closer look' in the assessment process and those that can be clearly considered under the excluded building definition. Adding this building to the Representative Building list ensures that the excluded building clause is not used frivolously and appropriate assessment takes place where there could be any perceived ambiguity as to the representativeness of a particular building.
	Most of the content of the relevant Statement is not relevant to the property. As described by Assoc. Professor Ron Danvers, the Building is part of an infill development, it is out of place in one of Adelaide' finest extensive group of Victorian mansions. The Building is not set on a large allotment within a spacious garden setting including landscaped front gardens. It is part of a cluster of outlier infill dwellings including two recent town houses described below. There is now a front hedge and large gates to deter intruders.	The statement includes the Interwar period and notes the importance of setbacks, appropriate materials, pitched roofs and other architectural elements. It is recognised that the context of these proposed representative places includes later buildings that do not reinforce the established character as provided in the Historic Area Statement. It is the purpose of the statements to speak only to the characteristics/patterns that are historic, rather than make comment or concession relating to the relative integrity of the urban context. Therefore, as the Historic Area Statement only considers the contribution of historic buildings, the collection of historic buildings on Ward Street represents and reinforces what could otherwise be considered a limited historic character.

	There is no report that considers the building against the current criteria for a "representative building". The building has not been properly assessed against the current criteria, any basis for its current inclusion must be fundamentally flawed and cannot support its inclusion.	See above.
	The relevant Key Factors described in the Code Amendment in the assessment process are said to be: • <i>The building style and era should be consistent with those assessed as significant in the Historic Area as per the revised Historic Area Statement.</i> The Danvers Report refutes the applicability of this factor to the Building. • The building demonstrates <i>historical theme/s important in the area.</i> Nothing in the Code Amendments description supports this factor. • <i>For dwellings (whether converted to another use or still residential) there is visual continuity with buildings with similar characteristics in the streetscape, noting that this is a matter of fact and degree and can still occur where there is intervening development of another era in the same street or section of a street.</i> The Danvers Report refutes the applicability of this factor to the building as it is an eclectic building out of place in otherwise one of Adelaide' finest extensive group of Victorian mansions.	See above.
	The internal layout and workings are impractical and simply do not work with a standard family. The facilities and internal workings are simply not adequate for a modern home and modern family. Most builders (and sometimes other trades)	Any representativeness would only be considered to be vested in the frontage as visible from the streetscape. This would allow for the redevelopment of the property where it is not unreasonably impactful on the streetscape presentation of the property and visual amenity of the area.

		on entering the Building to undertake any work query whether it is better to demolish the Building and start again. Any redevelopment of this Property is likely to lead to a practical dwelling more in sympathy with the surrounding dwellings and the overall character and status of Mills Terrace rather than this eclectic, out of place, odd, impractical and poorly designed dwelling.	We advise that if a planning application were received under the existing Historic Area Statements, 66 Mills Terrace would be considered to <i>demonstrate the historic characteristics of the Historic Area Statement</i> and be subject to demolition controls. Hence, the designation of this property as a Representative Building in the updated Historic Area Statements does not increase or decrease the existing protections. The City of Adelaide can provide funding assistance to owners through the Heritage Incentives Scheme to engage an appropriately qualified heritage architect to provide a practical dwelling that would retain its contribution to the historic area.
		<u>Advice from Assoc. Professor Danvers to support the objection is as follows:</u> The building does not exhibit significant historic themes and attributes of character based on the predominant character of the locality as intended in the relevant Historic Area Statement. <i>“Representative Buildings “should exhibit significant historic themes and attributes of character based on the relevant Historic Area statement in the Planning and Design Code”.</i> The building does not meet the criteria for designation, it is one of a small eclectic group of buildings in what is otherwise one of Adelaide’ <i>but is not the dominant</i> character of the locality. The dominant character of the locality is represented by the <i>finest extensive group of Victorian mansions, a typology and style that dominates the Historic Area.</i>	Acknowledge support of objection to the listing of 66 Mills Terrace, North Adelaide as a Representative Building within the Code Amendment. An objective of this Historic Area Statement update is to clarify, for planning assessment purposes (and owner clarity) which buildings would be subject to Historic Area based demolition controls in planning assessment. <i>Historic Area Overlay Performance Outcome 7.1 Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished...</i> As the Historic Areas do not currently have a Representative Building list, when the assessing Planner receives a development application, they must make a determination (with advice from City of Adelaide’s Heritage Architects) whether or not a building in the overlay has features that demonstrate the historic characteristics as defined in the Historic Area Statement. Therefore, a Representative Building

	<i>The building is an outlier stylistically in a small eclectic grouping, overwhelmed by the dominant character of the locality.</i> Recommends that 66 Mills Terrace not be designated as a Representative Building.	list is an opportunity for City of Adelaide to increase transparency in the development assessment process, by clarifying which properties will be subject to Historic Area Overlay based demolition controls. We advise that if a planning application were received under the existing Historic Area Statements, 66 Mills Terrace would be considered to <i>demonstrate the historic characteristics of the Historic Area Statement</i> and be subject to demolition controls. Hence, the designation of this property as a Representative Building in the updated Historic Area Statements does not increase or decrease the existing protections The property retains much of its architectural stylistic elements (despite the alterations made) which City of Adelaide has assessed as sufficient to meaningfully express the characteristics as described in the Historic Area Statement. This Statement recognises that there is a prevailing pattern counterintuitively defined by diversity e.g.: <i>Characterised by a range of architectural styles relating to North Adelaide's development as a residential village from the 1830s-1940s and from the 1960s</i> It is the purpose of the statements to speak only to the characteristics/patterns that are historic, rather than make comment or concession relating to the relative integrity of the urban context. Therefore, as the Historic Area Statement only considers the contribution of historic buildings, the collection of historic buildings on Ward Street represents and reinforces what could otherwise be considered a limited historic character. We respectfully assert that 66 Mills Terrace demonstrates the historic characteristics of the Historic Area Statement.
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21	Peter Psaltis on behalf of Stanley and Marian Psaltis	Object to the proposed listing of 424 Gilles Street, Adelaide as a representative building.	Acknowledge objection to the listing of 424 Gilles Street, Adelaide as a Representative Building within the Code Amendment.
		• The Inter-war period should not be included as an era within the Historical Area Statement. The era was not described in Development Plan policy or during the draft HAS (Adel 14) which was initially released for public consultation as part of Phase 3 (Urban Area) Code Amendment. • The inter-war period was introduced to the Historic Area Statements when the Code went live. There is no historical analysis or 'sound research' to justify the inclusion of the Inter-war period, or typical Inter-war building materials, in the HAS. By any account, its inclusion occurred for reasons which remain undocumented and unexplained, and without appropriate rigor or public scrutiny. • The Code Amendment recognises the importance of predominately late nineteenth-century character in the south east corner of the city, and yet, without justification or explanation, the draft HAS refers to '1920s to 1942 - Inter-War Houses' as being an important era, and that the area is characterized 'by a variety of architectural styles including but not limited to Inter-war Houses.' Somewhat lazily perhaps, the HAS (Adel 14) then reproduces, word for word, the description of the Inter-war period in Schedule 2 9 of the Development Plan which, of course, related to house styles in North Adelaide. • The tenuous nature of its inclusion is further revealed by a survey of the 'Inter-war' buildings proposed to be listed as representative buildings in the Adel 14 area, of which there are only 14 (see Annexure 4). Of that number, 9 are clustered in a continuous row on Allen Place, with the remaining 5 scattered variously on Carrington Street (1), Halifax Street (1), Power St (1) and Gilles Street (2). • With a limited number of buildings from this era – majority of which are concentrated in a single cluster, and with the	There is merit to this argument, however, the interwar period is represented in the existing Statement for this area and the purpose of the update is to clarify, not to reduce or increase the existing information There are several interwar properties in South Adelaide listed as Local Heritage and State Heritage Places.

	remaining few which are scattered haphazardly around the area– it hardly screams out as being an important era of building in the south-eastern corner of the City	
	In any case, even if it is accepted that the Inter-war period has been validly incorporated into the HAS (Adel 14), it is evident that the house at 424 Gilles Street does not represent the relevant themes and attributes referred to in the HAS. A representative building should exhibit significant historic themes and attributes of character based on the relevant HAS. According to the Code Amendment, key factors include: • <i>The building style and era should be consistent with those assessed as significant in the Historic Area as per the revised Historic Area Statement.</i> • <i>The building demonstrates historical theme/s important in the area.</i> In this regard, apart from being originally constructed in the 1920s, the building: • has been substantially modified since construction, which modifications have diminished its integrity. • is of an unusual and atypical design which is not representative of buildings of that era (as supported by a report by Mr Butcher) ; and • does not exhibit two of the three materials identified in the HAS as being typical of Inter-war houses. The listing rationale makes little reference to the building itself, preferring to focus on other aspects, namely, <i>‘the deeper building setback’</i> and the <i>‘more generous size of the dwelling, site and garden’</i>	The argument against the inclusion of 424 Gilles Street as a Representative Building is primarily based on the integrity of the item and its changes over time as excluding criteria. 424 Gilles Street includes materials, architectural styles setbacks, subdivision patterns and landscaped frontage that represent these patterns sufficiently to warrant inclusion (noting it has transitional elements that demonstrate changes to the dwelling throughout the stated periods). The update is about clarifying which buildings are subject to Historic Area based demolition control rather than introducing any new level of protection. If a development application were received today, the property would be considered to demonstrate the characteristics of the area for the purposes of Historic Area Performance Outcome 7.1. The reason for the original inclusion of the Interwar Period as the area’s characteristics are primarily Victorian and Federation eras. It's noted that several buildings had been upgraded over time to reflect interwar styles, and potentially, this was a determining consideration for the period's inclusion. However, as noted above the Interwar Period is represented in the current/existing Statement for this area and the purpose of the update is to clarify, not to reduce or increase the existing information.

		We further observe that the building does not incorporate typical architectural features or ‘materials’ of the Inter-war period as identified in HAS (Adel 14). In particular: • it is not a traditional California Bungalow, or a Tudor Revival; • the roof is colourbond, powder-coated steel, rather than <i>‘Australian-made Wunderlich roof tiles of the same profile as earlier Marseilles tiles’</i>; and • it does not feature <i>‘a steeply pitch roof with half-timber gable ends’</i> • the front fence is ivy-covered brush rather than <i>‘low masonry walls, built from materials matching the main building’</i>.	
		Procedural Issue Investigations included a peer review of the draft Historic Area Statements undertaken by Grieve Gillett Architects in 2024. We are told that review <i>‘informed the final edit of the draft Statements in the draft Code Amendment.’</i> This report was said to be ‘Attachment G’ to the Code Amendment. In so far as reliance has been placed on the Grieve Gillett report, it should have formed part of the materials placed on public consultation. Failure to make the report available has denied the community an opportunity to review and respond to it. This has adversely impacted on the validity of the public consultation process.	Grieve Gillet conducted a peer review of the Historical Area Statements to assess their clarity and whether they met the objectives outlined in the Code Amendment Proposal to Initiate. The feedback provided was mainly editorial, identifying areas within the Historic Area Statements that required revisions to enhance legibility and improve clarity. Revisions and edits were undertaken by City of Adelaide administration. The feedback received was primarily editorial, so it was decided that the review did not need to be included as part of the investigations in the draft Code Amendment document. The draft incorrectly referenced the Grieve Gillet review as Attachment G. The scope of the review did not include an assessment of Representative Buildings.
PlanSA webpage			
22	Elisa Star	Support the Code Amendment and any amendments that improve heritage assessment and care.	Acknowledge support for Code Amendment.

23	Leonie Elbert	Supports the Code Amendment if it maintains the character and history of North Adelaide and does not allow the development of preposterous buildings such as the one on 88 O'Connell Street which does not fit the character of North Adelaide. Will the code ensure this preposterous building does not open the door to other such ghastly buildings? Will the code have the strength to prevent such buildings? Will the code take into account the wants of the residents.	Acknowledge support for Code Amendment. The Code Amendment <i>includes</i> additional contextual information about the significant attributes of historic character including the eras, themes, styles, patterns and detailing of historically significant development in each of the Historic Areas. It aims to improve the clarity, certainty and efficiency of decisions on development proposals in these Areas.
Our Adelaide			
24	Debra Carson	Supports the Code Amendment. Our street is an original display village from the 1890s with each house different in design, decoration and render but of similar block size and location to the street. It is in the Victorian Era not Edwardian as your statement reads. The two Edwardian Villas face Gilles Street.	Acknowledge support for Code Amendment. Comment noted. The architectural <i>style</i> is strongly aligned with Edwardian – typified by the horizontal courses of red-brick at different heights across the wall. There are also course elements that cross stylistic periods from Victorian to Edwardian – e.g. the lacework, hipped roof, symmetrical form as well. <i>Revise the Architectural Styles for Royal Avenue within the Adelaide Historic Area Statement as follows:</i> <u><i>Royal Avenue</i></u> <i>Late Victorian and early Edwardian period.</i> <i>Exhibits a collection of architectural styles including but not limited to late Victorian/early Edwardian villas and cottages including Queen Anne detailing.</i>
25	Anonymous 1	Supportive of the Code Amendment. However, does not support unreasonable provisions when renovating a heritage	Acknowledge support for Code Amendment. Comment is noted.

		property. Heritage is important but time moves on. Properties can be renovated but should not be micro-managed.	
26	Josephine Bills	Supports all elements of the Code Amendment. They provide greater detail for future planning, particularly for developers, who are usually far more incentivised by financial gain than by a desire to retain the historic features and amenity of a property or area.	Acknowledge support for Code Amendment.
		Some of the writing is clumsy and incorrect grammar, e.g. the use of "comprise of" - this is not English. It should read EITHER "comprise" OR "consist of". Some sentences are true sentences whilst some are not - easier to read if there is consistency.	Comment noted. Review and edit for consistency.
27	Anonymous 2	<i>Support the revisions to the Code Amendment.</i> Historic buildings should not be allowed to be replaced by modern structures just to make money. This is our heritage and history. Thus it should be protected.	Acknowledge support for Code Amendment.
28	Betty Salomon	Would like the historic character of North Adelaide preserved.	Comment noted. The Code Amendment includes additional contextual information about the significant attributes of historic character including the eras, themes, styles, patterns and detailing of historically significant development in each of the Historic Areas. It aims to improve the clarity, certainty and efficiency of decisions on development proposals in these Areas. Comment does not request change.
		Displeased with certain high-rise developments in North Adelaide and the city in general.	Comment noted. Comment does not request change.
29	Neil and Bronwyn Mullins	Supportive of some of the revisions in the Code Amendment	Acknowledge support for some aspects of the Code Amendment.

		Assume that 12 -16 Tomsey Street in Adelaide are not included in the Code Amendment as they were built in 2006 & 2007 and are not of heritage value.	Comment noted. The buildings at 12 -16 Tomsey Street have not been nominated as Representative Buildings. However, the buildings will continue to remain within the existing Historic Area Overlay. Comment does not request change.
30	Aaron Davis	Supportive of some of the revisions in the Code Amendment.	Acknowledge support for some aspects of the Code Amendment.
		Support the additional detail is generally helpful in establishing an ambition for the area and the narrative format provides greater opportunity for Staff to exercise judgement rather than being tied by policy – something that is sorely lacking in the current system. Do not support the following:	Comment noted. Acknowledge support for the additional detail contained within the Code Amendment.
		• "The open area of the school grounds on the southern side contrasts with the setback of the strong built edge along the remainder of the street." Concerned as the school oval has nothing to do with the area's heritage and is not historical open space. This was formerly cottages which were razed to make way for an oval for the school well after the pattern of the street was established. From a street character and intention perspective, the reinstatement of cottages along this edge would be beneficial, so the policy should not actively preclude this or excuse the demolition. If keeping this statement, the entire suite of documents should be extended to include "living heritage" in all descriptions (e.g. in Gover St, mention of the tiptop bakery, and various other businesses run from homes over the past	Comment noted. The school oval does not directly respond to the Historic character, only the contemporary use of the space by the school. Remove reference to the 'school oval' under Gover Street within the section on Allotments, subdivisions and built form patterns within the North Adelaide Margaret Street Historic Area Statement.

		150 years) which is an absolute minefield, so I would strongly recommend this is removed.	
		Building additions incorporate materials and proportions that reflect the character of the Heritage Place or Representative Building and are not readily visible from the street." Unsure why materials that are not visible from the street fall within the Historic Area Overlay. This runs counter to best practice in heritage architecture and may stop the inclusion of details and materials that enable a clear separation between original built form and new additions.	<i>Comment noted.</i> Building additions should be materially compatible with the building, and the sentence should be revised accordingly to reflect this. Within the Architectural styles, detailing and built form features of each Historic Area Statement revise the description of building additions as follows: <i>Building additions incorporate materials and proportions that reflect the character of the Heritage Place and are materially compatible with the building. not readily visible from the street.</i>
		The code amendment would be a good opportunity to clarify the placement of solar panels on homes. A solar panel is not a structural change to a building, nor is it permanent (at the scale of heritage) so I am unsure why solar panels are currently precluded if visible from the street. They do not damage the physical structure / form / materials of the building so it is not clear why these are currently blocked from being installed.	<i>Comment noted.</i> Solar panels are obviously modern fabric, and impact the historic appearance of the area, by drawing focus from the historic elements and obscuring views to historic roofing materials. No further change to the Code Amendment is proposed.
31	Anonymous 3	Does not support the proposed revision within the Code Amendment. Buildings should either be given heritage listing protection or not. Do not believe that identifying "representative buildings" is a good means of preserving heritage fabric as it creates ambiguity about what is prohibited and what is encouraged. It is worrying that so much of North Adelaide covered by Historic Area Statements as this is likely to prevent innovation and limit opportunities for quality design.	<i>Acknowledge opposition to Code Amendment.</i> Buildings have been nominated as they contain qualities that are representative of the area and are not already representative by heritage listing. As the areas do not have a Representative Building list currently, planning assessment staff must make a determination when they receive a development application whether or not a building in the overlay has features that

			demonstrate the historic characteristics of the Historic Area Statement. Therefore, a Representative Building list is an opportunity for City of Adelaide to increase transparency in the development assessment process, by clarifying which properties will be subject to Historic Area Overlay based demolition controls. It is important to note that being included as a Representative Building is not a measure of heritage value but rather whether a property meaningfully demonstrates the historic characteristics as expressed in the Historic Area Statement. No further change to the Code Amendment is proposed.
		Be clear about whether it is only the appearance from the street that is of concern.	<i>Unless it is identified within the extent of the individual heritage listing of the place assessments would be made based on the appearance from the street.</i> No further change to the Code Amendment is proposed.
		Encourage development that increases the population of these parts of the city. The future is as important as the past.	Comment noted. The Code Amendment does not seek to preclude the ability to increase the population. No further change to the Code Amendment is proposed.
32	James	Supports some aspects of the Code Amendment.	Acknowledge support for some aspects of the Code Amendment.
		Use of representative buildings is good. However some very poor examples have been selected. Many are daubed in paint and not good examples. Tower Street and Gover Street examples are poor in comparison to others. Seems like you are seeking to weaken protections.	Comment noted. These buildings have been nominated as they contain qualities that are representative of the area and are not already representative by heritage listing. As the areas do not have a Representative Building list currently, planning assessment staff must make a determination when they receive a development application

			whether or not a building in the overlay has features that demonstrate the historic characteristics of the Historic Area Statement. Therefore, a Representative Building list is an opportunity for City of Adelaide to increase transparency in the development assessment process, by clarifying which properties will be subject to Historic Area Overlay based demolition controls. It is important to note that being included as a Representative Building is not a measure of heritage value but rather whether a property meaningfully demonstrates the historic characteristics as expressed in the Historic Area Statement. No further change to the Code Amendment is proposed.
33	Bronwyn Waters	Supports all of the proposed revisions.	Acknowledge support for Code Amendment.
		Concerned Council has not done enough to conserve the heritage architecture of the remaining shops on Melbourne Street. It is disgraceful that so many Victorian and Edwardian buildings have been lost to the overdevelopment and high-rise buildings along one of Adelaide's most important streets. Adelaide has been voted one of the most beautiful cities in the world because of its heritage buildings. Not enough has been done to ensure the ongoing conservation of these sites. Melbourne Street is quickly becoming overdeveloped by high-rise buildings and insensitive developments that tear down the existing heritage buildings. The few remaining SHOULD BE PROTECTED for future generations. No further high-rise developments on Melbourne St. All Houses and Shops on Melbourne St to be protected from demolition.	Comments noted. Melbourne Street is outside the boundaries of the Historic Area Overlay and is therefore outside the scope of this Code Amendment. New character and historic areas outside the current Historic Area Overlay will be investigated separately and incorporate into a future program of Code Amendment. No further change to the Code Amendment is proposed.
		Noise control on Melbourne St emanating from certain cafes that play overly loud music until midnight to entice patrons, especially in the eastern residential section.	Comment noted. Comment does not request change to Code Amendment.

34	Carl Driesener	Supports some aspects of the Code Amendment.	Acknowledge support for some aspects of the Code Amendment.
		Generally ok, but this statement is laughable "The historic streetscape is formed by the wide street setting and attractive outlook to the Adelaide Park Lands..." Building a huge aquatic centre on the parklands has ruined our 'historic streetscape' Suggests that the above is rewritten. It will place further limitations on what I do and offer zero benefits to me as a land holder.	Comment noted. The proposed Historic Area Statements within the Code Amendment has been drafted to identify historic elements that are important to the character of the area. The statement applies generally to the streetscape rather than that particular part of the streetscape. No further change to the Code Amendment is proposed.
35	Anonymous 4	Would like the East End included in the revision of historic areas.	Comment noted. As the East End is outside the boundaries of the existing Historic Area Overlay it outside the scope and unable to be considered as part of this Code Amendment. New character and historic areas outside the City Living Zone will be investigated separately and incorporated into a future program of Code Amendment.
		Concerned about the proposed accommodation development near the Crown and Anchor Hotel and how that will change the culture of this precinct. The old stables are being demolished! High rise in this part of the city should be banned. There are so many unused buildings in the CBD that could be repurposed.	Comment noted. The Archi project and the Heritage Incentive Scheme have been established to encourage and fund the adaptive re-use of buildings in the CBD.
36	Laurel Hayes	Supports some aspects of the Code Amendment. Make it much easier to find out which buildings will be nominated as representative. Having spent over 30 minutes searching multiple sites (council, planning, Google and, in total desperation, Facebook), all I know is what arrived in the letter. 54 sites will be nominated. Is mine one of them? I don't know.	Acknowledge support for some aspects of the Code Amendment. Comment noted.

37	Anonymous 5	Supports some aspects of the Code Amendment.	Acknowledge support for some aspects of the Code Amendment
		Supportive of heritage restrictions that maintain a streetscape and sense of place. If the city is to remain attractive to families and residents it has to be possible to extend and renovate without this being prohibitively expensive. Residents need clear guidance on the parameters for extensions and renovations - what is permissible, what the minimum requirements are for useable outdoor space, setbacks, building and windows on boundary lines etc.	Comment noted. Guidelines are currently being prepared for alterations and additions in Historic Areas with the purpose of guiding the design of building alterations and additions within the Historic Areas.
38	Anonymous 6	The code amendment should include an assessment of other areas. The existing 14 Historic Areas are totally inadequate. Why is there none of the SW corner of the city, or the Eastern part of North Terrace included as an historic area. The SW area is a rich precinct of 19th Century workers cottages which have been largely spared destruction so far. Surely, they should be included as an Historic Area. I do notice that the Salvation Army was permitted to let a nice cottage on the corner of Morphett St and Gilbert St (in which they used to conduct CBT programs to teach men to not be violent to their partners) get run down and it has now been demolished. We do not want the same fate to befall the rest of this important built history!	Comment noted. The scope of this Code Amendment only covers areas within the existing Historic Area Overlay boundaries. New character and historic areas are being investigated separately and will be incorporated into a future program of Code Amendment.
39	Anonymous 7	Do not support the proposed revisions in the Code Amendment as they are too general, compromised and manipulated.	Acknowledges opposition to the proposed revisions within the Code Amendment. The proposed Historic Area Statements within the Code Amendment has been drafted to identify historic elements that are important to the character of the area. No further change to the Code Amendment is proposed.

40	Lu Spinato	Support all of proposed revisions within the Code Amendment as people visit environments like these in places like Europe etc. Unfortunately Adelaide has decimated its history and will continue to.	Acknowledge support for the Code Amendment.
		Would like historic buildings large/small to be retained. Keeping facades is not adequate enough to shove a high rise building into. It is relevant for people to see how people operated and lived in that particular building {rooms} in a different era. Of course this way of thinking will not change.	Historic Area Statements only relate to what is visible within the public realm. Retaining facades is sufficient to maintain the historic appearance of the buildings within an area. Items of particular significance for their internal functions and layouts are recognised through their Heritage Listing information and continue to be protected for these values in the confines of the Planning and Design Code.
41	Randy and Luisa Manno	<i>Does not</i> support the proposed revisions to the Historic area Statements within the draft Code Amendment.	Acknowledges opposition to the proposed revisions within the Code Amendment.
		Object to properties, particularly 301 Halifax Street from being placed on the register for the following reason: • They have no significant or unusual architectural significance. • They are not tourist attractions • To our knowledge no prominent or special persons were ever born or lived there. Our family has owned and kept possession of many properties in the Adelaide CBD and surrounding areas since 1958. We have paid many Hundreds of Thousands of Dollars in Rates and Taxes etc. We have kept them maintained all these years being mindful of keeping in harmony with the local aesthetics. They are However important to us, for at one time or another They were our "homes" and our Castles.	<i>Acknowledge opposition to the Code Amendment including the listing of 301 Halifax Street, Adelaide as a Representative Building.</i> Refer response to: Luisa Manno, 293,301,305 and 307 Halifax Street Adelaide. Note that if the properties had been heritage listed, financial assistance would have been available since 1988 through City of Adelaide's Heritage Incentives Scheme.
42	Ingrid Kerkhoven	Support some of the proposed revisions to the Historic area Statements within the draft Code Amendment.	Acknowledge support for some of the proposed revisions to the Historic Area Statements with the Code Amendment.

		Unclear where the Representative Buildings are located, there should be a map published with locations shown. Would like better protection of historic buildings	Comment noted. The proposed Historic Area Statements within the Code Amendment has been drafted to identify historic elements that are important to the character of the area. The Code Amendment <i>includes additional contextual information about the significant attributes of historic character including the eras, themes, styles, patterns and detailing of historically significant development in each of the Historic Areas. It aims to improve the clarity, certainty and efficiency of decisions on development proposals in these Areas.</i> Comment does not request change.
43	David Hargrave	Support some of the proposed revisions to the Historic area Statements within the draft Code Amendment.	Acknowledge support for some of the proposed revisions to the Historic Area Statements with the Code Amendment.
		The broad concept of having Representative Buildings as part of existing Historic Area statements to provide additional contextual information to improve clarity, certainty and efficiency of decisions on developments is supported in certain areas. Particularly in respect of front facades of relevant properties. Properties must still be able to be developed and it must be right that development is still allowed to areas of properties where there is less consistency of architecture and there is already existing variability and precedent across neighbouring properties - in particular in respect of Stanley St, the rear of properties where more day-to-day living is also likely.	Comment noted. The Historic Area Statements were prepared to provide guidance in assessment of proposals rather than prescribe a specific design approach. Assessment is made against the Historic Area Overlay Performance Outcomes in the Planning and Design Code, primarily PO 3.1 <i>Alterations and additions complement the subject building, employ a contextual design approach and are sited to ensure they do not dominate the primary façade.</i> The key outcome here is that the design of the additions would employ a contextual design approach, rather than closely match and that the historic building would retain its visual prominence in the historic context. It is best practice in historic areas for additions to historic/heritage buildings to be a contemporary design to clearly differentiate the old and new portions of the building

			and should utilise contemporary finishes that resemble the historic elements. The appropriateness of an addition's design also depends on its visibility in the primary streetscape, with greater flexibility provided to additions that are not greatly visible from the street.
44	APS Alston and MM Slatter also submitted an email submission	Support some of the proposed revisions to the Historic area Statements within the draft Code Amendment.	Acknowledge support for some of the proposed revisions to the Historic Area Statements with the Code Amendment.
		Do not support the nomination of 47 Stanley Street, North Adelaide as a Representative Building. The building, was found by experts in 2005 to “no longer [display] ... design characteristics of importance to North Adelaide” [Bell, 2005] because of numerous severe alterations over time. Since then it has undergone more major works, 2010-11, changing its street-visible profile, façade, presentation, garden, boundary and gates. The parameters for change and development are established by the numerous State and Local Heritage places in the Street. As captured in the current Kentish Arms Historic Area heritage controls, they can be seen to be effective, resulting in renovations and replacement builds along the south side of Stanley Street that respect the character and context of the street. The nomination of Number 47 as a RB is unjustifiable and without merit. It should not be confirmed.	Acknowledge objection to the listing of 47 Stanley Street, North Adelaide as a Representative Building within the Code Amendment. The Historic Area Statement updates have been prepared to further clarify the limited information for these areas currently in the Planning and Design Code. Part of this update is to clarify for owners within the Historic Area Overlay which buildings are considered to <i>demonstrate the historic characteristics as expressed in the Historic Area Statement</i> for the purposes of planning assessment. <i>Historic Area Overlay Performance Outcome 7.1 Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished...</i> As the areas do not currently have a Representative Building list, planning assessment staff must make a determination when they receive a development application whether or not a building in the overlay has features that <i>demonstrate the historic characteristics of the Historic Area Statement</i>. Therefore, a Representative Building list is an opportunity for City of Adelaide to increase transparency in the development assessment process, by clarifying which properties will be subject to Historic Area Overlay based demolition controls.

			Due to the property's visible architectural details, that align with the Historic Area Statement, the property is currently considered to sufficiently <i>demonstrate the historic characteristics as expressed in the Historic Area Statement</i>. It is important to note that being included as a Representative Building is not a measure of heritage value, but rather whether a property meaningfully <i>demonstrates the historic characteristics as expressed in the Historic Area Statement</i>. The marking of this property as a Representative Building does not increase or decrease the protections already afforded under the current Historic Area Statements. No further change to the Code Amendment is proposed
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Attachment 2 – Engagement Survey and Evaluation Results

Results of the community minimum mandatory evaluation indicators

	Evaluation statement	Strongly disagree	Somewhat Disagree	Not sure	Somewhat Agree	Strongly agree
1	I feel the engagement genuinely sought my input to help shape the proposal (Principle 1)	16.67% (2)	33.33%(4)	25%(3)	8.33%(1)	16.67%
Comments: (3) “I see where a an historic sandstone house at 183 Melbourne St is to be demolished for apartment block” “I have not seen the final report arising from the consultation” “No one really sure of what to do getting passed Roun in circles”						
2	I am confident my views were heard during the engagement (Principle 2)	25%(3)	8.33%(1)	33.33%(4)	33.33%(4)	0%
Comments: (3) “What is the point of giving feedback when it is obviously ignored and destruction of heritage property is allowed to go ahead” ““I have not seen the final report arising from the consultation” “The result is yet to be confirmed, but so far so good”						
3	I was given an adequate opportunity to be heard (Principle 3)	8.33%(1)	8.33%(1)	25%(3)	41.67%(5)	16.67%(2)
	Comments:					
4	I was given sufficient information so that I could take an informed view.(Principle 3)	16.67%(2)	16.67%(2)	25%(3)	25%(3)	16.67%(2)
Comments:(1) “I had owned the property for ~10yrs prior to selling it in late 2024”						
5	I felt informed about why I was being asked for my view, and the way it would be considered. (Principle 4)	25%(3)	8.33%(1)	33.33%(4)	16.67%(2)	16.67%(2)
Comments: “If the Council was serious about keeping the historic look of Melbourne St it would not allow further high rise development by demolishing beautiful and significant buildings”						

Results and Evaluation of Designated Entity's engagement

The engagement was evaluated by Colleen McDonnell, Manager City Planning and Heritage, City of Adelaide.

	Evaluation statement	Response options (<i>Select answer</i>)
1	Engagement occurred early enough for feedback to genuinely influence the planning policy, strategy or scheme (Principle 1)	Engaged when there was an opportunity for input into first draft <i>Early engagement occurred in accordance with the approved Engagement Plan. Public engagement occurred at the draft Code Amendment stage where there was an opportunity for feedback to genuinely shape planning policy.</i>
2	Engagement contributed to the substance of the Code Amendment (Principle 1)	In a moderate way <i>Following public consultation, amendments were made to the draft Code Amendment including 3 buildings being removed from nomination as a representative building</i>
3	The engagement reached those identified as the community of interest (Principle 2)	Representatives from some community groups participated in the engagement <i>Representatives were</i>
4	Engagement included the provision of feedback to community about outcomes of their participation	- Formally (report or public forum) <i>Those who made a submission on the draft Code Amendment advised how to access the report when made publicly available (which will detail any proposed amendments and summary of submissions) following the consultation process.</i> <i>At the time of completing this evaluation, it is noted that further feedback to the community will be provided following Council decision and decision by the Minister. The City of Adelaide's engagement platform will be updated, and emails will be sent to those who provided feedback advising of outcomes to close the loop.</i>
5	Engagement was reviewed throughout the process and improvements put in place, or recommended for future engagement (Principle 5)	Reviewed and recommendations made in a systematic way <i>A review of the engagement process was undertaken at the completion of the consultation process in accordance with the endorsed Engagement Plan to gauge the views of those who provided submission on the Code Amendment engagement process.</i>
	Identify key strength of the Charter and Guide	The key strength of the Charter and Guide is that it allows for tailoring of engagement approaches and timeframes
	Identify key challenge of the charter and Guide	The timing for the feedback evaluation is difficult as it requires communicating with participants before Council has formally endorsed the final position and response. Feedback and closing the loop are valued and should form part of the process, although cannot be reflected in their entirety as part of the Engagement Report.

Evaluation of Designated Entity's engagement against Charter Principles

	Charter Principle	How the engagement approach/ activities met the principle
1	Engagement is genuine	• People were provided with the opportunity to participate via website, direct letters, e-mails, telephone and arrange meetings by request. • The engagement material articulated the changes proposed, potential impacts of the engagement process and how interested persons could provide their feedback. The information provided aimed to be in plain English. • An interactive map tool was also provided to illustrate the spatial application of the Historic Area Statements and the Historic Area Overlay. • The engagement process provided an opportunity for any person to identify their issues through a submission (via letter, e-mail or online submission through the SA Planning Portal or City of Adelaide's Our Adelaide website) that was reviewed and considered before finalising the Code Amendment.
2	Engagement is inclusive and respectful	• Engagement activities tailored to different groups, with key stakeholders contacted directly. • An Engagement Report was prepared summarising the feedback received and how it was used to inform the decision • Meetings were offered with key stakeholders.
3	Engagement is fit for purpose	• Engagement activities are tailored to different groups. • Identified contact for further assistance, information and advice. • Information provided on how to be involved in the engagement process. • The engagement material articulated the policy proposed, the potential impacts of the engagement process and how interested persons could provide their feedback.
4	Engagement is informed and transparent	• The City of Adelaide provided information (online and hard copy) in basic language clearly articulating the proposed changes in the draft Code Amendment, potential impacts, the engagement process and how interested persons could provide their feedback/participation. • An interactive map tool was also provided to illustrate the spatial application of the Historic Area Statements • An Engagement Report was prepared summarising the feedback received and how it was used to inform the decision. • The Engagement Report was made publically available prior to a decision being made. Identified contact for further assistance, information and advice.
5	Engagement is reviewed and improved	• An Engagement Report was prepared to evaluate the engagement process. • At the conclusion of the engagement process, lessons learned have been identified.

Attachment 3 – Copies of Submissions Received

The summary of written submissions should include the name of the person or body providing written feedback and a response to the feedback.

3 December 2024

Ms C McDonnell
Community Consultation
Historic Area Statement Update Code Amendment
City of Adelaide
GPO Box 2252
ADELAIDE SA 5001

By email: pdcsa.amendments@cityofadelaide.com.au

Dear Colleen

Submission – Historic Area Statement Update Code Amendment

Thank you for the opportunity to comment on the Historic Area Statement Update Code Amendment that was released for consultation by City of Adelaide on 28 October 2024.

We support the City of Adelaide's initiative to propose improvements to the Planning and Design Code to strengthen heritage protection and reinforce the requirement for consideration and responsiveness to heritage and character during development design and assessment within the existing Historic Areas within the City of Adelaide.

We understand the proposed Code Amendment is consistent with the following City of Adelaide strategic documents, all of which seek key heritage outcomes:

- Strategic Plan 2024-2028
- Heritage: Our Future Strategy 2021-2036 and Action Plan, and
- Our Adelaide. Our Future. City Plan – Adelaide 2036

Our Council is particularly interested in the progression of this Code Amendment, because the proposed changes embody many of the desired outcomes of our own Council's *Burnside 2030 Strategic Community Plan*, the *Burnside City Master Plan (Urban Form and Transport)*, including the associated Code Amendments which Council is seeking to progress.

The proposed City of Adelaide Historic Area Statement Code Amendment also addresses many of the concerns raised by the City of Burnside during the transition to the Planning and Design Code and our subsequent submissions on various state led strategic and planning policy documents.

More specifically, the following aspects of the Code Amendment are pleasing to see:

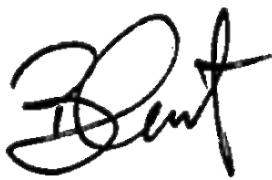
- enhancement of the City of Adelaide's distinctive character and heritage
- reinforcement of the importance of heritage and character to a community, while recognising the need for a balanced approach to change and growth

- Improved clarity, certainty and efficiency of decisions on development proposals in the affected areas
- reinforcement of Representative Buildings through their identification which will further support their value and retention
- Updates to Historic Area Statements to further describe attributes and elements of historic character, themes, context, landscape setting and descriptions of fencing and materials appropriate to periods of architecture to guide context-sensitive design and decision-making, and
- The use of diagrams specific to the City of Adelaide in the Historic Area Statements to provide further guidance for development and development assessment.

We wish you every success with the rest of the Code Amendment process.

If you would like further clarification regarding any matters discussed in this letter, please contact Aaron Schroeder, Strategic Projects and Planning Manager on (08) 8366 4200 or via e-mail aschroeder@burnside.sa.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'Barry Cant', with a stylized, cursive script.

Barry Cant
Director Environment and Place

29 November 2024

Colleen McDonnell
Manager, City Planning & Heritage
City of Adelaide
25 Pirie Street
ADELAIDE SA 5000

By email: PDCSA.amendments@cityofadelaide.com.au



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4th Floor, AHA (SA) House
60 Hindmarsh Square
Adelaide SA 5000

PO Box 3092
Rundle Mall SA 5000

Dear Ms McDonnell

RE: Historic Area Statement Update Code Amendment

I refer to an emailed letter received on 28 October 2024, advising the Australian Hotels Association (SA Branch) (the AHA|SA) that the City of Adelaide's proposal to amend the Planning and Design Code through the Historic Area Statement Code Amendment (the draft Code Amendment) had been released for public consultation.

I advise that following receipt of the City of Adelaide's letter, the AHA|SA has reviewed the project information on the ouradelaide.sa.gov.au website and the *Frequently Asked Questions* provided with the email.

The AHA|SA notes that the draft Code Amendment proposes:

- to revise the Historic Area Statements to include additional information to enable effective and efficient decision-making by heritage experts and planners during development assessment; and
- to nominate Representative Buildings within the Historic Area Overlay which exemplify the characteristics and elements to be protected within the respective Historic Area.

The AHA|SA is not opposed to the draft Code Amendment on the basis that the changes will:

1. Provide better definition of the significant attributes of historic character including the eras, themes, styles, patterns and detailing of historically significant development in each of the 14 Historic Areas will improve the clarity, certainty and efficiency of decisions on development proposals in these Areas; and
2. Enable development applicants and others to check if a particular building is a Representative Building signifying value in its retention along with a group of other – often similar - buildings within the relevant Historic Area.

In particular, the AHA|SA notes that there is no fundamental change to policy in the Planning and Design Code or to the areas in which the Historic Area Overlay apply. Rather the Code Amendment helps describe and define attributes of historic character by revising the content of the Historic Area Statements. The Historic Area Statements are an existing part of the Historic Area Overlay that are

referred to by relevant Code policy to clarify what is important and worth conserving in each Historic Area.

Thank you for bringing this consultation to the AHA|SA's attention.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Anna Moeller', with a stylized, cursive script.

Anna Moeller
CEO AHA|SA



Ms Colleen McDonnell
Manager City Planning and Heritage
GPO Box 2252, Adelaide, SA 5001
Email: pdcsa.amendments@cityofadelaide.com.au.

Dear Ms McDonnell

RE Community Consultation - Historic Area Statement Update Code Amendment

Thank you for the opportunity to comment upon the Historic Area Statement Code Amendment. The South East City Residents Association (SECRA) will specifically address the issues raised in the Adelaide Historic Area Statement (Adel 14).

As you know, SECRA represents some 100 residents in the South East of the city who are committed to promoting the interests of the residents and the adjoining areas.

We note that on 17 March 2023, the Minister for Planning wrote to relevant Councils inviting them to initiate proposals to update Historic Area Statements. While these statements include further information describing attributes and elements of their historical character to guide decision-making, there is a community concern that these provisions may be overridden during consideration by Council Assessment Panels (CAP) or South Australian Commission Assessment Panels (SCAP).

SECRA supports, in principle, the proposal to clarify the characteristics of Historic Adel14 and nominate 30 representative buildings within the area.

However, SECRA is concerned that the existing code amendment is too narrow and restricted. As shown in the consultation document, not only is the Historic Area tiny when compared to the North Adelaide maps¹, but the scope of the area statement for the South East of the city, in our opinion, does not include

- The items that Minister Rau removed from the Local History Register in 2013 (Attachment 1 letter from SECRA)
- Areas of significant historical importance include parts of East Terrace and South Terrace and the historic and unique main street of Hutt Street. (Attachment 2 submission from SECRA re demolition of 187-189 Hutt Street)
- Consideration of 20th-century buildings (i.e. post-WW II), including those developed by the SAHT, reflecting the introduction of modern medium-density housing.
- The Adelaide Park Lands, where Veale Gardens (Park 21), Himeji Garden (Park 18), Grandstand (Park 16), and native garden hosting cultural burns (Park 17) which all add to the historical diversity of Adelaide.

¹ See *Historic Area Statement Update Code Amendment*, 9.

The South West no longer has an active residents' group, and while SECRA does not represent this area, it notes that there is no historic area statement despite its significant contribution to the early development of Adelaide.

The advice we have received is that these matters should be addressed in a separate Code Amendment, which we understand the Council is currently investigating. In addition, the Council is undertaking an individual piece of work to identify 20th-century Local Heritage Places (LHP). However, the City of Adelaide's development agenda,² demonstrated by the demolition rather than adaptive reuse of the LHP at 187-189 Hutt Street, shows that this work may be too late to retain historic characteristics, given the extent and timing of the investigation for a Code Amendment required by the Council.

SECRA notes, from experience, that changing the Planning and Design Code through Code Amendments is a very long and complex process, far beyond the resources of a voluntary organisation.³ We also note that the City of Adelaide has received financial assistance from the State Government grant to help develop this Code Amendment.⁴

SECRA is aware that most of the proposed representative items are in the City's South East (see attachment 3). While this new characterisation represents the landmark-built character of the Historic Area, it does not have the same status as a State Heritage Place (SHP) and LHP.

Under the proposed Code Amendment, SECRA submits that these representative items should be re-evaluated to determine whether they meet either LHP or SHP status. These buildings should also be awarded additional protections, such as financial penalties for damage and neglect like those found in the *Heritage Places (Protection of State Heritage Places) Amendment Act 2024*.

As this issue is essential to recognising the area's cultural and historical importance, SECRA will write to the Lord Mayor requesting that an additional Historic Areas Code Amendment be commenced as soon as possible to include more of the South East. Further, SECRA offers to work with the City of Adelaide on this project.

Should you have any queries about the matters raised in this submission, don't hesitate to get in touch with Elizabeth Rushbrook by emailing [REDACTED] in the first instance.

Yours sincerely



Doug McEvoy AM
Chair SECRA
Date: 30 November 2024

² See City Plan 2036, *which is an urban design and strategic planning process that outlines our spatial vision, goals, and strategies for future sustainable growth*.

³ The fees alone range from \$35,673 https://plan.sa.gov.au/have_your_say/code-amendments/processing-fees.

⁴ The Code Amendment is partly funded by the Department of Trade and Investment **which** in June 2024 provided grant funding of up to \$75,000 to support the finalization of the Historic Area Statement Code Amendment by 30 June 2025.

Attachment 1

SOUTH-EAST CITY
RESIDENTS
ASSOCIATION INC.

strengthening our community

Hon John Rau MP
Deputy Premier
Minister for Planning
GPO Box 1815
Adelaide SA 5001

13th March 2013

Dear Minister Rau,

The South East City Residents Association (SECRA) does not support proposed changes to the City Centre Heritage Development Plan. We find it difficult to believe that you are considering reducing a list of 78 buildings to a mere 36. Some of the buildings now to be denied heritage protection lie within our boundaries.

We believe that the recent Capital City Development Plan Amendment creates enough opportunities for development within the city without sacrificing our unique heritage and character.

Future generations will not thank you. Young (and not-so-young) creative people do not want to live in soulless cities where the old is torn down to make way for the new. Adelaide

is known (and loved) for its human-scale architecture. Our heritage buildings are an asset. We shouldn't be demolishing them.

The Property Council may well argue that heritage is a "problem" standing in the way of economic development. There are many empty buildings (owned, no doubt, by members of the Property Council) in the CBD which could generate considerable economic activity for the State and the city by being adaptively-reused or repurposed.

We urge you to reconsider your position on this matter.

Yours sincerely,

Dr Heather Nimmo

Hon. Secretary

South East City Residents Association (SECRA)

SECRA Postal address: PO Box 7017 Hutt Street, Adelaide SA 5000. email: feedback@www.secra.asn.au/

Attachment 2



Mr Seb Grose
Manager Planning Assessment
Email: [REDACTED]

28 August 2024

To the Council Assessment Panel, City of Adelaide

Application ID 24020992 Demolition of a Local Heritage Place

The South East City Residents Association (SECRA) welcomes the opportunity to make a submission on this demolition application. We are not planners, and our advice to residents who approach us with concerns about a proposed development is to seek expert planning advice.

Description of the building

*The shop and residence is a 'single-storey Victorian shop and attached residence, the shop built to the street alignment and residence (on the northern side) set back from the street with a front garden and verandah....The buildings are of heritage value as a largely intact and still-used early Hutt Street shop-and-residence; they retain original form and fabric, including the rare surviving recessed shop entrance and garden allotment in front of the adjoining house, and are also noteworthy contributors to the Victorian streetscape of Hutt Street.'*⁵



⁵ City of Adelaide, Report on shop and dwelling

Shop and residence on Hutt Street

Reasons why the building was given Local Heritage listing

It should be noted that only part of the shop and residence have the Local Heritage listing. These elements are considered to have "*Local Heritage listing because it meets the following criteria:*

- *it displays historical, economic or social themes that are of importance to the local area as one of the oldest shop-and-residences in the significant Hutt Street shopping precinct;*
- *it represents customs or ways of life that are characteristic of the local area*
- *it displays aesthetic merit, design characteristics or construction techniques of significance to the local area.*⁶

Such a significant historical building should be protected from substantial demolition. Such demolition does not comply with the importance of the built form and cultural values held by a majority of SECRA members, the City of Adelaide, and the SA Government. For example, the Planning Minister, Mr Nick Champion on Radio Adelaide recently said that people should not buy a heritage-listed property with the intention of knocking it down. In this case, it appears that the owner of the building may have allowed it to deteriorate, and SECRA believes that the neglect of a Local Heritage Place should not be rewarded.

Consideration of the development application.

The building has been part of the fabric of Hutt Street since 1870's, and SECRA strongly objects to any substantial demolition because

- The Local Heritage Listing (No 25180) only relates to the external form, including original fabric and detailing of the facade and verandah external walls, roof and chimneys, as visible from the street. This legally recognised listing should be used for development application assessment.⁷ Therefore, the report by Fyfe Pty Ltd and written by Mr Trevor John, Principal Structural Engineer and tabled as an expert report is appropriate only as it applies to these matters.
- The Planning and Design Code outlines two criteria for assessing demolition for a local historic building. They are an assessment of the structural condition and risk to safety and the building's existing heritage values.⁸ The development application relies solely on the first of these criteria and tables

⁶ Ibid.

⁷ Ibid.

⁸ Plan SA, Demolition Control.

Mr Johns' report to support this claim. The building's significant heritage value is not discussed in the report.

- The adaptive reuse of the shop and residence is not discussed in the development application despite being of 'significant value in the retention of heritage places.' Challenges presented by older buildings due to age and lack of modern facilities or requirements can be met while retaining heritage characteristics.⁹ The application does not discuss what will replace the shop and residence; therefore, assessing any future developments in compliance with the Planning and Design Code is impossible at this stage.
- The advertisement provided information on the Local Heritage Listing during the recent sale of the shop and residence, which was completed in 2022.¹⁰ In addition, the owners sold books, jewellery, and collectables up until the time of the sale, suggesting that the condition of the protected part of the premises was not unsafe for the public.
- Since the sale, the property has been fenced, and no temporary work to prevent further structural decline or restoration appears to have occurred. A SECRA member reported that when the then owner sold the shop and house, she said the people who bought would "do up" the property and open a business.

For these reasons, SECRA does not support the demolition application.

SECRA will be pleased to appear before the Panel to elaborate on these matters.

Yours sincerely



R. Doug McEvoy AM
Chair
SECRA

⁹ Government of South Australia, Preserving Heritage and Character In The Planning And Design Code,

¹⁰ See <https://www.realestate.com.au/sold/property-house-sa-adelaide-140036679>.

Attachment 3

Proposed representative Items in Adel14

1. 2 Allen Place Adelaide 5132/74
2. 4 Allen Place Adelaide 5083/204
3. 6 Allen Place Adelaide 5223/33
4. 8 Allen Place Adelaide 5447/628
5. 12 Allen Place Adelaide 5141/37
6. 14 Allen Place Adelaide 5413/804
7. 16 Allen Place Adelaide 5878/820
8. 18 Allen Place Adelaide 5883/109
9. 20-22 Allen Place Adelaide 1326/118
10. 241 Carrington Street Adelaide 5800/279
11. 271 Carrington Street Adelaide 5894/528
12. 353 Carrington Street Adelaide 5093/57
13. 404 Gilles Street Adelaide 5322/524
14. 422 Gilles Street Adelaide 5599/162
15. 424 Gilles Street Adelaide 5278/435
16. 293 Halifax Street Adelaide 5825/459
17. 301 Halifax Street Adelaide 5898/315
18. 305 Halifax Street Adelaide 5898/316
19. 307 Halifax Street Adelaide 5898/317
20. 341-343 Halifax Street Adelaide 5272/698
21. 22 Power Street Adelaide 5902/215
22. 24 Power Street Adelaide 5824/167
23. 28 Power Street Adelaide 5719/276
24. 30 Power Street Adelaide 5776/798
25. 29 Power Street Adelaide 5299/267
26. 25 St John Street Adelaide 5844/768
27. 18 Tomsey Street Adelaide 5984/746
28. 28 Tomsey Street Adelaide 6132/1
29. 30 Tomsey Street Adelaide 5793/739
30. 29 Tomsey Street Adelaide 5444/619

SUBMISSION

HISTORIC AREA STATEMENT UPDATE

CODE AMENDMENT PUBLIC CONSULTATION

FROM

THE NORTH ADELAIDE
SOCIETY INC. EST. 1970

9 December 2024

northadelaidesociety@gmail.com [NFP]

To

THE CORPORATION OF
THE CITY OF ADELAIDE

PlanSA webpage:
“Public Consultation ... Closes: 9 Dec 2024 at 11:59pm”

By email only:
pdcsa.amendments@cityofadelaide.com.au



CONTENTS

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Representative Items	7
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SUMMARY¹

- S1** The history, heritage and character of localities and precincts of the City of Adelaide (CoA) make Adelaide unique. The content and coverage of Historic Area Statements (HAS) within the CoA must respect and not detract from enhancing that intergenerational value and uniqueness.
- S2** Planning for the future ought not require an historic area to be demeaned, heritage to be demolished, or character to be crushed, which would diminish uniqueness, culture and intergenerational value. Enhancing historic areas requires clarity and comprehensive planning prescriptions rather than the minimal desired and performance outcomes of the Planning and Design Code (PDC).
- S3** The proposed Historic Area Statement Update Code Amendments (HASU) are a substantive improvement to the paucity of the current historic area statements and bleakness of the PDC.
- S4** The terms of the HASU can be further improved and be of greater practical utility by including information, content, and processes drawn from applicable parts of the developed and respectful planning prescriptions that pre-date the PDC.
 - 4.1 Content from the previously well developed “Adelaide (City) Development Plan” as consolidated (30/4/2020) ought to be included in desired outcomes and performance outcomes applicable to each HAS.
 - 4.2 The Main Street precincts in North Adelaide (O’Connell and Melbourne Streets) should become subject to historic area statements, consistent with the rest of North Adelaide. Alternatively, adjacency from within an historic area statement should extend into an adjoining (contiguous) zone.
 - 4.3 The extent of coverage of historic area statements within the CoA should be expanded to include localities with, and adjacent/cy to, state and local heritage places within the CoA.
 - 4.4 Alternatively, the CoA should expeditiously seek further code amendments and ministerial approval for interim effect pending requisite formal processes.
- S5** The proposed representative items are supported, although characterisation as “Local Heritage Places” is preferred. Items from within adjacent main streets should also be considered.

If planning prescriptions respected history, nurtured heritage places, and enhanced character, future humanistic liveability and city prosperity would ensue.

Elbert Brooks BA LLB GDLP MBA

Chairperson, The North Adelaide Society Inc. (est. 1970)

9 December 2024

¹ The views expressed herein are not intended to reflect adversely on any person or entity concerned with, or in any way involved in, developing the draft the subject of this submission. Nothing herein is intended to detract from the work or efforts resulting in the draft.

CITY OF ADELAIDE

1. The City of Adelaide (CoA) is an area of local government² imbued with a unique history, heritage and character, and a diversity of business, cultural, residential and environmental land uses that are interdependent.
2. The diversity of human activity, neighbourhoods, built form, cultural and natural characteristics, and history and heritage, combine to create the life and environs of the City of Adelaide.³
3. That ought to be respected and enhanced by differentiated and ‘fit for purpose’ planning prescriptions to foster, not diminish, intergenerational value and liveability within the CoA.
4. On ‘April Fool’s Day’ 2017 (1 April),⁴ parts of the *Planning, Development and Infrastructure Act 2016* came into effect, and other parts at various times after its commencement.⁵
5. The comprehensive Adelaide (City) Development Plan (consolidated, 30/04/2020) was revoked and replaced by a dearth of descriptions in the Planning and Design Code (PDC) (19/03/2021). The PDC has little if any regard to the intent enunciated in the Second Reading speech (Hansard, 8/9/2015): “... *We have chosen to leave current local heritage provisions essentially untouched ... The new rulebook, the ‘Planning and Design Code’, will be written in plain language, and focused on design outcomes that can be tailored to address local character needs. ...*”. TNAS is of the view that those matters are yet to be observed or experienced.

Respecting the Past in Planning for the Future

6. The **history, heritage and character of localities and precincts of the CoA make Adelaide unique**. They add cultural, liveability and economic value and visitor interest to the future of Adelaide as a capital city. The content and coverage of historic area statements within the CoA must respect and enhance that intergenerational value and interest.

² City of Adelaide Act 1998, Local Government Act 1999

³ In this submission, unless the context suggests otherwise, “City of Adelaide” and “CoA” means the area of local government known as the City of Adelaide; “city” means the urban built form and its appurtenances; “precinct” means a sector or zone; “neighbourhood” means locality or smaller area within which there is generally a readily identifiable common purpose, activity, or land use by people (which may be a ‘mixed use’); Park Lands means the Adelaide Park Lands (APL); “parkland” means land use as natural park or vegetated open space; “CoCoA” means The Corporation of the City of Adelaide (i.e., the administrative function of the Adelaide City Council).

⁴ “*The dominant characteristic of the period between the adoption of the 2006 metropolitan strategy and the next significant plan, the 30-Year Plan of 2010, was the growing ascendancy of the property development industry as a major influence on government planning policy. A ‘Planning and Development Review’ was announced in June 2007 and this was overseen by a steering group with strong industry links. ... There is an apparent belief that almost any investment – even in nuclear waste dumps – is desirable in the current, very challenging economic climate.*” Hamnett & Kellett, Chpt 5 of “Adelaide: Tough Times in the City of Light in Planning Metropolitan Australia”

⁵ The Planning, Development and Infrastructure Bill 2015 was introduced by the then Minister for Planning, Hon. J R Rau (Deputy Premier) and had its first and second reading in the House of Assembly on 8/09/2015. The second reading speech included: “*The impact of today’s planning decisions will either bless or burden future generations. ... It lays down the basic building blocks of a new planning system that will ensure better decision-making, a better focus on design and better consultation processes leading to outcomes that meet community expectations ...*”. It may meet the expectations of the planning and development industry; seriously not vis a vis communities.

7. **Planning for the future is a development of past planning that ought to respect the history, heritage and culture of people, communities and land uses.** It must not result in an historic area being demeaned, heritage being demolished, or character being crushed. Each would in effect diminish uniqueness, culture and intergenerational value.
8. Foresight for **enhancing historic areas requires clarity and comprehensive planning prescriptions.** Currently, the Planning and Design Code (**PDC**) includes pathetically minimalist content in that regard and little if anything of utility in respect of desired and performance outcomes for historic areas.
9. The current paucity of expressions do nothing to give effect to the unambiguous statement in the Second Reading speech (see above at para. 5), State Planning Policies (SPP), and the current “Regional Plan (30-Year Plan for Greater Adelaide)” vis a vis heritage and character.
 - 9.1 SPP 2 – Design Quality
 - 2.5 Prioritise performance-based design quality outcomes in Adelaide City, heritage and character areas, places where medium-rise buildings interface with lower-rise development ...*
 - 2.8 Recognise the unique character of areas by identifying their valued physical attributes in consultation with communities.*
 - 2.9 Respect the characteristics and identities of different neighbourhoods, suburbs and precincts by ensuring development considers existing and desired future context of a place.*
 - 9.2 SPP 3 – Adaptive Reuse
 - 3.3 Repurpose, adapt and reuse historical buildings and places that recognise and preserve our state’s history.*
 - 3.4 Prioritise the adaptive reuse of buildings in areas of heritage or cultural value ...*
 - 9.3 SPP 7 – Cultural Heritage
 - 7.1 The sensitive and respectful use of our culturally and historically significant places and areas for the benefit of our present and future generations.*
 - 7.3 Recognise and protect places and areas of acknowledged heritage value for future generations.*
 - 7.4 The appropriate conservation, continuing use, and as appropriate, adaptive reuse of our heritage places and heritage areas of value to the community.*
 - 7.5 Maintain the context of a place or area of heritage value through appropriate design guidelines that encourage compatible design solutions.*
 - 7.6 The interpretation potential of heritage places and areas is enhanced to contribute to the economic and cultural sustainability of the state.*

9.4 Regional Plan priorities

Adelaide City Centre

P14 Strengthen the overall built form of the city, which is characterised by a grid pattern of streets and squares, contrasting with the open space of the Park Lands.

P22 Sustain the heritage, character and scale of valued residential precincts (including North Adelaide and the south-east and south-west corners) with contextually appropriate development that contributes to the needs of our growing population and provides services to the community.

Design Quality

P29 Encourage development that positively contributes to the public realm by ensuring compatibility with its surrounding context and provides active interfaces with streets and public open spaces.

P30 Support the characteristics and identities of different neighbourhoods, suburbs and precincts by ensuring development considers context, location and place.

P31 Recognise the unique character of areas by identifying their valued physical attributes

Heritage

P33 Recognise the value that communities place on heritage and ensure that new development is implemented sensitively and respectfully.

P34 Ensure heritage places and areas of heritage value are appropriately identified and their conservation promoted.

10. The proposed Historic Area Statement Update Code Amendments (**HASU**) are a **substantive improvement** to the paucity of the current historic area statements and bleakness of the PDC. That work and effort is acknowledged, albeit that **this submission seeks** further substantive improvements.

Further Substantive Improvements

11. The now government's pre-election "Planning for SA; For the Future" (4/3/2022) included:

"Without a bold vision and strong planning laws in place, we risk losing the character of our streets and neighbourhoods. ... we must not compromise on the liveability of our city – the way we live is the envy of the world. ... address the key concerns identified in our consultations ... Protecting the character and heritage of our local communities ... new developments will not impact on the amenity of our local streets or our environment. Design standards can be used to protect and enhance the character of our local communities. This will also provide certainty to industry as to the standards required".

12. The State Planning Commission's 10/10/2023 letter to the CoA concerning *"guidance on updating historic area and character statements"* included the following.

It reiterated the need for "ongoing protection and management of our important Historic and Character Areas ... [and] commitment made to enabling Councils to update their Historic Area and Character Area Statements (Statements) to address gaps and enhance design guidance which is bespoke to local areas."

It contemplated and supported "the creation of new Historic or Character Areas, and/or the listing of new Local Heritage Places".

13. Minister Champion's 16/11/2023 letter to the CoA confirms a broad scope and an opportunity for **additional substantive improvements**.

"Along with the Commission, I am committed to the ongoing protection of heritage in South Australia ... [and] to enable councils to update their Historic Area and Character Area Statements to address gaps and enhance design guidance which is bespoke to local areas. ... The scope of the proposed Code Amendment [includes] the spatial application of zones, subzones, overlays, or technical and numerical variations provided for under the published Planning and Design Code ...".

14. The **terms of the HASU ought to be further improved and, as important, provide greater certainty of intent and interpretation** by applying to, or including in respect of, each Historic Area Statement (**HAS**) at least the following.

- 14.1 In respect of the context of a locality, group or collection of HASs, there ought to be an **express Desired Outcome thereof**, which can include content drawn from the previous well developed "Adelaide (City) Development Plan" as consolidated (30/4/2020).⁶

- 14.2 In respect of **each specific HAS**, there ought to be an **express Desired Outcome** for that HAS.

- 14.3 Desired and performance **outcomes ought to include content derived from** current broadly stated State Planning Policies and Regional Plan priorities.

- 14.4 **Desired Outcomes and Performance Outcomes ought to include** applicable content from the "Adelaide (City) Development Plan" as consolidated (30/4/2020) that would – but for the operation of the PDC – have been applicable to the neighbourhood, area or locality within the HAS.

That development plan included a detailed "North Adelaide Historic (Conservation) Zone" with detailed policy areas that included applicable "objectives" and "principles", heritage places and significant trees (pp. 95–165). It also included the "Adelaide Historic (Conservation) Zone" (pp. 165–173) concerned with *"The historic character of the south-east corner of the City provides strong cultural and historic evidence of the creation of the colony and the consolidation of early settlement in Adelaide."*

⁶ The "Adelaide (City) Development Plan" as consolidated as at 30 August 2007 also included a detailed "North Adelaide Historic (Conservation) Zone" with detailed policy areas that included applicable "objectives" and "principles", heritage places and significant trees (pp. 88 – 185).

The inclusion of applicable content from that development plan would also accord with the unambiguous statement in the Second Reading speech (see at para. 5).

For example, in relation to North Adelaide, the applicable content of the previous “North Adelaide Historic (Conservation) Zone” ought to be included within the desired outcome and performance outcomes for each HAS and adjacency thereof. Other content in the former Adelaide (City) Development Plan addressing heritage planning principles and prescriptions **ought** also to be included.⁷

15. In addition, and having regard to the Minister’s inclusion of “*the spatial application of zones, subzones, overlays, or technical and numerical variations*” within the scope of the proposed Code Amendment, the CoA’s proposed code amendment **ought also** to address the following.
 - 15.1 The spatial application of historical area statements adjacent to **main streets in North Adelaide** (O’Connell and Melbourne Streets) **should include those main streets**, consistent with the rest of North Adelaide. Alternatively, the operation of adjacency from within an historic area statement should have spatial effect in the immediately adjoining (contiguous) locations, and the proposed draft content ought to be varied to that effect. The Minister for Planning ought to exercise powers to that effect.
 - 15.2 The **spatial application** (i.e., area coverage) **of historic area statements within the CoA should include** localities with, and adjacent/cy to, state and local heritage places, within the CoA. This is especially important in the southern and other residential areas of the CoA in which there are local/state heritage places, but without the benefit of being within an HAS. The Minister ought to exercise powers to that effect.⁸
 - 15.3 If regrettably the Minister for Planning is not currently prepared to exercise powers to extend the boundary of one or more of the historic area statements, or to permit additional historic area statements within the CoA, **the CoA should expeditiously seek code amendments** to that effect and ministerial approval for interim effect pending requisite formal processes.
 - 15.4 Unless expressly precluded by legislation, the proposed amendments should expressly enable **third party appeal rights** to operate in respect of at least the following.

An application for demolition (or e.g., over height or applicable Technical and Numeric Variations (TNV)) of a local or state heritage place, a representative item, or for example over height of a structure within an HAS.

An application for planning consent of such place/item, or location contiguous or adjacent therewith, unless for minor development or is ordinarily be dealt with under delegated authority.

⁷ This is not to suggest that HASs should preclude innovation or creativity in context, which may in the future be considered as local heritage or a representative/contributory item (whatever is the nomenclature of the time).

⁸ It is a travesty of planning that important historic areas and locations within the South and Central Wards of the CoA are not presently the subject of an HAS.

It is noteworthy that the “Second report of the Expert Panel on Planning Reform”, Aug. 2014 supported third-party appeal rights.

“Generally, an appeal should be permitted if the appellant has a clear interest in the matter; presently this is determined by reference to the statutory notification categories. The panel suggests that appeal rights should be widest for merit and performance-based assessment, and linked to the level at which a matter is assessed. For example, third-party appeal rights for a major project should be limited to those living in or owning land in the same region (with, perhaps, some exceptions for public interest litigants).” (p. 86)

“... the [Environment, Resources and Development (ERD) Court] does hear fewer matters now, as most issues are resolved without the need for a full hearing.” (p. 100)

Rather than doing away with third party appeal rights as occurred in the parliamentary process, the 2014 report suggested reforms, including *“Enable the court to register public interest litigants as a procedural reform.”* (p. 98)

Representative Items

16. The proposed “representative items” are supported.
17. Characterisation as “Local Heritage Places” is preferred, consistent with current descriptions. The Minister ought to exercise powers to that effect.

As indicated above at para. 15.2, the listing of new local heritage places was contemplated and supported by the State Planning Commission’s 10/10/2023 letter to the CoA.

18. Items from within the main street zones adjoining an HAS ought to be considered, assessed and included as “representative items”, absent the preferred characterisation as a “local heritage place”.

REMARKS

19. TNAS remains concerned about the dilution and dissipation of planning prescriptions about heritage and character that had developed during preceding decades into what was previously a considered, mature and expressive development plan for the City of Adelaide and its constituent elements.
 - 19.1 It is not enough to postulate policy; the value of heritage and character is in the doing and conserving. Imagine the neighbourhoods of the City of Adelaide without their stonework and the city without its Park Lands, both of which are too readily incrementally eroded.
 - 19.2 It is not enough to support the idea of heritage and character without requiring planning prescriptions and practices operating in a manner that exemplifies their value to the city, its neighbourhoods, and future sustainable communities.
 - 19.3 Contemporary planning for the future ought not be relegated by the monetarised moment and meaningless platitudes about cultural or community heritage value yet be without express and practical respect for the past and certainty for the future.

20. Updating HASs within the CoA in the manner indicated in this submission will support contemporary planning to respect and build on prior planning processes and prescriptions, which respected the intergenerational value of history, heritage, and culture for future prosperity. Including specificity and extending HASs within the City of Adelaide will have no impact beyond the City of Adelaide.
21. The proposed substantive improvements are welcomed. They ought to be further improved to achieve the best possible planning outcomes for local communities, irrespective of whatever may be the political views of the Minister or administrative preferences of the Minister's agencies. The opportunity cost of omitted or incomplete expression is heritage, culture and character lost from the future.
22. TNAS remains available to clarify or discuss any aspect.⁹ A matter not commented on is not to be taken as acceptance or condonation. Time and resources have not permitted a more detailed consideration, research, or complete understanding of the operational impacts or omissions vis a vis the structure and content of the proposals.

Elbert Brooks BA LLB GDLP MBA

Chairperson, The North Adelaide Society Inc. (est. 1970)

9 December 2024

The North Adelaide Society Inc.

The North Adelaide Society Inc. (TNAS) was established in 1970. It is a community based association with a diverse membership (>200) and links with community associations to address planning and other issues that impact local communities. TNAS and its members have extensive experience of, and advocacy about, planning, development and land use within or affecting the City of Adelaide, and its local communities, neighbourhoods and individuals.

⁹ TNAS reserves the right to add to, clarify or alter any content. (Apologies for any typos overlooked.)

From: Andrew Mill [REDACTED]
Sent: Tuesday, 5 November 2024 12:16 PM
To: PDCSA Amendments
Subject: Historic Area Overlay Submission - 134 Melbourne Street, North Adelaide

Follow Up Flag: Follow up
Flag Status: Completed

Hi Amanda / Kurna,
Thank you for providing the below information.

On behalf of my fathers company, Mill Investments Pty Ltd, I wish to make a formal objection to the rear of the property situated at 134 Melbourne Street, North Adelaide being included in the proposed Historic Area.

I am unsure why a slither at the rear of this property would be included, which appears on the SAPPA system as possibly be an old easement, but is definitely not an additional allotment.

The recent history of this site is that Mill Investments Pty Ltd built two townhouse units to the rear of this property in the mid-late 1990's, known as 107 & 109 Sussex Street, North Adelaide which were designed "in keeping" with the character of this wonderful location, at that time. This was done whilst also owning adjoining 134 Melbourne Street. The subdivision and strata plan were undertaken by professional surveyors.

134 Melbourne Street is therefore an entirely different property, utilised for commercial purposes with frontage to Melbourne Street. This property is therefore rightfully part of the Main Street Zone.

The premises at 134 Melbourne Street was recently vacated by Montezuma's Mexican Restaurant, which like most restaurants was detrimentally affected by the Covid Pandemic.

We therefore request that the boundary of the proposed Historic Area undergo minor adjustment to align with the 'true' rear boundary of 134 Melbourne Street (which is the rear of the Sussex Street Strata Plan).

Thank you for your consideration of this matter and please call me if you wish to discuss further.

Kind Regards
Andrew Mill
[REDACTED]

From: PDCSA Amendments <PDCSA.Amendments@cityofadelaide.com.au>
Sent: Monday, 4 November 2024 4:13 PM

To: Andrew Mill [REDACTED]
Subject: RE: Historic Area Overlay query

Hi Andrew

In response to our phone conversation, the property at 134 Melbourne Street, North Adelaide falls under the Historic Overlay.

The Historic Area Overlay aims to reinforce historic themes and characteristics through conservation, contextually responsive development, design, and adaptive reuse that responds to the attributes expressed in the Historic Area Statement. The draft Code Amendment seeks to update the Historic Area Statements to include additional contextual information that describe the historic elements of the area.

As shown by Figure 1, the property at 134 Melbourne Street is largely located in the City Main Street Zone (indicated in grey), with the rear portion of the property located in the City Living Zone (blue) and Historic Area Overlay (Historic Area – Adel12).

The draft Code Amendment can be found via the following links

[Historic Area Statement Update - Code Amendment | Our Adelaide](#)

[Code Amendment](#)

Submissions can be made via the Our Adelaide engagement page, or via email to pdcsa.amendments@cityofadelaide.com.au



Figure 1 Zoning at 134 Melbourne Street, North Adelaide

The properties at 226 Melbourne Street and 278 - 280 Melbourne Street are not located in the Historic Area Overlay and are not directly impacted by the Code Amendment.

Planning and Design Code Amendments

City of Adelaide

T +61 (0) 8203 7203 E pdcsa.amendments@cityofadelaide.com.au

Kaurna Country

Colonel Light Centre, Level 2

2nd Floor 25 Pirie Street, Adelaide, South Australia, 5000



cityofadelaide.com.au

The City of Adelaide acknowledges the Kaurna people as the Traditional Owners of the Country where the city of Adelaide is situated, and pays its respect to Elders past, present and emerging.



 Think before you print

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From: [REDACTED]
Sent: Monday, 4 November 2024 12:35 PM
To: PDCSA Amendments <PDCSA.Amendments@cityofadelaide.com.au>
Cc: [REDACTED]
Subject: Historic Area Statement Update - Code Amendment

Hi Team, in relation to the above I believe the following needs correction in your Draft:

HISTORIC AREA STATEMENT UPDATE

CODE AMENDMENT

North Adelaide Cathedral Historic Area

Statement (Adel 9) (attached)

Architectural styles, detailing and built form features – Page 8

“Brougham Court

Edwardian period.

Architectural styles include but not limited to detached and semi-detached **Edwardian** villas and former Ebenezer Chapel.”

The reference to **Edwardian** is incorrect.

These comprise **late Victorian** villas or semi-detached properties having been constructed by Joshua Gurr.

Reference as follows all drawn from City of Adelaide records:

- McDougall & Vines, Architectural & Heritage Consultants, provided City of Adelaide a ‘*Townscape Context and Local Heritage Assessment*’ in March 1993 which identified Brougham Court Age and Style as c. 1890 Victorian Cottages. That document sourced the 1890 Smith Survey which shows this section of Town Acre 723 as vacant in 1890;
- Joshua Gurr took title to the properties 27/9/1892; &
- The photograph of an early view of Kermode Street (c. 1902), taken from St Peters Cathedral which is in the City Views Collection M.L.S.A SSL MB8849, shows the 4 villas at end of Brougham Court as fully constructed with gardens.

The construction was completed by 1901 – and as the City of Adelaide Council Heritage Plaque that sits on the front fence of most of the properties identifies them all as late Victorian. They do not reflect an Edwardian style of architecture or construction.

It would be appreciated if you could please give consideration to adjusting that text in your draft to correctly reflect the Victorian era.

Thanks for your assistance.

Best Regards

Matthew Gerschwitz

[REDACTED]
[REDACTED]

Community Consultation, Historic Area Statement Update Code Amendment

Written Submission from Alistair and Sally McHenry



18/11/24

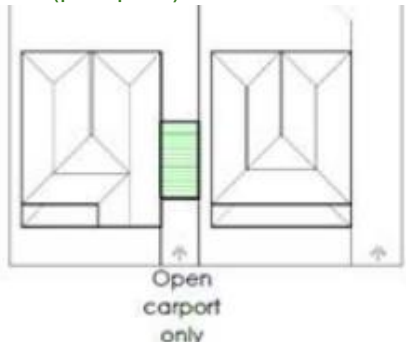
We have reviewed the documents out for public consultation with a particular focus on the area that we live in *Adel 14*. Generally, we are supportive of the amendments proposed. We certainly want to see this historic area preserved and heritage values maintained.

The use of the Statements to provide a reference point for upgrading, refurbishment and conservation work on the main body of heritage and representative buildings is supported.

However, we do have some concern that the Statements could be used to unreasonably limit the creative and innovative design of additions to the rear of existing heritage and representative buildings. For example, if planners and heritage consultants were to use the statement to demand that the design of say an addition to the rear a Victorian villa would have to closely match its form and materials.

Away from the historic street frontage creative and innovative design solutions should be possible and encouraged as they can provide improved accommodation, amenity and environmental outcomes.

We make the following comments and observations.

Elements	Proposed draft statement (part)	Comment
Allotments, subdivisions and built form patterns	Typically, there is either no on-site parking space for a car or else space is situated at the rear of the Dwelling.....	While this is generally correct there are numerous examples of where driveways and parking do exist at the front between houses. In the immediate vicinity of Kate Court for example up to 10% of the off-street parking is like this.
Architectural styles, detailing and built form features	Typical and appropriate siting of carports and garages is illustrated below.(part plan) 	Given security and vandalism concerns in the area it would be unduly restrictive to only allow “open carports only”. Roll up doors are very common in the area and should not be excluded.

Elements	Proposed draft statement (part)	Comment
Building height	... <i>Second level additions not protruding above the roof line apparent from the primary street.</i> Did they mean: ... Second level additions protruding above the roof line <i>should not be apparent</i> from the primary street.	If so, the use of the word <i>apparent</i> is vague and could be interpreted to mean that additions should not be readily seen from the street. That would be unduly restrictive for two storey additions to the rear of single storey cottages. Most (if not all) existing second level additions are higher than the existing single-storey roof line at the front and while well set back are visible from the primary street. This additional height is essential for good architectural outcomes, space planning and amenity for the addition.
	<i>Building height, including the floor to ceiling clearances of each level, reference the prevailing floor level and building heights of Heritage Places and Representative Buildings within the locality</i>	For many rear additions particularly to single storey cottages this would be unduly restrictive for a second floor for reasons noted above.
Materials	<i>Paint colours consistent with the era and style of the building as defined by archival sources</i>	Our observation is that very few buildings in the area actually have paint colours strictly <i>as defined by archival sources</i>. The “<i>archival sources</i>” wording is quite restrictive and needs to be relaxed to meet community expectations. Suggestion: <i>Paint colours consistent with the era and style of the building as defined by archival sources are preferred, however a range of colours that are consistent with the established streetscape is also acceptable.</i>
Materials	A list of prevailing materials is provided	We have a concern is that if this material palette is applied to additions and alterations at the rear of dwellings (where well set back from the street) it would be unduly restrictive and not result in good design outcomes. It would be good if there was a distinction made between the requirements for renovation and restoration of the main part and street frontage of existing heritage buildings and new works behind this.

End

Objection to proposal of 123 Barnard St as Representative building

INTRODUCTION

1. In objecting to proposal of 123 Barnard St., North Adelaide ['123BS'] to be listed as a 'representative building' ['RB'] it is highlighted that the house has previously been rejected for listing as a local heritage place on several occasions.

BRIEF HISTORY

2. In 1993 the building was not recommended for heritage due to objections from Dr .A. Toth and supporting report provided to ACC by a Heritage architect R. Danvers.

3. In 2005 Dr P. Bell who was retained by ACC in Council, provided a report in respect to the Draft heritage and character North Adelaide Plan Amendment Report [PAR] found that :

4. ' the house had undergone major alteration to its form that there is relatively little of the existing fabric of the house dating from the nineteenth century'

5. Dr Bell also recommended that the house be removed from the schedule of local heritage places.

DEFINITION OF REPRESENTATIVE BUILDING [RB]

RB in this objection uses as the standard that the code defines RB as ' buildings that display characteristics of importance in a particular area'

Objection to proposal of 123 Barnard St as Representative building

STRUCTURAL FORM & CHARACTER CHANGES

6. In c.2000 -Upper second storey exterior dominates building to front street in hybridized style not relating to North Adelaide of nineteenth century.
7. Roof design to exterior altered and markedly increased in height facing front street.
- 8 Original Exterior E-W ridge cut out and front E-W original ridge/roof line completely altered and lowered to incorporate new front upper balcony.
- 8[a] Newer front ground level verandah and roof of verandah facing street changed from original character style.
9. Chimneys modified, including design change to incorporate new roof design and new front wall of upper extension.
10. Row of visible modern french windows behind front balcony and cut out, modified roof line make up most of front upper central facade facing street.
11. Many walls are plastic rendered and remaining sandstone has been painted.

NOTES ON CHANGES TO BUILDING

12. The above changes to design, style, theme and character does not make 123 BS a representative building displaying character of importance to the historical area of North Adelaide for code amendment purposes, as per Dr Bell's statement for houses constructed 1870-1890.
13. Therefore there is no typical important exemplar distinctive theme including consistent use of late nineteenth century

Objection to proposal of 123 Barnard St as Representative building

architecture to be observed in respect of 123BS even if changes to landscaping to reduce the degree to which the front landscaping screens the facade were performed.

14. The character of building at 123 BS in essence has been modified so extensively by modern overlay that it is not historically meaningful or significant as a representative building, per se as it does not now display sufficient characteristics of importance to the historic area or era in question as required for it to be representative for the purposes of the Code Amendment.

15. In other words if this building ever displayed exemplary characteristics of importance in the area that would have rendered it a Representative Building , that long ago ceased and can no longer be said to be exemplar by reason of the alterations it has undergone.

16. In fact on the facts 123BS does not remain sufficiently integral to be of meaningful character with historical area and/or Victorian style.

KEY FACTORS

- The building style of 123BS is now not consistent with the era or of meaningfully significant character for the Historic area as per the Historic Area Statement as style has markedly changed the character due to the changes to style of building as overlaid by the dominant modern renovations including to front, making it non exemplar for a RB.

Objection to proposal of 123 Barnard St as Representative building

- This presents no meaningful continuity and there is no visual continuity of 123BS with buildings with similar characteristics in the streetscape because the overall character has been modified so much that it does not contribute to any streetscape historically as shown above which makes it too different from buildings of that era.
- It is further credible on the facts, that 123BS is now not a meaningfully significant structure of any exemplary importance for historic area to be a RB.
- 123 BS does not now demonstrate a historical theme or of importance to the area because of the the different theme presented by dominant anterior upper story to the front and changes described at above points # 6-11 The building at 123BS does not exhibit exemplary significant character attributes ,due to the factors outlined, based on the relevant Historic Area Statement in the planning and design code to make it a representative building.
- Therefore there are now no exemplary attributes in style, continuity , theme or form to now demonstrate a historic character as expressed in the Historic area statement as a RB because 123BS is an oddity in the historic area of North Adelaide.

BACKGROUND

In c.2000 the overall structure of 123BS was in essence far removed from original character and modified so extensively

Objection to proposal of 123 Barnard St as Representative building

by modern overlay extensions that it is now not historically meaningful to classify it as RB. See also Dr P. Bell's findings.

It is further submitted that due to above and screening, landscaping and with the dominant added upper story it does not make the front portion really visible nor contribute to any streetscape historically, is non-conforming, out of kilter in the group setting making it unrepresentative.

PROTECTIVE POWERS & FURTHER BACKGROUND

ACC already has the power for non-demolition of 123BS or full demolition control in regard to planning and building approvals in the area.

123BS is already protected by the Historic Area Overlay and Heritage Area Overlay and streetscape status.

Therefore this nomination is an oxymoron as a lowball attempt or pretext of nominating 123BS as a historically RB because it exists in a historical area and undermines the process to be in good taste or faith to only nominate adequate exemplar historic RB's.

OVERVIEW & CONCLUSION

To draw a picture analogy, 123BS is only representative of an unmeaningful obscure, plain drawing or non-representative painting, that would not be hung even in a streetscape art gallery or a gallery/museum of Victorian history

.

Objection to proposal of 123 Barnard St as Representative building

It is therefore held that that 123 is not a suitable RB for the purposes of nomination for overlay for any code amendment, due to all of above as it does not display exemplary importance in a particular area as required by the code definition for it to constitute a Representative Building or of any sufficiently meaningful importance in the historic area.

That is why it was insufficient even before modifications even minor heritage listing according to Dr Bell's and R. Danvers, architects previous statements etc in respect of 123 BS provided to ACC.

The attempt to now nominate 123BS as meaningfully significant or exemplary for RB classification or even as a sufficient RB for amended code overlay would or should in reasonable circumstances fail on the above grounds.

Please note: This submission will be backed up by further architectural report by Douglas Alexander to be provided soon .

9 December 2024

Colleen McDonnell
Manager City Planning and Heritage
Adelaide City Council

Dr Drew Toth
123 Barnard Street
North Adelaide
Sa 5006

Attention: Colleen McDonnell Manager City Planning and Heritage; Adelaide City Council

City of Adelaide Code Amendment Objection: 123 Barnard Street North Adelaide

I refer to the Objection to the proposed identification of 123 Barnard Street North Adelaide as a Representative Building and appreciate the time in allowing inspection on site today.

The building is located between Makin Place to the east and Steaurt Place to the west. It is located between Local Heritage Places at 117 Barnard Street and 125 Barnard Street to the west, both described as:

House; Frontage and side wall returns visible from the street.

Both have been listed as Local Heritage Places because:

- (a) it displays historical, economic or social themes that are of importance to the local area;
- (d) it displays aesthetic merit, design characteristics or [construction](#) techniques of significance to the local area and 117 Barnard Street also because:
- (e) it is associated with a notable local personality or event.

Accordingly, the Planning and Design Code and South Australian Property and Planning Atlas locate 123 Barnard Street as being within a Heritage Adjacency Overlay, offering protection against further development that would not maintain the heritage and cultural values of those Places or dominate, encroach on or unduly impact on the setting of those Places.

Both Local Heritage Places offer some screening of the degree of intervention that has occurred at 123 Barnard Street. The remaining original single storey asymmetrical villa has undergone a significant and somewhat brutally executed transformation involving the addition of an upper level and other associated actions such as altering the roof form, that would be unlikely to receive Planning Consent under the existing Code.

As noted in the publicly available Council material, Dr Peter Bell observed in 2005 that the house “has undergone major alteration to its form” such that there is relatively little of the existing fabric of the house dating from the nineteenth century.

While it is noted in the Council material the ‘vegetation in the front garden (principally) obscures the dwelling, but there is the potential for changes to the landscaping to reduce the degree to which front landscaping screens the façade’, I offer an alternative view.

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New email: douglas@dah.net.au

Having had the opportunity to stop, observe and undertake a site inspection, I have had the opportunity to look behind the vegetation to witness the degree of change that has occurred. This loss of character would not be apparent from a physical drive-by survey or unless the vegetation was to be removed.



SAPPA Mapping

Of the Upper Level I have observed:

- The Upper Level addition is not behind the original ridge line;
- The Upper Level is not contained within the roof space;
- The Upper Level addition is set forward of the original ridge line resulting in the removal of the original ridge and the construction of a lower ridge;
- The Upper Level addition has resulted in lowering of the chimneys and in an unsympathetic, abrupt junction with the west chimney in particular.

Behind the vegetation at the ground level I have observed:

- A non-original timber frame straight skillion replacement verandah with modern metal connectors and detailing of verandah posts removed;
- Stone masonry walls that has been covered in layers of plastic paint;
- A unsympathetically cut off finial to the only visible villa gable;
- Front door with leadlight removed, air conditioning unit within the fanlight and bronze aluminium security flyscreen.

While removing the vegetation is considered to screen the façade, I am fearful the removal of this would make previous alterations and accretions more visible, leading to embarrassment and confusion were the subject dwelling to be identified as a Representative Building. The risk is in the contrasting differences

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with 125 Barnard Street. The Subject Dwelling is not considered worthy of being a Representative Building.

I also note that 117 Barnard Street fortunately provides screening of the Upper Level addition from the east. Only the protruding gable, with its chopped off finial, remains as a characteristic element.

The community would have no understanding that 123 is unlisted and 125 is a Local Heritage Place. However, the stark contrast in condition and integrity between the two can be summarised as follows:

Element	123	125
Integrity	Poor, screened from view	High and visible.
Upper Level	Forward of ridge, imposing and poorly designed	Set back to rear and only visible from side street
Verandah	Non-original in terms of form facing street and loss of detailing	Original O Gee form with highlighted details
Stonework	Painted	Unpainted
Render	Painted	Painted

Key factors considered in the assessment process are commented upon as follows:

Key Factors	Comment
The building style and era should be consistent with those assessed as significant in the Historic Area as per the revised Historic Area Statement.	123 Barnard Street is not considered to be sufficiently consistent with those assessed as significant in the Historic Area as per the revised Historic Area Statement, because it has undergone considerable change through the addition of a dominant Upper Level that is forward of the original ridge line and has resulted in the demolition of the original ridge line and significant loss of character. The revised ridge line is forward from the original line, altering the proportions and composition of the original single storey dwelling. This, along with the non-original verandah and other alterations such as the application of plastic paint to the stonework and other accretions, would become more readily apparent should the vegetation be removed. This has the potential to diminish the value placed on Representative Buildings. The identification of Representative Buildings is not intended to imply that other buildings in an historic area are not of importance. 123 Barnard Street offers some limited altered historic characteristics, but these are not considered sufficient to warrant elevation to Representative Building.

The building demonstrates historical theme/s important in the area.	Elements of 123 Barnard Street have been considerably altered. The building is located within the Historic Area Overlay and the Heritage Adjacency Overlay and exhibits only some of the characteristics expressed. 123 Barnard Street, through the invasive alterations that have occurred, demonstrates the importance of more concise, respectful contextual design guidance. To reverse the damage of the alterations, particularly the Upper Level would be expensive and impractical.
For dwellings (whether converted to another use or still residential) there is visual continuity with buildings with similar characteristics in the streetscape, noting that this is a matter of fact and degree and can still occur where there is intervening development of another era in the same street or section of a street.	This section of Barnard Street, west of Hill Street on both sides, has been considerably altered, with no visual continuity, apart from the potential that might have existed between 123 and 125, had the alterations not occurred. Should 123 Barnard Street be revealed through the removal of vegetation, the level of intervention would have greater clarity and the comparison with 125 Barnard Street would not be visually continuous or cohesive.
Where there is a current valid approval for total demolition of a building.	There is no current application or approval to demolish 123 Barnard Street. The remnant single storey portion is considered sufficiently protected by the Historic Area Overlay and Heritage adjacency Overlay provisions, without the additional nomenclature of Representative Building.

I note the stated purpose of the Code Amendment is mainly to:

- include additional historical context including the important historic character elements of the Historic Areas by mostly replacing the Historic Area Statements;
- introduce Representative Buildings, because there are presently none;
- include diagrams, where appropriate and yet to be provided.

The Code Amendment aims to:

- *clarify the expected development outcomes for property owners in the Historic Areas*
- *improve the information describing the attributes and elements of historic character to be considered and referenced in development assessment*
- *support and guide context-sensitive design and decision making for development in Historic Areas*
- *provide relevant and clear information for decision-making by heritage experts and planners during development assessment.*

Having inspected the Subject Land and considered the Council material, I am fearful the Code Amendment falls short in the following areas:

1. the Historic Area Statements are not concise, nor particularly useful in guiding the assessment process;
2. Wrongly identify the dwelling at 123 Barnard Street as a Representative Building and potentially devalue the meaning of a Representative Building.

Please refer to my assessment of the statements at the conclusion of this submission.

While not previously defined within the City of Adelaide, the definition of a Representative Building is included in the Planning and Design Code Historic Area Statement. It is important to note that unrecognised dwellings within the Historic Area Overlay have protection:

The identification of representative buildings in a particular area is not intended to imply that other buildings in an historic area are not of importance.

In the case of 123 Barnard Street, I do not agree that *identifying Representative Buildings will better articulate the Overlay's intent in relation to historic character and the buildings that contribute to this character. Historic character is a function of a collection of buildings, not only those with individual heritage status or value, as well as other character attributes.*

I consider that 123 Barnard Street has been substantially altered to the extent that it does not sufficiently represent significant historic character described in the relevant Historic Area Statement. It is also in a portion of streetscape that has been altered with modern new dwellings and modern institutional buildings on the north side.

As an experienced Heritage Adviser I have drafted Historic Area Statements for several metropolitan and Regional Councils and undertaken assessments, both prior to and since the introduction of the Planning and Design Code, I do not agree that a *Historic Area without Representative Buildings creates ambiguity* as to which buildings (aside from Local or State Heritage Places) have merit for retention.

While designation as Representative Building may confer that there is value in retention, the Historic Area Overlay and Heritage Adjacency Overlay, combined with a concise, easily read Historic Area Statement, offers sufficient protection for buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement.

Inclusion of a dwelling that is an unfortunate hybrid of architectural styles including an unsympathetic dominant addition that has considerably altered the original single storey dwelling, would potentially devalue the meaning and interpretation of Representative Buildings.

Updating the Historic Area Statements in the manner proposed will further confuse the assessment process, rather than providing clear guidance. Identified Representative Buildings should demonstrate a higher standard of character than that exhibited by 123 Barnard Street.

While the dwelling is an "Asymmetrical masonry house, with modern two storey extension at rear", I would contend the rear addition is certainly much further forward than the rear. The dominance of the addition, the degree of change and loss of integrity that has occurred to the original frontage makes questionable whether this is a good example of an 1880s-1890s asymmetrical sandstone residence or an important indication of the type of residences constructed at that time. It has become a lesser contributor to the distinctive historic residential character of North Adelaide and certainly not an important element.

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The elements suggested by Dr Bell as being typical of 1880s-1890s Victorian residence, from my own observations include heavily painted sandstone walling, lowered brick chimneys that now suffer an abrupt junction with the Upper Level and a non-original front verandah. The degree of contrast with the more pristine 125 Barnard Street that could be revealed through the removal of vegetation, would be most unfortunate and diminish the importance of other Representative Buildings, while also creating confusion. It is somewhat erroneous and out of context to adopt favourable comments from Mr Bell's report because the purpose of that report was an objection to a proposed Local Heritage Listing.

I have also reviewed the Code Amendment and note that it proposes a considerable change to the existing Historic Area Statement for North Adelaide Hill Street Historic Area Statement (Adel 1). It appears to be less concise than was previously the case and notably:

- 1950's plus post war has been added to the Eras;
- The description of allotments now includes Barnard St
- Architectural styles includes: *Characterised by a range of quality design and architectural styles relating to North Adelaide's development as a residential village from the 1830s-1940s with varying concentrations of styles localised to areas established by the prevailing patterns set by Heritage Places and Representative Buildings.*
- And: *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.*
- And Barnard St: *Exhibits a diverse collection of architectural styles including but not limited to Inter-war Mediterranean, Tudor Bungalow, Mediterranean, Inter-war Mediterranean, Old English, Georgian Revival, Victorian Gothic, Victorian villas, Victorian cottages and row cottages.*
- Building Height: *Building height, including the floor to ceiling clearances of each level, reference the prevailing floor level and building heights of Heritage Places and Representative Buildings within the locality.*

In conclusion, I can support the objection to 123 Barnard Street :

- It is already sufficiently protected by the Historic Area Overlay and Heritage Adjacency Overlay;
- The upper level addition is not a quality design nor an architectural style relating to North Adelaide's *development as a residential village from the 1830s-1940s*;
- The upper level addition is dominant and intrusive and detracts from the original single storey portion, and would be unlikely to be approved today;
- The upper level addition has involved demolition of the dwelling's original ridge and the construction of a much lower ridge line which has changed the proportions and composition of the dwelling;
- The verandah is non-original, the walls have suffered the application of plastic paint and the front doorway has suffered accretions and change.
- The front original portion is fortunately not highly visible; the removal of vegetation would reveal just how invasive the alterations have been and set up an unfortunate contrast with 125 Barnard Street, that would not result in visual cohesion and confuse the nature of identified buildings.

I have included below my assessment against the proposed Historic Area Statement, which has also informed this submission in support of the objection.

Douglas Alexander Architecture and Heritage Pty Ltd



Douglas Alexander
Architect and Heritage Consultant

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123 Barnard St looking from South west: Note the lowered ridge line



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123 Barnard St looking from North East:



125 Barnard St looking from North with characteristics intact



123 Barnard Street non-original verandah

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123 Barnard Front Door altered



123 Barnard Street Plastic Paint on stone

Comments on Historic Area Statements in relation to 123 Barnard Street

Elements	Current Statement	Proposed Draft Statement	Comment re 123 Barnard Street
Eras, themes and context	1837 to 1901 – Victorian period. 1901 to 1920s – Edwardian period. 1920s to 1942 – Inter-war period. Low and medium density cottages. Villas and terrace houses. Historically intact residential areas. Long established institutions.	Themes and Context Adelaide's identity is shaped by its unique grid pattern and hierarchy of streets. Its rectangular geometry contrasts with the natural setting provided by the Adelaide Park Lands and views to the Adelaide Hills. The pattern of Squares reinforces the city's geometry. Colonel Light's visionary layout of Adelaide and its Park Lands was recognised through its National Heritage listing in 2008. North Adelaide is an integral part of the historic plan of the City of Adelaide. The historic character of North Adelaide provides strong cultural and historic evidence of the creation of the colony, the establishment and consolidation of early settlement and the subsequent development of South Australia's capital city over time. Significant features include the natural and cultural landscape which creates the physical setting for North Adelaide, the hierarchy of wide and narrow streets,	Wording is not succinct. 123 Barnard Street does not provide a good demonstration of eras and themes as the original building is dominated by a circa 2000 upper level addition that is not contained within the roof space and is forward of the original ridge line, which has been altered.

		Squares and gardens, and the differing orientation of upper and lower North Adelaide. The arrangement of the plan had the effect of creating interest in development facing the Adelaide Park Lands, resulting in characteristic housing of substantial scale along many frontages. Pockets of North Adelaide developed compactly with small cottages and worker housing providing evidence of a different way of life to that experienced by the residents of the more substantial villas. The Hill Street Area demonstrates the layout and settlement patterns of the City of Adelaide from the 1830s, namely the original 'Town Acre' pattern grid, the further development of North Adelaide character as a residential village (particularly the typical 1850s to 1880s village type settlement pattern, with shops and other services), and the settling of major religious and institutional organisations and their buildings. It exhibits residential architecture from all periods of the city's	
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		historical development and includes the residences of many notable Adelaide community members. The 1883-4 City Land Investment Company subdivision of Town Acres along Barnard Street and Molesworth Street resulted in a sequence of large residences which form an important part of the physical character of upper North Adelaide. A number of these remain as State Heritage Places between Hill Street and Wellington Square. Several religious orders established west of Wellington Square during a period of economic recession when land prices were low, including St Laurence's in Buxton Street in 1867 and St Dominic's Priory in Molesworth Street in 1893. The topography of the City of Adelaide explains many of its patterns of development. Elevated land was selected to avoid flooding but was also prestigious and offered the best views. This was the case with the allotments that were created around the high points of	
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		Strangways Terrace and Mills Terrace where some of the city's finest buildings are located. Eras 1837 to 1901 - Victorian period. 1901 to 1920s - Edwardian period. 1920s to 1942 - Inter-war period. 1950s plus - Post War period.	
Allotments, subdivisions and built form patterns	Large allotments together with low and medium density residential. Building set back and subdivision pattern established by Heritage Places.	This Area is one of the lowest density areas in upper North Adelaide. Historically, it is one of the most important and representative residential areas of high integrity in South Australia. It also contains a range of large institutions providing contrast in built form to the housing development around them. The Town Acre layout and later patterns of subdivision and development create large allotments, and a low-density residential character derived from generous building setbacks, orientation and patterns established by the prevailing Heritage Places and Representative Buildings. The building setbacks from front, side and rear allotment boundaries are established by the prevailing Heritage Places and Representative Buildings. Buildings do not project forward	Wording is not succinct.  Barnard Street The historic residential streetscape is formed by the moderate street width and the one and two storey detached and semi-detached dwellings that are almost exclusively Local and State Heritage Places. This is not applicable to this portion of Barnard Street as shown above extract from SAPPA.

		of Heritage Places or Representative Buildings including on adjacent sites, nor do buildings extend to side boundaries other than for party walls in semi-detached and row dwellings. Generally, buildings are set within landscaped grounds and extensive gardens which typically covers 50 percent of the site. The historic built-form character of the Area is established by State and Local Heritage Places and Representative Buildings, reinforcing the character of the historic built form, allotments and subdivision patterns as described below: <u>Barnard Street The historic residential streetscape is formed by the moderate street width and the one and two storey detached and semi-detached dwellings that are almost exclusively Local and State Heritage Places and the Local Heritage listed Sunningdale Apartments at 2-20 Barnard Street.</u>	
Architectural styles, detailing and built form features	Victorian housing consisting of single fronted, symmetrically fronted, and asymmetrically fronted houses, some with bay fronted	Characterised by a range of quality design and architectural styles relating to North Adelaide's development as a residential village from the 1830s-1940s with	Proposed revision is not succinct. 123 Barnard Street is dominated by a building addition that has substantially eroded historic character, removed architectural detailing and part demolished the roof form.

	projections; contains vertically proportioned window and door surrounds highlighted with moulded render or brick dressings with roofs that are generally hipped in form, with the asymmetrical style, gable ended or hipped roof to the projecting bay, concave or convex verandah roof and four panelled doors with fanlights and often sidelights. Edwardian housing with prominent strapped gables and detailing, tall brick chimneys, verandahs incorporated under the main pitch of the roof verandahs with a convex (or bullnose) profile. Inter War Housing consisting of bungalows incorporating a broad spreading roof and verandah with typical masonry columns supporting verandah elements and the expansive two	varying concentrations of styles localised to areas established by the prevailing patterns set by Heritage Places and Representative Buildings. The Heritage Places include nineteenth and early twentieth century elegant and finely detailed mansions and large villas set on large allotments, intermingled with areas containing low density cottages, villas and terrace houses of one and two storeys. The prevailing built form features of the area includes pitched roofs (hipped and/or gable ended), tall brick chimneys, pitched verandahs, vertically proportioned windows, panelled doors, and decorative mouldings and dressings to masonry. Cohesion is derived from the pattern of detached houses, the consistency of masonry facades, vertically proportioned windows, pitched roofs, verandahs and porches. Roof pitch and forms and the design, form and composition of facades reflect traditional proportions of Heritage Places	Existing building does not fulfil the following: Building additions incorporate materials and proportions that reflect the character of the Heritage Place or Representative Building <u>and are not readily visible from the street. 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.</u> Existing building does not adequately fulfil characteristics that would fully satisfy: a diverse collection of architectural styles including but not limited to Inter-war Mediterranean, Tudor Bungalow, Mediterranean, Inter-war Mediterranean, Old English, Georgian Revival, Victorian Gothic, Victorian villas, Victorian cottages and row cottages. Distinctive Calvary Hospital Chapel.
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	storey version was often known as a Gentlemen's Bungalow; and Tudor Revival style displaying steeply pitched roofs with half-timber gable ends and variations of the verandah porch treatments. Finely detailed mansions; Cottages, villas and terraces; aged care, health care, consulting rooms and educational. Victorian Italianate villas, detached and semi-detached dwellings. Institutions are part of the historic fabric of North Adelaide. Barnard Street Victorian and Inter-war housing. Detached and semidetached one and two storey Heritage Places of consistent setback. Visual prominence of Calvary Hospital Chapel forms an important part of the street character.	and Representative Buildings. Buildings address the street frontages. Design elements of a Heritage Place and Representative Buildings such as verandahs, roof forms or historic detailing maintain historic proportions and are not extended at the same alignment as the main face of the Heritage Places. <u>Building additions incorporate materials and proportions that reflect the character of the Heritage Place or Representative Building and are not readily visible from the street. 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.</u> Carports, garages and side additions located behind the main face of the building and facade and do not dominate the street frontage or significantly alter the historic character of the Heritage Places and Representative Buildings. The Area is characterised by a variety of architectural styles including but not limited to: Early Victorian Houses	
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		(1840s to 1860s) In the initial period of settlement, corresponding with the early Victorian period, houses were typically small, low scale and of a simple form. Small houses such as this were built on or close to the street alignment and were constructed of rubble walling of limestone and bluestone, or of locally fired bricks. Generally, these small cottages were straight fronted with a symmetrical arrangement of a central door and windows either side. Variations in form included a front wall built up as a parapet, with a low hipped roof behind, or end gable walls, with a simple ridged roof line between the gable ends. Verandahs were sometimes added later, but the low scale of these buildings often made this difficult. Victorian Houses (1870s to 1890s) During this period of intensive development in North Adelaide, solid masonry houses of a range of forms and scale were constructed in large numbers. The detail on these houses is specifically derived from 'classical'	
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		Italianate sources, but the forms were varied, and included single fronted, symmetrically fronted, and asymmetrically fronted houses, some with bay fronted projections. Each of these forms could be single or two storey and all were built in a variety of sizes and scale. Houses in this period characteristically had verandahs with the roof most commonly of concave or convex form, and were typically constructed of bluestone, limestone or sandstone, often with side and rear walls of brick or rubble. Roofs were generally hipped in form, but with the asymmetrical style, the roof to the projecting bay could be gable ended or hipped. The vertically proportioned window and door surrounds were highlighted with either moulded render or brick dressings. The cast iron or timber posts to the verandahs were elaborated with moulded capitals and trim. Cast iron brackets and frieze decoration was used widely. Windows and doors were timber framed, and doors were typically four panelled, with	
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		fanlights and often sidelights. Edwardian Houses (1900 to 1920s) Houses of this period reflected new sources of design and architectural approach current in Britain, Europe and to some degree, North America. The emphasis on a straightforward, often symmetrical, form was overwhelmed by a more picturesque approach to roof forms and elevations. Sources of styles for this period included Queen Anne, Arts & Crafts and Art Nouveau styles, which were often transmuted into a particularly Australian style as this period coincided with the Federation era. The earlier houses in this period continued with some transitional use of materials such as ashlar stone with brick dressings or moulded render, but with verandahs with convex (or bullnose) profile. Later in the period distinctive 'rock face' sandstone (or freestone) was used in the wall material. Houses of face brick walling with decorative brick detailing were also constructed during this period. Other characteristic features of houses of this	
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		period include prominent strapped gables and detailing, tall brick chimneys, and verandahs that were often incorporated under the main pitch of the roof. During this period imported unglazed terracotta Marseilles roof tiles were introduced, although corrugated iron also continued to be used for roof cladding. Windows and doors continued to be constructed of timber, but windows were often grouped and doors were often divided into three or four horizontal panels. Inter-War Houses (1920s to 1942) In the period between the First World War and Second World War new styles developed, particularly the Bungalow (based on the Californian version) and Tudor Revival styles. Bungalows incorporated a broad spreading roof and verandah with typical masonry columns supporting verandah elements and the expansive two storey version was often known as a Gentlemen's Bungalow. The roof tiles used were Australian-made Wunderlich tiles of the same profile as earlier	
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		Marseilles tiles. The Tudor Revival style displayed steeply pitched roofs with half timber gable ends and variations of the verandah porch treatment. Other styles which were built in North Adelaide during this period included Spanish Mission (or more often 'Mediterranean') and Art Deco/Moderne, although these are not as common. During this period, timber joinery remained characteristic of the housing styles, but there was some use of metal framed windows. Housing development essentially stopped in North Adelaide during the period 1942 to 1950 because of the materials shortages caused by the Second World War. Post War Housing (1950s plus) During this period a range of new styles became popular. The styles constructed in North Adelaide included Old English and Georgian Revival. Houses in these styles were constructed both before and after the Second World War and were either infill or replaced earlier houses. The Old English Revival style used elements which made some reference	
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		to Elizabethan/Tudor architectural details including brick or white rendered walls to simulate limewash, steeply pitched roof form and tall chimneys. The Georgian Revival style was based on an interpretation of English Georgian architecture, using a symmetrical elevation with rendered or brick walls, fanlight above central entrance door, hipped roof form and generally classically derived proportions and details. This style had no verandah but often displayed an entrance portico. Some later notable architecturally designed residences, which were based on the post-war International Style, illustrate the avant garde trend of domestic architecture in the 1960s. These houses were generally cubiform and were constructed with flat roofs, with large areas of glass in smooth masonry walls. Cantilevered elements and recessed porch areas were typical of the style. <u>Barnard Street Victorian and Inter-war period. Exhibits a diverse collection of architectural styles including but not</u>	
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		limited to Inter-war Mediterranean, Tudor Bungalow, Mediterranean, Inter-war Mediterranean, Old English, Georgian Revival, Victorian Gothic, Victorian villas, Victorian cottages and row cottages. Distinctive Calvary Hospital Chapel.	
Built height	Single and two storey residential. Note: Concept Plan.	Low scale, one and two storey residential buildings established by the prevailing patterns set by Heritage Places and Representative Buildings, except where the following Concept Plans apply: • Concept Plan 31 – Calvary Hospital • Concept Plan 32 – St Dominic's Priory College • Concept Plan 33 – Helping Hand Aged Care Building height, including the floor to ceiling clearances of each level, reference the prevailing floor level and building heights of Heritage Places and Representative Buildings within the locality.	Original building height, proportions and composition of original dwelling has been compromised by later upper level addition
Materials	Victorian Houses Bluestone, limestone or sandstone, with brick or rubble side and rear walls. Timber framed windows and doors. Cast	Buildings utilise materials relating to their architectural style as described in the various sections of this Statement. The prevailing materials vary between streets but typically include	Walling of 123 Barnard Street has been painted in layers of plastic paint

	iron or timber posts to the verandahs elaborated with moulded capitals and trim, and widely used cast iron brackets and frieze decoration. Fencing consisting of masonry base and piers with cast iron panels or railings, timber railing, timber picket fencing for smaller houses.	the following: Sandstone, bluestone, limestone/freestone and redbrick and sometimes rendered. Brick or rendered quoin work and plinths. Red brick and rendered chimneys. Painted timber window frames, doors and roof trim. Vertical proportioned timber windows with double sliding sashes. Some elaborate decorative elements including painted timber fretwork, cast iron lacework to verandahs, finials, cover battens to gables and decorative barges. Bungalows have rendered or brick piers and low walling to verandahs with some tapered piers. Corrugated steel, slate, lead, zinc and terracotta (latter period) roofing. Coated surfaces finished in natural render, limewash, cement or mineral paints, not plastic coatings or renders. Paint colours consistent with the era and style of the dwelling as defined by archival sources.	
Fencing	Low, open front fencing (including secondary streets to the main façade of the building)	Side and rear boundary fences behind the line of the main building façade rise to a maximum height of 2 metres,	Removal of vegetation would reveal the extent of alteration to 123 Barnard Street and draw a stark comparison with its neighbours, particularly 125 Barnard Street.

	associated with the traditional period and style of the building up to 1.2 metres, allowing views to the building. Rear and side boundary fences (behind main building façade) to 2 metres, and 1.8 metres on corner sites. Solid pillars and plinths and similar fencing styles. Cast iron fencing to Buxton Street.	and 1.8 metres on corner sites. The design of new fencing reflects historically sympathetic fencing styles evident in the streetscape and archival sources. Fencing is characterised by a variety of architectural styles including: Early Victorian Houses (1840s to 1860s) Fences typically were timber pickets, paling or corrugated iron with timber capping. Victorian Houses (1870s to 1890s) Fences were typically of masonry base and piers with cast iron panels or railings, although evidence of timber railing can still be found. Smaller houses continued to use timber picket fencing.	
Setting, landscaping, streetscape and public realm features	Views and vistas of the Church of Perpetual Adoration, Calvary Hospital and Calvary Hospital Chapel. Landscaped grounds.	Linear grid of tree lined streets with laneways relating to the subdivision of the original Town Acres. Generous landscaped front grounds to residences with a significant number of larger dwellings surrounded by a spacious garden. Generous footpaths and verge areas, with original stone kerbing and guttering. Driveways/crossovers of single width with minimal interruption of the primary street frontages and their	123 Barnard Street unaffected.

		footpaths, soft landscaped verges, kerbing and guttering. Rear lane access, where traditionally vehicle access is not characteristic to the primary street frontage. Established views and vistas of the Church of Perpetual Adoration, Calvary Hospital and Calvary Hospital Chapel. Stone kerbing along Mills Terrace, Molesworth Street, Barnard Lane, Childers Street and Barnard Terrace West. Stone in concrete kerbing along Gibbon Lane and Jeffcott Street surrounding Wellington Square. Stone watertable along Molesworth Street, Munks Place and parts of Mills Terrace and Jeffcott Street. Red brick paver watertable along parts of Mills Terrace and Barnard Lane. Former Municipal Tramways Trust Poles along Hill Street and Ward Street. Blue enamel house number plates with white numbering along Childers Street, Molesworth Street, Strangways Terrace and Ward Street. Nature strips of generous proportion along Jeffcott Street, Barton Terrace West,	
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		Barnard Street and Ward Street. Significant avenues of trees along Jeffcott Street, Barton Terrace West, Childers Street, Buxton Street, Molesworth Streets and Barnard Street.	
Representative buildings	Not identified: Representative buildings referenced in Historic Area Statements and Character Area Statements and mapped in the South Australian Planning and Property Atlas are buildings which display characteristics of importance in a particular area. <u>The identification of representative buildings in a particular area is not intended to imply that other buildings in an historic area are not of importance.</u>	Representative Buildings are buildings considered representative of the historic built character of the Historic Areas they are located in. Representative Buildings as distinct from Heritage Places which are of heritage value as individual items, are valued as part of a collection of buildings of historic character. Heritage-listed buildings in the Adelaide and North Adelaide Historic Areas outnumber the potential Representative Buildings. A smaller cohort of Representative Buildings can assist in defining the extent of significant historic character when assessing a proposal against the provisions of the Historic Area Overlay. <u>Identification of Representative Buildings clarifies the degree of assessment and information required to accompany an application for development in the Historic Area.</u>	Refer discussion within submission. The identification of representative buildings in a particular area is not intended to imply that other buildings in an historic area are not of importance.

From: Dre It [REDACTED]
Sent: Tuesday, 17 December 2024 1:39 PM
To: Gabriella Cutri
Cc: PDCSA Amendments
Subject: Re :123 Barnard St., North Adelaide (123BS) - attachment as part of 9/12/24 objections to ACC nomination / listing of 123 BS as Representative Building for draft code amendment , Historic area statement,etc.

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Attn : Manager Plannning and Heritage
and
Gabriella Cutri
ACC

Please find Attachment below , inadvertently left off
Dr. Toth and supporting report of heritage architect , D . Alexander .

Previous correspondence is referred to and it would be appreciated if you/ACC could please have the courtesy to directly inform by email or letter to Dr Toth (the owner of 123 BS) ,when a decision regarding 123 BS status for Historic Area Statement Update Code Amendment has been made and as we have problems with links .

Sincerely ,

Dr Drew Toth,
S. Gounder JP

Attachment :

A Photo evidencing some key modifications to original E-W roof ridge line and of N-S ridge lines on W (Eastern N-S ridgeline also nearly completely removed) to accomodate dominant upper storey at 123BS .



From: Richard Crowley [REDACTED]
Sent: Saturday, 30 November 2024 7:39 PM
To: PDCSA Amendments
Subject: 171 Barnard St North Adelaide Ref: VS2023/4554

Follow Up Flag: Follow up
Flag Status: Completed

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Hi Amanda McConnell

Re: Proposed Planning Amendment

I am flabbergasted by the Council's Planning Department decision to include 171 Barnard St as an important Representative Building.

I have recently sold the property after purchasing it approximately 10 years ago in a derelict condition. I renovated it so that I could rent it out, I cut the rear garden off and incorporated it into my adjoining garden at 39 Mills Tce as I love the Jacaranda tree. I had previously demolished a similar house (with Council approval) at 179 Barnard Street.

My intention had always been to seek demolition approval for 171 and build a new bespoke house to downsize and retire into. Divorce changed that plan.

The house was built in 1915 and its roofline is at the same height as Gibbon Lane adjacent to the side of 171. The house has NO historical significance, and the neighbouring derelict houses to its North and East (not included in this proposed Amendment interestingly) are a blight on the streetscape.

The brush and colour bond fencing should be considered permanent, both for security and privacy purposes thus making the house inconspicuous.

The Insubstantial brick dwelling significantly reduces the value of the beautiful large corner allotment and should be replaced with a dwelling sympathetic to its potential & surroundings. There is no value in retaining or further conserving the original building, it provides modest accommodation for 2-3 people.

I strongly disagree with the Council's proposed Amendment.

Yours sincerely
Richard Crowley
[REDACTED]
[REDACTED]

Sent from my iPhone

From: Louise at North Adelaide Day Surgery [REDACTED]
Sent: Tuesday, 3 December 2024 2:51 PM
To: PDCSA Amendments
Cc: 'Oliver Johnson'; [REDACTED]
Subject: HISTORIC AREA STATEMENT UPDATE CODE AMENDMENT - PUBLIC CONSULTATION
Attachments: Mr Brian Hayes KC 28112024.pdf; Ron Danvers 25112024.pdf

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Dear Ms McDonnell

I am responding to your notification dated 18/10/24, your reference: VS2023/4554.

I oppose the nomination of my building at 174 Ward Street North Adelaide as a “Representative Building”.

I consider this to be a heritage listing by stealth. I enclose expert advice from Mr Brian Hayes KC and Mr Ron Danvers, heritage architect, in support of my opposition to this nomination.

Yours faithfully

James Katsaros
Director – Day Surgery Pty Ltd

MURRAY CHAMBERS
12 Coglin Street
Adelaide
South Australia 5000

Telephone: (08) 8110 9100

Mobile: +61 419 852 880

E-mail: hayes@murraychambers.com.au

28 November 2024

Mr Oliver Johnson
JL Lawyers
14 Ebenezer Place
ADELAIDE SA 5000

Dear Oliver,

I have been asked to advise Dr James Katsaros and to assist you in the preparation of an objection on his behalf to a proposal to include his property at 174 Ward Street North Adelaide as a Representative Building in the draft Historic Area Statements Update Code Amendment of the Planning and Design Code. (Amendment)

I have examined the Amendment and the information and investigations in support of it. The Amendment also revises the Historic Area Statements in the code which set the parameters for dealing with representative buildings. The code defines representative buildings as “buildings which display characteristics of importance in a particular area”. The Historic Area Overlay also refers to “buildings and structures or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement.”

The Amendment states that Representative Buildings are buildings considered representative of the historic built character of the Historic Areas they are located in. They are valued as part of a collection of buildings of historic character.

A smaller cohort of Representative Buildings can assist in defining the extent of significant historic character when addressing a proposal against the provisions of the historic area overlay.

The Amendment goes on to state that historic areas without representative buildings creates ambiguity as to which buildings have merit for retention. Designation as representative building confers that there is value in retention.

In considering the investigations section of the Amendment, the only investigation in relation to representative buildings, states that there was a review and input by heritage architects employed by the city of Adelaide both in terms of the content of historic area statements and historic character elements appropriate to be listed as representative buildings (refer F5 for the assessment of representative buildings).

F5 states that for each representative building an assessment of the current streetscape context and condition of each potential representative building as far as possible to judge from viewing from the street has been made.

In relation to 174 Ward Street it states that this was recommended because it's in a row of four similar aged buildings of which 182 to 284 Ward Street are listed as local heritage place and 178 Ward Street is a state heritage place. It then describes the architectural merits of the building. There is no further stated justification for its inclusion.

It has been necessary to set out above the relevant extracts from the Amendment because it will be seen that the proposal to nominate 174 Ward Street as a representative building cannot on any view be justified having regard to the criteria set out above. 174 Ward Street is the only proposed representative building in that Street. It is not part of a "cohort of representative buildings" nor is it part of a collection of buildings of historic character.

I have been provided with the report from Prof Ron Danvers who is an acknowledged expert in heritage architecture and conservation and his opinion reinforces the view that I have expressed above, with the benefit of his expertise and long experience in addressing this precise issue.

For the reasons set out above I can see no proper justification for including 174 Ward Street as a representative building as part of this amendment to the code.

KIND REGARDS,

A handwritten signature in blue ink, appearing to read "Brian Hayes".

BRIAN HAYES KC
Barrister

Liability limited by a scheme approved under professional standards legislation.

Brian Hayes KC,
Murray Chambers,
12, Coglein Street,
Adelaide, SA 5000.

November 25, 2024.

Dear Mr. Hayes,

Re: 174, Ward Street, North Adelaide, proposed Representative Building.



174, Ward Street

The dictionary definition of the word 'representative' is: typical of a class, group or body of opinion. If applied to one building in a group of buildings in a locality, one might expect shared characteristics. That is to say, the building might be described as being typical of the buildings in the locality. This raises the question of the degree to which a building can be described as being typical in an eclectic mix of buildings – being typically eclectic. It is not entirely absurd to be of the view that a building could be typical of an eclectic mix of buildings, but does this characteristic satisfy what is intended if a significant part of a locality is characterized by buildings that are out of character with the relevant Historic Character Statement – as revised. In my view there would need to be a reasonable consistency in character in a locality of some kind, relative to the Historic Area Statement, against which the typicality of a candidate for designation as a Representative Building can be measured. If this does not exist, then it is difficult to imagine how such a designation can be ascribed.

In the example of 174, Ward Street, the mix of buildings is eclectic, not only in terms of architectural character, but also in terms of use and landscape settings. Its neighbor to the west retains its heritage character, including its landscape setting.



West

But its neighbor to the east could hardly be less appealing in this respect, with open lot parking across the concrete paved frontage and a minimalist commercial façade dominating the character of its locality.

East



Whilst opposite 174 Ward Street there is Garaging built to the street alignment and a large 3 storey building in a kind of palatial style for the medical profession.



Opposite

The subject building, 174, Ward Street retains much of its architectural character, but its landscape setting has been sacrificed to provide for its use as consulting rooms. The front garden having been rebuilt, not unattractively, to improve pedestrian access from the street and the also improved vehicle access and parking on the eastern side.

It is my view that the subject building does not meet the criteria for designation as a Representative Building as the code defines, because of the extremes in character of its urban context as described above. It is on the edge of the area covered by the relevant Historic Area Statement and the majority of buildings in its immediate locality fall outside of the "diverse collection of architectural styles" described in that statement. Designation as a Representative Building would not therefore contribute to greater legibility in understanding the historic area as defined. I recommend that 174 Ward Street not be designated as a Representative Building as proposed.

Sincerely,



Ron Danvers

Associate Professor Ron Danvers LFRAIA, MICOMOS.

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Charles W. Irwin

BArch(Hons) Adel, MLA(Dist) Harv, MBA AGSM

112 Brougham Place

North Adelaide

SA 5006

M: [REDACTED]

E: [REDACTED]

December 4, 2024

Ms Colleen McDonnell
Manager, City Planning and Heritage
City Of Adelaide
GPO Box 2252
Adelaide, SA 5001

By email: PDSCA.amendments@cityofadelaide.com.au

Historic Area Statement Amendment: Objection to listing

Reference: VS2023/4554

Dear Ms McDonnell,

Thank you for your letter of October 10, 2024, referenced above, in which you advise that my property at 112 Brougham Place, North Adelaide is proposed to be nominated as a Representative Building under your current Heritage Area Statement Update.

I request you to **remove** this property from your listing of proposed buildings.

I append for your convenience my letter of November 22, 2004 objecting to a similar proposal at that time. Please consider this letter as part of my current objection: it remains entirely relevant. The 2004 McDougall & Vines citation was erroneously generic (regards location) and self-contradictory and was correctly rejected on review. It is even less accurate today as a very substantial renovation of the building was undertaken circa 2012, during which the last vestiges of any “possible” “outbuildings or staff accommodation” that were conjectured to fit the 2004 citation were replaced as they were unprotected from damp (with the brickwork salted and crumbling) and no longer fit for occupation. The only part of the property that could conceivably date from the period referred to in the 2004 citation is the western section of the street wall and I know of no records that prove its date of construction. My other comments in this letter regards dismissal by the Environment Court, precinct consistency, and the protection of character in stark contrast to other local heritage-protected places due to continuous family ownership (now over a century) remain accurate.

I must also note considerable inaccuracies in your more recent letter of October 10th. It states that “the dwelling is well set back from the frontage” when in fact it is built right on the street. It refers to “the photos below” when no photos at all were included or appended to the letter. It further states that these (non-existent) photos illustrate “the roof form and chimney and part of the exterior wall of the dwelling can be seen from the street (and also from the public open space uphill to the north)” which, given its six foot boundary wall and solid gates, is a considerable overstatement of the actual exposure of the residence to any public space (certainly from the footpath and the low level parkland opposite and even from apartments several stories higher on the other side of the park, from which views into the property are well shielded by the many trees.

This latest citation of heritage value appears as inaccurate and self-contradictory as the 2004 proposal, perhaps due to the common base. As previously, the proposal is most unlikely to stand up to any scrutiny by the courts. Once again, as found by Dr Peter Bell in 2005, any recommendation for listing should be rejected. Please save Council and reviewer resources by removing the property from your list of nominations.

Yours faithfully,

Charles W. Irwin
Owner of 112 Brougham Place, North Adelaide.

Enclosures:

Letter CW Irwin to Adelaide City Council dated November 22, 2004.

Recommendation: Local Heritage Place – House and Wall – with CWI notes from 2004
North Adelaide Heritage Survey (2004) McDougall & Vines.

[illegible]

Telephone and Message:

Office and Facsimile:

Mobile Telephone:

E-3018

GENDER TO KEEP
 CG0856617

The Chief Executive Officer
Adelaide City Council
(North Adelaide Heritage PAR)
GPO Box 2252
Adelaide, SA 5001

Objection to Proposed New Local Heritage Place Listing:
111-113 (No. 112) Brougham Place, North Adelaide (Title 5790/36)

Thank you for your letter of September 28, 2004 advising that the property at 111-113 Brougham Place, North Adelaide is being considered for inclusion as a "local heritage place" under the North Adelaide Heritage PAR currently proposed by the Adelaide City Council.

The Executors of the Estate of the Late P.E. Irwin (Burstow) are the owners of this property and have reviewed your Heritage Survey (2004) statement, the PAR and the relevant fact sheets. The Executors request you not to list the subject property at this time because the description of heritage value and extent of listing is unclear, the property's heritage significance has recently been dismissed by the Environment Court, and the listing conditions imposed would be inconsistent with Adelaide City Council's planning principles for, and the existing development character of, the property's immediate precinct.

Description Of Heritage Value And Extent Of Listing Is Unclear

Much of the proposed statement of History and Description of the property is generic, applying to the whole of Town Acre 728 or to premises long since subdivided and demolished. Heritage value is attributed to the "earliest section and wall" of the subject property because of its "possible" role as "outbuildings or staff accommodation" to these demolished structures. The subsequent statement, criteria and extent definitions appear to confuse early and later portions of the property, inaccurately attributing the "aesthetic merit and design characteristics" of later sections to the possibly valued portion of the property. It is inappropriate to propose heritage listing based on such an unclear statement of value and extent.

Heritage Significance Has Been Dismissed Recently By The Environment Court

In his decision of 21 January 2000 in the matter of *Diamantis v CC Adelaide*, Commissioner Hodgson of the Environment Resources and Development Court makes no mention of any

C.W. Irwin / Adelaide City Council
Proposed Heritage Listing of 111-113 Brougham Place
November 22, 2004

heritage merit of the subject property as relevant when dismissing an appeal on the grounds of Desired Future Character with respect to the block abutting to the east. This was despite printed and hearing submissions by both the CC Adelaide counsel and witnesses that (correctly identified) parts of the wall and oldest sections should be considered as of significant heritage value. The subsequent approval by Council of a development for the same abutting block has shown no more regard for any heritage value of the subject property, nor has its heritage value materially changed in the past four years, so any listing remains likely to be dismissed by the courts.

Listing Is Inconsistent With Council Planning Principles And Existing Precinct Character:
The proposed listing refers to "external form . . . including roof and verandah form". The existing structure is single storey, with its major massing down the block away from the road. Constraining this property to its current external form would be inconsistent with the stated planning objectives for the immediate precinct as stated in Council's General and Heritage plans: both documents recognise two storey development along the street frontage of Brougham Place east of Brougham Court and the desirability for development to be compatible with adjacent buildings in density, scale and siting (pp5 PA6 Obj 1, CI9/pp27-2 R8 Obj 1, Prin 4, and elsewhere). As all abutting blocks have been subdivided and already support two or more storey structures, heritage listing would impact the subject property in a manner that is inconsistent with both Council's stated planning principles and the existing character of the immediate precinct.

Please be assured that the building on the subject property is not under threat. The Executors, whose family has owned and occupied this property for more than 80 years, have no intention of demolition or insensitive remodeling. Plans are being prepared to update the existing structure to modern standards and market expectations and will be presented to Council in the course of the normal development approval process within the year. An informed review of heritage value might be appropriate at that time.

However, the current proposal to list this property as a local heritage place is unclear, unlikely to be defensible at law, and inconsistent with the precinct's planning principles and existing character. The Executors of the Estate of the Late P.E. Irwin, as owners of the property at 111-113 Brougham Place North Adelaide, therefore request that the Council delete this property from the list of local heritage properties of the proposed North Adelaide Heritage PAR.

Yours faithfully,

Charles W. Irwin
Executor, Estate P.E. Irwin (Burstin) and Architect.

North Adelaide Heritage Survey (2004)

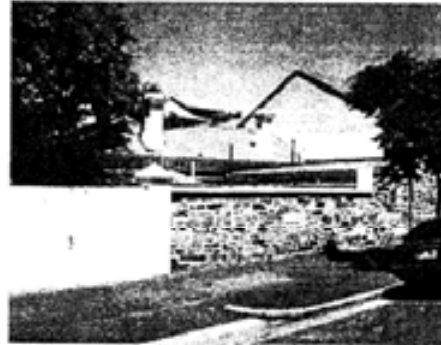
Recommendation: Local Heritage Place

HOUSE & WALL

Address: 112 Brougham Place
Certificate of Title: 5790/36

Use: Residence
Current Precinct: R8
Proposed HCZ Area: Cathedral

Heritage Status: Nil
Other Assessments: Townscape 1993
Conservation Reports: Nil



HISTORY AND DESCRIPTION:

The house and wall on this allotment belonged to Mrs W Good who owned all of Town Acre 728, with her own substantial house sited in the centre of the acre. That house is now demolished but its plan is visible on the Smith Survey of 1880. The earliest section of this house and the wall along the Brougham Place boundary are also outlined on the 1880 survey, to the west of the other residence and possibly served as outbuildings or staff accommodation. In the late 1880s Mrs Good subdivided the acre into three lots, a lot either side of her own home, and made an application in May 1889 for new dwellings to the east, with family members Williams & Good as the architects. Consequently, this house is the oldest building on this town acre, constructed well before 1880. It is constructed of bluestone with rendered detailing and a square masonry entrance portico. The early section of the boundary wall is built of random bluestone with brick quoining, date unknown. The later bluestone wall dates from c1955.

Not 112!
Wrong?

CONFUSED

part of the northern brick part of

The remainder/southern section added to convert to a residence later constructed

Rejected as argument by L+Env Ct 2000

STATEMENT OF HERITAGE VALUE:

This house and wall are an important example of 1870s building constructed in North Adelaide, and reflects the design, details and building materials commonly in use at that time. This dwelling on Town Acre 728 was originally associated with a now demolished large residence to the east.

RELEVANT CRITERIA (under Section 23(4) of the Development Act, 1993):

- (a) This house displays historical and social themes that are of importance to North Adelaide as it represents the growth of residential development and continued construction of residences on recently subdivided Town Acres, particularly during the 1870s and 1880s.

Not clearly supported

- (d) This house with its pre-1880 core displays aesthetic merit and design characteristics of significance to North Adelaide as it is a typical 1870s-1880s Victorian residence displaying consistent use of typical materials such as masonry walls, detailed render and masonry boundary walling.

EXTENT OF LISTING:

Not clear

Original external form, materials and details of this 1870s residence including roof and verandah form and detail, masonry and render walls and portico, and early sections of masonry wall to Brougham Place.

South?

REFERENCES

- ACC Building Surveyors Dept Return of Surveyor of Notices 22/5/1889.
- ACC Building Surveyors Dept Return of Plans submitted, May 1889 by Williams & Good.
- ACC Rate Assessments 1883-1897
- Smith Survey 1880
- LTO CTs 128/177, 532/47, 609/122, 5790/36
- S Marsden, P Stark & P Sumerling, *Heritage of the City of Adelaide: an Illustrated Guide*, 1990, pp 61, 113, 154.

Some description was used for several other blocks!

From: Luisa Manno [REDACTED]
Sent: Friday, 6 December 2024 11:24 PM
To: PDCSA Amendments
Subject: Re:

Follow Up Flag: Follow up
Flag Status: Completed

On Fri, 6 Dec 2024, 11:01 pm Luisa Manno, [REDACTED] wrote:

I Luisa Manno residing at 293 Halifax Street Adelaide 5000.

I am writing in response to a letter, which indicates the Properties of the Manno family. As follows; 293,301,305 and 307 Halifax Street Adelaide. They have been unjustly nominated as "representative buildings"

As I once before, in 2010 petitioned and debated along side other resident's. Against placing our Properties as Heritage listed. No change in circumstances since has been found.

A) No noteworthy, famous or distinguished person be them. Historical or an Einstein. Connected to my families Properties. (293, 301,305 and 307, Halifax Street Adelaide. Which my family has lived in, for well over 60 years.

B) Our Properties have neither, Museum or Art Gallery importance . No archaeological or fossils have been found to this date.

C) My late father Mr Vittorio Manno and mother Mrs Amina Manno, built a name for themselves. In the real estate world. Not once in their life time did they receive a pension. Their legacy for us children. Was achieved honestly, by working hard with their blood sweat and tears. Whilst upholding the upkeep and integrity of the Street.

In conclusion, I feel my family of European background. Has been targeted with an unjust and biased decision.

It's a shame my father refused an offer to sell. All Properties to an interested buyer.

That was my father, who had sentimental ties to the properties, that he worked hard for. As both parents are no longer here. My family and I are in agreement, if a decision is made which is unfavourable to us ie: being placed on the heritage listing. We will not hesitate to sell off all properties, to the Indigenous community. Or see them reverted to boarding houses or safe housing. Will this cause dissent amongst other resident's will home values plummet? I am sure the answer is clear. Social media is a very powerful tool. I personally have no hesitation in using the media. Be it with journalists or on air.

In honor of my late parents. I will continue to stand up for my civil rights. Which are now being enroached on and have placed me under duress.

Kind regards,

Luisa Manno

From: Michele Slatter [REDACTED]
Sent: Sunday, 8 December 2024 4:53 PM
To: PDCSA Amendments
Cc: [REDACTED]
Subject: Historic Area Statement Update Code Amendment SUBMISSION
Attachments: Submission 2A.docx; Stanley Street (002).pdf

Follow Up Flag: Follow up
Flag Status: Completed

Your Ref VS2023/4554

To whom it may concern

Thank you for the opportunity to respond to the draft Historic Area Statement Update Code Amendment. I am also grateful to the staff in Planning and Heritage who have been most helpful, prompt and friendly in response to my related queries.

Please find attached a docx copy of our submission on the Historic Area Statement Update Code Amendment as joint owners of 47 Stanley Street North Adelaide. Also attached, as pdf, is a report relating to the property by Professor Peter Bell completed in 2005, since which date further significant changes have occurred to the building.

I suspect the attachments will be more convenient to use but, in case it helps, I have also included the text of our submission in the body of this email, below.

Please don't hesitate to contact either of us if we can assist in any way as these matters are further considered. Our contact details are immediately below.

Michele Slatter [REDACTED]	47 Stanley Street, North Adelaide, SA 5006 E: [REDACTED]	M:
Andrew Alston [REDACTED]	47 Stanley Street North Adelaide , SA 5006 E: [REDACTED]	M:

[Type here]

Submission Alston Slatter
Code Amendment
47 Stanley Street 5006

By Email 8.12.24

Your Ref VS2023/4554

SUBMISSION

Historic Area Statement Update Code Amendment-Public Consultation

Re: Proposal to nominate 47 Stanley Street North Adelaide as a Representative Building

from

APS ALSTON and MM SLATTER
joint owners

It is surprising that the nomination of this particular project, which appears to lack any distinction in terms of architectural and contextual relevance, merits inclusion.

Its selection as the sole nominated Representative Building from Stanley Street North Adelaide raises significant questions about the nomination process.

The draft Code Amendment states [P 15]

Representative Buildings review [involved] a streetscape analysis for each individual building as well as assessment of the building's contribution to the 'historic character' of the relevant Historic Area. [

There are four principal reasons for objecting to this nomination:

47 Stanley Street

- is of uncertain date
- after many alterations, "no longer displays ... characteristics of importance to North Adelaide" [Bell, 2005]
- respects its street context simply by observing heritage protection requirements applicable across the Kentish Arms Historic Area
- recognises that the parameters for development are established by the large number of existing Local and State Heritage Places throughout the Street.

These are explained further below.

Uncertain date: there is no clear consensus regarding the age of the oldest remnants within the current building.

A 2004 heritage survey by McDougall and Vines attributed the house to 'the earliest period of housing development in North Adelaide'. This would be from the 1840s, when the Chichester Gardens Estate subdivision was developed. Ultimately McDougall and Vines seem to have assumed a date between 1860 and 1870.

In 2005, Professor Peter Bell, the respected South Australian historian and heritage consultant, endorsed a finding that

'the building does not match the characteristics which the heritage survey [McDougall and Vines, 2004] identified as being common in the 1850s-1860s'.

Currently, the property is listed in real estate details as having been begun in the 1880s.

This lack of certainty underlines the extreme alterations of form experienced by the dwelling since its first sod was turned, whenever that was.

A sequence of severe alterations

Before 2005: Whatever its original presentation, Professor Bell, 2005, found the building had experienced 'severe alterations' over the course of its life:

[e]verything visible of this building has undergone an unknown degree of alteration and has been heavily rendered.

He agreed that

'[it is] a mixture of architectural styles and eras. It is not typical and displays very little architectural merit.

As a result, the building no longer displays ...design characteristics of significance to North Adelaide.'

Since 2005: A further series of major alterations was undertaken in 2010-11 to remove extensive dilapidations and align the dwelling with contemporary residential expectations. Externally, these have resulted in even more changes to the dwelling's street-visible profile, façade, presentation, garden, boundary and gates.

After these further 'severe' alterations, the dwelling is even more 'a mixture of architectural styles and eras' than it was twenty years ago, when Professor Bell dismissed it as 'not typical' and its hotchpot design as 'of no significance to North Adelaide'.

Kentish Arms Historic Area: There is no doubt the most recent alteration and refashioning of 47 Stanley Steet have considerably improved its street appeal.

From being a rundown, charmless presence, the property now makes neat and respectful contribution to the streetscape of one of Adelaide's most historic boulevards.

The two photographs in Attachment F of the draft Amendment [P 235] make this very clear. Someone walking or driving past the exterior might well comment on the degree to which it has been made to fit in.

This is results simply of conforming to the heritage controls applicable across the entire Kentish Arms Historic area when designing and executing the most recent major works.

Replacement builds equally respectful: The two most recent replacement builds in this part of Stanley Street, at Numbers 43 and 45 and at Number 121, demonstrate the successful impact of Area heritage regulation on replacement buildings. Both developments provide substantial modern properties and display extreme respect for their streetscape context.

This has been achieved simply by observing heritage controls prevailing across the Kentish Arms Historic area, without any additional limitations or restrictive status imposed on the development sites.

Parameters established by existing Local and State Heritage Places: The Draft Amendment states [P 145]

the context of all development on the southern side of Stanley Street 'comprises of (*sic*) closely sited single storey detached and semi-detached dwellings with small setbacks from the street frontage and small front gardens established by the Heritage Places.'

47 Stanley Street contributes appropriate height, scale and set-back to the streetscape.

Stanley Street includes a wealth of Heritage Places, both State and Local. As the draft Amendment states, these set the parameters for future evolution and development throughout the Street.

The character and context of this very special Street are well-protected by the numerous Heritage Places' influence and by the Kentish Arms Historic Area heritage controls without additional 'Representative Buildings'.

[Type here]

Submission Alston Slatter
Code Amendment
47 Stanley Street 5006

IN SHORT

The nomination of 47 Stanley Street as a Representative Building is unjustified and inappropriate.

It is especially hard to understand when the nominee is a building found by experts to 'lack characteristics of significance to North Adelaide'.

This nomination should be rejected.

APS ALSTON

Owner

MM SLATTER

Owner

North Adelaide

7 December 2024

For your convenience, a copy of Professor Bell's 2005 Report is attached to this email as a second document..

North Adelaide Heritage PAR Review of Objections

Property

47 Stanley Street
North Adelaide



Objector

Jamie Botten & Associates
140 South Terrace
Adelaide SA 5000

on behalf of Pedro Pty Ltd and Hudstone Pty Ltd

Summary of McDougall & Vines Investigations

Property Description

Small single-storey cottage with concrete fence and modern partly enclosed verandah facade.

Relevant History

Built between the 1840s and 1870s.

Heritage Assessment and Relevant Criteria

The building is a good example of an 1840s-1850s simple workers cottage. It reflects the design and building materials commonly in use at the time.

- (a) it displays historical and social themes that are of importance to the local area as an example of building construction at that time.
- (d) it displays aesthetic merit and design characteristics of significance to North Adelaide as a building displaying consistent use of local materials and techniques.

Summary of Grounds for Objection

The building has undergone major alterations. Its modern (post-1950s) verandah and rendering disguise its original form and construction.

The building does not match the characteristics which the heritage survey identified as being common in the 1850s-1860s, but is a mixture of architectural styles and eras. It is not typical and displays very little architectural merit.

As a result, the building no longer "displays aesthetic merit and design characteristics of significance to North Adelaide".

The objection is supported by a heritage assessment from Danvers Schulz Holland Architects.

Discussion

The grounds for objection directly address the local heritage value of the building, and make the case that its alterations are so severe that the criteria no longer apply to it.

Everything visible of this building has undergone an unknown degree of alteration, and has been heavily rendered.

Recommendation

The objection brings the local heritage value of the building into serious question. It is recommended that it be **removed** from the Schedule of Local Heritage Places.

From: [REDACTED]
Sent: Thursday, 5 December 2024 6:43 PM
To: PDCSA Amendments
Cc: Simela
Subject: Objection to Proposed Representative Listing of 25 Mann Terrace, North Adelaide 5006

Follow Up Flag: Follow up
Flag Status: Completed

Dear Colleen McDonnell,

I am writing to formally object to the proposed representative listing of my property at 25 Mann Terrace, North Adelaide. This is the third time that the council has sought to list my property, and understandably, this ongoing process has caused considerable stress and uncertainty. While I recognise the value of preserving significant buildings and sites, I believe that the proposed listing is unwarranted and does not meet the necessary criteria for inclusion. I would also like to object to the Historic Area Overlay. I would like to outline my concerns in the following points:

1. Lack of Historical or Architectural Significance: Over the years, the property has undergone significant alterations, particularly to the façade, verandah and fencing, which have eroded its original character. As a result, it no longer retains the distinct historical or architectural features that would justify its inclusion as a representative-listed site.

2. Deteriorating Property Condition and Aesthetic Impact to Area: As you have acknowledged in your letter, the house does not retain its original features which have had to be replaced due to deterioration. The state of this property shows it is only continuing to be subject to ongoing deterioration. This proposed listing could

place restrictions on necessary repairs or modifications to the property. Given its current condition, this could severely limit my ability to address the building's issues in a timely and cost-effective manner. This could ultimately result in a situation where the property becomes uninhabitable or is lost entirely, further reducing the potential for preserving any aspect of its historical value.

3. Impact on Property Value: The imposition of a representative listing would have a detrimental effect on the value of my property. The restrictions on alterations and renovations would limit my ability to maintain or improve the property, leading to a reduction in its marketability and overall value.

4. Personal and Financial Impact: The restrictions associated with a representative listing would create considerable challenges for me as the owner. The ongoing costs of maintaining a representative-listed property, combined with the limitations on necessary repairs or improvements, would place a significant financial burden on me. The potential for decreased property value and diminished flexibility in managing the property is a major concern.

Given the long-standing nature of these concerns, I respectfully request that the council refrain from listing my property as a representative building and from imposing the Historic Area Overlay.

Thank you for your attention to this matter. I look forward to your response.

Yours sincerely,

Sofia Laparidis



From: Judith Thomas [REDACTED]
Sent: Monday, 9 December 2024 5:44 PM
To: PDCSA Amendments; Linda Wooley; Tuyen Vien
Subject: Written submission for Historic Area Statement Update Amendment

Follow Up Flag: Follow up
Flag Status: Completed

Good evening,
I accept the changes outlined in the draft Code Amendment. I hope though that the **height of new buildings** can also be considered contrary to preserving the Historic Area Overlay. I reside in North Adelaide Finiss (Adel 13).

Thank you Amanda for calling me back to explain the Code today. This was much appreciated.

Best regards,

Judith Thomas

61 Sussex Street,

NORTH ADELAIDE SA 5006.

Judith. S. Thomas (Dr)

Education Specialist/Cultural Awareness Training/Youth Justice/Project Management/
Researcher/International Students/Humanitarian
[REDACTED]

9 December 2024

Code Amendment Consultation
City of Adelaide
GPO Box 2252
ADELAIDE SA 5001

By email: PDCSA.amendments@cityofadelaide.com.au

To whom it may concern

Historic Area Statement Update Code Amendment – Public Consultation

I write to you as the owner of Bishops Court at 45 Palmer Place, North Adelaide.

I note the proposed amendments to the Historic Area Statement. I don't support the proposed changes to the Historic Area Statement.

In my view the proposed changes:

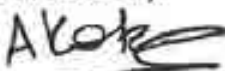
- Introduce some arbitrary, ineffective and unsuitable attributes when detailing what the Council determines as of historical significance; and
- the 54 buildings listed as Representative Buildings have been arbitrarily selected with no apparent justification or consistency, and in doing so yield yet further control to the City of Adelaide at risk of connection with the past.

My main concern lies in the fact that I don't have confidence that the expectations and the decision making of the City of Adelaide now and in the future will be supportive and compatible with the past. The proposed changes grant the Council with yet further discretion to make determinations as to what they see fit for the future.

For the reasons stated, I don't support the proposed changes to the Historic Area Statement. In my view they go beyond what is required to ensure the historic nature of the location is maintained.

I am available to discuss further as the Council sees fit.

Yours sincerely



Angelo Kotses

Email: [REDACTED]

Your reference: VS 2023/45554
Amanda McConnell

Attention: Colleen McDonnell
Manager, City Planning and Heritage

David Deakin Davies
39 – 40 Kingston Terrace
North Adelaide
SA 5006
T: [REDACTED]
E: [REDACTED]

Wednesday, 4 December 2024

City of Adelaide
Code Amendment Consultation
GPO Box: 2252
Adelaide SA 5001

By Express Post

City of Adelaide Customer Care
Code Amendment Consultation
25 Pirie Street
Adelaide SA 5001

Delivery by hand

cc by email: PDCSA.amendments@cityofadelaide.com.au (this letter only)

Dear Ms McDonnell,

Historic Area Statement Update Code Amendment

I am the registered proprietor of the property located at the address 39 – 40 Kingston Terrace, North Adelaide SA 5006 ("my property").

I have received 2 letters bearing a facsimile of the signature of Ms Colleen McDonnell dated 18 & 22 October 2024 informing me (inter alia) of the proposal to nominate my property as a Representative Building within the Historic Area Overlay for the purposes of the draft Historic Area Statement Update Code Amendment to amend the Planning and Design Code as required under the Planning, Development and Infrastructure Act 2016.

I object to the proposed nomination of my property.

By way of a submission in support of this objection I enclose with the hard copy of this letter copies of the following:

1. Report by Mr Andrew Stevens, director of Stevens Architects Pty Ltd, addressed to me, dated 4 December 2024 ("the report"); and
2. The enclosures referred to in the report, namely:
 - Copy letter by Mr Andrew Stevens, director of Stevens Architects Pty Ltd, addressed to me, dated 29 November 2024; and
 - Copy "North Adelaide Heritage PAR Review of Objections" by Mr Peter Bell in relation to 39 – 40 Kingston Terrace, North Adelaide SA 5006.

I will provide access to the original signed copy of the report and its enclosures upon receipt of a written request and reasonable notice.

Would you please acknowledge receipt of this letter and its enclosures, inform me of any other information or measures required from me to support the objection and, in due course, provide me with the response to my objection.

Please direct all further correspondence in relation to this issue as follows:

"Mr. David Davies

40 Kingston Terrace

North Adelaide

SA 5006

E: [REDACTED]

Yours faithfully,



David Davies



STEVENS
ARCHITECTS
PTY LTD

Architects and Heritage Consultants

Suite 19, 262 Melbourne Street
North Adelaide, SA 5006

Telephone: (08) 8267 1277
Facsimile: (08) 8267 2585

4 December 2024

Mr David Davies
39-40 Kingston Terrace
NORTH ADELAIDE SA 5006

Dear Mr Davies

**39-40 KINGSTON TERRACE, NORTH ADELAIDE –
NOMINATION AS A REPRESENTATIVE BUILDING**

Further to our recent discussions and correspondence, I understand that you have received advice that the City of Adelaide propose the inclusion of 39-40 Kingston Terrace, North Adelaide as a Representative Building in the Planning & Design Code.

I further understand that you wish to object to the inclusion of 39-40 Kingston Terrace, North Adelaide as a Representative Building in the Planning & Design Code.

In accordance with your instructions, I have therefore reviewed the proposal, including relevant documentation. Following is a report summarising the outcome of my review and my conclusion regarding the proposal.

The Proposal.

The City of Adelaide has released a draft Historic Area Statement Update Code Amendment for public consultation. Information provided by the City of Adelaide states:

"City of Adelaide is proposing changes to the Planning and Design Code, to revise the Historic Area Statements and nominate Representative Buildings. The Code Amendment proposes to update the City of Adelaide's 14 existing Historic Area Statements in the Planning and Design Code and identifies 54 Representative Buildings proposed to be included in the Historic Area Statements.

Historic Area Statements describe local features of historic character and relevant contextual information for applicants to inform how they design proposed developments, including alterations and additions. Representative Buildings are buildings that display characteristics of importance in a particular area."

In letters to you dated 18 October 2024 and 22 October 2024, the City of Adelaide state that the purpose of the draft Code Amendment is:

- to revise the Historic Area Statements to include additional information to enable effective and efficient decision-making by heritage experts and planners during development assessment.
- to nominate Representative Buildings within the Historic Area Overlay which exemplify the characteristics and elements to be protected within the respective Historic Area.

Process.

In preparing this report, I have visited and photographed the subject place. I have also reviewed the following documents and publications:

- City of Adelaide website: Historic Area Statement Update - Code Amendment (<https://cityofadelaide.sa.gov.au/historic-area-statement-update/code-amendment>).
- Drawings, specifications and documents relating to changes to the place over time in the City of Adelaide Archives.
- Copies of the Kingston Map (1842) and the Smith Survey (1880).
- The relevant assessment sheet from the North Adelaide Heritage Survey (2004) by McDougall and Vines.
- The relevant assessment sheet from the City of Adelaide Townscape Frontages Assessment (June 1992) by McDougall & Vines.
- The book "Heritage of the City of Adelaide an illustrated guide" (Marsden, Stark and Summerling 1990).
- The Illustrated Burra Charter.
- Letters to you concerning the proposal and the process from the City of Adelaide.

Background.

In 2004, the place was proposed for listing as a local heritage place. At that time, I prepared an objection to the listing on your behalf. Much of the information relating to that objection remains relevant and I attach a copy of my letter dated 29 November 2004. I also attach a copy of a subsequent review by architectural historian Peter Bell which reaches a similar conclusion.

The current proposal is however for inclusion of the place as a Representative Building and, while the previous information remains relevant, the threshold for local heritage listing is higher than that applied to Representative Buildings and specific criteria apply to assessment of local heritage places. It is therefore necessary to consider the current proposal afresh.

The Place.

39-40 Kingston Terrace, North Adelaide is a dwelling. The dwelling is located at the corner of Kingston Terrace and Francis Street West. It comprises what was formerly two attached dwellings but has been converted to a single dwelling and has been in that use for a considerable period of time, since the 1980s, possibly earlier.

The dwelling comprises a low scale, single storey section on the southern side and a larger, two-storey section on the northern side.

A 1940's single width garage and a relatively recent three vehicle garage associated with the dwelling have frontage to Francis Street West.

Historical Context.

The subject site is located within the area often known as "Lower North Adelaide". Amongst other things, the Historic Area Statement Update Code Amendment Engagement Plan (Attachment D) of the Consultation Document, October 2024, provided by the City of Adelaide states at page 232:

"This Historic Area is characterised by housing of the Victorian, Edwardian, and Inter-war periods as well as some corner shops and hotels. Victorian buildings are dominant across most of

the area. Medium-scale dwellings tend to be where there is a view of the Adelaide Park Lands, with smaller-scale housing along Stanley Street (east of Jerningham Street) and minor streets."

Representative Buildings.

The Historic Area Statement Update Code Amendment Engagement Plan (Attachment D) of the Consultation Document, October 2024, provided by the City of Adelaide states at page 218:

"A Representative Building should exhibit significant historic themes and attributes of character based on the relevant Historic Area Statement in the Planning and Design Code."

It goes on to state:

Key factors considered in the assessment process include:

- *The building style and era should be consistent with those assessed as significant in the Historic Area as per the revised Historic Area Statement.*
- *The building demonstrates historical theme/s important in the area.*
- *For dwellings (whether converted to another use or still residential) there is visual continuity with buildings with similar characteristics in the streetscape, noting that this is a matter of fact and degree and can still occur where there is intervening development of another era in the same street or section of a street.*
- *Where there is a current valid approval for total demolition of a building.*

The subject dwelling is located within the Kentish Arms Historic Area (Adel 12).

Physical description.

It appears that the building was once two separate cottages, later combined in a single dwelling.

The single-storey section has the appearance of a simple, symmetrical cottage with rendered masonry walls and a terracotta tiled roof. The two-storey section also has rendered masonry walls and a terracotta tiled roof. It features dormer windows and a gabled porch.

There are no buildings on the subject site on the Kingston Map of 1842. There is a building footprint on the subject site on the Smith Survey of 1880. The footprint is suggestive of two small cottages, an outhouse and an outbuilding.

The single storey section on the southern side of the dwelling appears to be what remains of a simple workers cottage of the mid-1800s, consistent with the Smith Survey, albeit now in a much-altered state.

The attached, two-storey section, the substantial portion of which dates from the late 1940's but also includes substantial alterations and additions from the 1970's and 1980's, may also include remnants of fabric associated with an early workers cottage although if this is the case, it is difficult to interpret.

Integrity.

The single storey section of the dwelling is of a general form and scale of a simple workers cottage of the mid-1800s period. It has however been substantially altered over time and has also been the subject of change associated with construction and maintenance of the attached two-storey section of the dwelling.

The two-storey section of the dwelling was mostly constructed in 1948 but has also been the subject of substantial alterations and additions over time.

Plans held in the Adelaide City Archives prepared by Walter D Cowell, Architect, show that in February 1948 approval was granted to Mr and Mrs Telfer to construct upper storey additions and undertake substantial ground floor modifications to an existing single storey structure at 39 Kingston Terrace.

The plans indicate that the current appearance of the two-storey dwelling from Kingston Terrace is largely the result of these works. Subsequently garaging for vehicles was added. In 1968 bathroom and laundry additions were undertaken and in 1973 single storey additions were added to the north side of the structure. In 1982 the ground and first floors were further extended to the east.

These works have had a profound affect on the subject building and its context.

The two-storey section of the dwelling has a high gabled, terracotta tiled roof, rendered chimney, rendered façade, gabled portico, timber shutters, dormer windows and elements of Old English Revival style architectural detailing with, as Peter Bell states, "more than a touch of American Colonial revival influence".

The two-storey section has completely subsumed the remnant fabric associated with the earlier building on that part of the site. In so doing, it appears that the design of the two-storey section has been influenced by the earlier building fabric such that the proportions of the building appear unusually compressed. The dwelling also lacks any substantive garden setting often associated with dwellings of the revival styles.

The unusual appearance and proportions of the building are possibly also, in some part, derived from the construction materials and methods used at a time of Post-War austerity and building material shortages.

At the same time, it appears that the original roof of the single storey section of the dwelling has been entirely removed and new framing installed with terracotta tiles to match the attached two-storey section. The replacement roof of the single storey section has been constructed to finish approximately 300mm short of the full width of its northern wall so that the upper storey walls of the attached two-storey section can bear on the northern wall of the single storey section.

In addition, the single-storey section of the dwelling appears to have had its appearance altered to match the two-storey section. The original chimney of the single-storey section has been removed and a low-profile chimney constructed of modern bricks. Fascias, bargeboards and gutters are all non-original. Windows, window frames, tiled windowsills and shutters, all of which are detailed to match the attached two-storey dwelling, along with the front door are all non-original.

A hard, cement-rich render approximately 20-25 mm thick has been applied to the façade of both sections of the dwelling. This render is adversely affecting the condition of the masonry beneath with evidence of powdering due to the effects of rising damp. In my opinion the hardness of the render is such that it is unlikely that it could be removed without damage to the masonry behind.

The Specification for the additions and alterations carried out to the two-storey section of the dwelling in 1948, called for an extremely hard external render of 1 cement: 3 sand base coat and a 1 cement: 2 sand finish coat. It appears that the single storey section of the dwelling has been rendered in a similar manner.

While the single storey section retains a low scale, its integrity has been compromised to the extent that it appears that, of the original building fabric, only the masonry walls remain and these with a hard cement render applied to the exterior built out to a flush finish so as to completely obscure the masonry beneath.

The changes, which compromise the integrity of the place, are not reversible. Significant historic fabric has been lost and what remains has been damaged and compromised by insensitive renovation and inappropriate maintenance by previous owners.

Assessment as a Representative Building.

Although a single dwelling, the assessment of the place as a Representative Building by the City of Adelaide appears to separate the two sections of the dwelling.

Taken as a whole, the dwelling is an unusual hybrid of building fabric and styles that has evolved over time. It is not of any historically important or distinctive character and does not contribute positively to the early and ongoing historic residential development of North Adelaide during the Victorian, Edwardian or Inter-War periods.

Taken separately, the single storey section retains insufficient historic building fabric and context to enable an understanding of the place as a simple workers cottage of the 1840's - 1860's period. In a much-altered state and compromised by the proximity of the two-storey additions, it is not representative of the eras, themes and context identified in the draft Historic area Statement. For similar reasons, it does not contribute positively to historic streetscape character nor is the appearance of the building consistent with the appearance of the predominantly Victorian cottages nearby.

It appears that the City of Adelaide and their consultants are also of this view, stating at page 233 of the Historic Area Statement Update Code Amendment Engagement Plan (Attachment D) of the Consultation Document, October 2024, provided by the City of Adelaide:

"It is noted that only walls remain of an original Victorian cottage which was extended and highly modified in 1940s such that it is no longer a representative element."

Nevertheless, the document goes on to state that:

"However, the present two-storey dwelling is representative of Post-War housing development on the rim of the Adelaide Park Lands."

The proposal to include the two-storey section of the dwelling is inappropriate as it was built in 1948. This is outside of the eras mentioned in the Historic Area Statement for the Kentish Arms Historic Area (Adel 12). The eras mentioned are:

- 1837 to 1901 - Victorian period.
- 1901 to 1920s - Edwardian period.
- 1920s to 1942 - Inter-war period.

The Historic Area Statement goes on to state:

"This Area is characterised by intact, low-scale residential development on rectangular allotments of varying widths and sizes. The historic streetscapes are characterised by large nineteenth and early twentieth century substantial Victorian and Edwardian villas and other detached and semi-

detached dwellings in a variety of forms and styles including row cottages, detached cottages and small semi-detached cottages."

And in relation to Kingston Terrace specifically:

"The high amenity streetscape is formed by the wide street setting and the Adelaide Park Lands frontage. The historic character is established by the single storey row dwellings and detached and semi-detached dwellings generally with shallow setbacks from the primary street frontage with small garden areas. The landscaped gardens make an important contribution to the streetscape setting. There is only slight variation in setbacks which form a coherent building line. The pattern, siting and setback of dwellings is established by the Heritage Places and Representative Buildings."

The draft policy clearly, and appropriately, places emphasis on buildings of the Victorian and Edwardian eras which predominate in the area. There is no mention of Post-War buildings in the Historic Area Statement.

In relation to architectural styles, the Historic Area Statement opens by stating:

"The Area is characterised by a range of architectural styles relating to North Adelaide's development as a residential village from the 1830s-1940s."

North Adelaide was however well-developed by the 1940s and had arguably moved beyond a residential village to a suburb with dwellings supplemented by institutional buildings, schools and colleges, offices and churches.

In any event, the architectural styles, detailing and built form features mentioned in the draft Historic Area Statement are as follows:

- Victorian Houses (1870s to 1890s)
- Edwardian Houses (1900 to 1920s)
- Inter-War Houses (1920s to 1942)

The subject dwelling was predominantly built in 1948, has been altered and extended in subsequent eras and is not of the eras mentioned.

In relation to Kingston Terrace specifically, the Historic Area statement notes the following:

Victorian and Inter-war period.

Exhibits a collection of architectural styles including but not limited to Victorian villas and cottages, Victorian Italianate, Victorian Gothic, Victorian Terrace, and Inter-war Old English Revival.

Again, there is no mention of Post-War character.

For these reasons, the two-storey section of the subject dwelling is not a Representative Building. It is of an era outside that identified in the Historic Area Statement. It is an usually proportioned and eclectic building, compromised by adaptation of an earlier building on the site and subsequent alterations and additions. The dwelling is prominently sited at the termination of the vista down Kingston Terrace but that in itself is not of significance.

Conclusion.

The subject dwelling, as a sum of its separate parts or as the separate parts taken individually, does not *"display characteristics of importance in a particular area"* nor does it *"exemplify the characteristics and elements to be protected within the respective Historic Area."*

In relation to the key factors mentioned at page 218 of the Consultation Document, it is evident that the subject dwelling:

- Is not of a building style and era consistent with those assessed as significant in the Historic Area as per the revised Historic Area Statement.
- Does not demonstrate historical theme/s important in the area.
- Does not display visual continuity with buildings with similar characteristics in the streetscape.

The subject dwelling should not be a Representative Building.

Other Representative Buildings and Heritage Places.

The historic development of North Adelaide as a residential village and the continued residential nature of the suburb is well-represented in the existing State and local heritage places and proposed Representative Buildings with significantly higher integrity than the subject dwelling.

I would be pleased to discuss my assessments and conclusion with you, if you require further elaboration.

Yours faithfully
STEVENS ARCHITECTS PTY. LTD.

A handwritten signature in black ink, appearing to read 'Andrew Stevens', with a long horizontal flourish extending to the right.

Andrew Stevens RALA (Director).

Encl:

Stevens Architects letter dated 29 November 2004.

Peter Bell: North Adelaide Heritage PAR Review of Objections, 39-40 Kingston Terrace,
North Adelaide.



STEVENS
ARCHITECTS
PTY LTD

Architects and Heritage Consultants

Suite 19, 262 Melbourne Street
North Adelaide, SA 5006

Telephone: (08) 8267 1277
Facsimile: (08) 8267 2585

29 November 2004

Mr David Davies
39 Kingston Terrace
NORTH ADELAIDE SA 5006

Dear Mr Davies

**39-40 KINGSTON TERRACE, NORTH ADELAIDE -
PROPOSED LOCAL HERITAGE PLACE**

In accordance with your instructions I have reviewed the proposed Local Heritage Listing of the place and provide the following comments and opinions.

In preparing these comments and opinions I have made reference to the relevant inventory sheet from the North Adelaide Heritage Survey (2004) by McDougall and Vines, copies of the Kingston Map (1842) and the Smith Survey (1880), the book "Heritage of the City of Adelaide an illustrated guide" (Marsden, Stark and Summerling 1990), the Illustrated Burra Charter and drawings and documents held in the Adelaide City Archives.

The Place

39-40 Kingston Terrace, North Adelaide comprises two attached dwellings at the corner of Kingston Terrace and Francis Street. The subject place is presumably what remains of a simple workers cottage of the 1840's-1860's period. Adjacent is an attached two-storey dwelling, the substantial portion of which dates from the late 1940's. Development Approval has recently been granted for a three vehicle garage structure associated with the dwellings, with frontage to Francis Street.

Historical Context

The Statement of Cultural Heritage Value of North Adelaide of the North Adelaide Heritage Survey (2004) states that North Adelaide contains excellent examples of a full range of residential architecture from all periods of the city's development.

The subject place has been identified as "a good example of an 1840's-1860's simple workers cottage".

The subject place does not appear on the Kingston Map of 1842 but a small house of similar scale is visible on the Smith Survey of 1880.

Heritage Status

The subject place has been identified in the North Adelaide Heritage Survey (2004) as a place of Local Heritage value and recommended for listing.

Integrity

The subject place is of a general form and scale of a simple workers cottage of the 1840's-1860's period. It has however been substantially altered over time and has also been the subject of change associated with construction and maintenance of the attached two-storey dwelling.

Plans held in the Adelaide City Archives prepared by Walter D Cowell, Architect, show that in February 1948 approval was granted to Mr and Mrs Telfer to construct upper storey additions and undertake substantial ground floor modifications to an existing single storey structure at 39 Kingston Terrace.

The plans indicate that the current appearance of the two-storey dwelling from Kingston Terrace is largely the result of these works. Subsequently garaging for vehicles was added. In 1968 bathroom and laundry additions were undertaken and in 1973 single storey additions were added to the north side of the structure. In 1982 the ground and first floors were further extended to the east.

These works have had a profound affect on the subject place and its context.

The original roof of the subject place has been entirely removed and new framing installed with terracotta tiles to match the attached two-storey dwelling. The replacement roof of the subject place has been constructed to finish approximately 300mm short of its northern wall so that the upper storey walls of the attached dwelling can bear on the northern wall of the subject place. In addition the original chimney of the subject place has been removed and a low profile chimney constructed of modern bricks. Fascias, bargeboards and gutters are all non-original. Windows, window frames, tiled windowsills and shutters, all of which are detailed to match the attached two-storey dwelling, along with the front door are all non-original. A hard, cement-rich render approximately 20-25 mm thick has been applied to the façade of the subject place. This render is adversely affecting the condition of the masonry beneath with evidence of powdering due to the effects of rising damp. In my opinion the hardness of the render is such that it is unlikely that it could be removed without damage to the masonry behind.

The Specification for the additions and alterations carried out to the attached two-storey dwelling in 1948 called for an extremely hard external render of 1 cement: 3 sand base coat and a 1 cement: 2 sand finish coat. It appears that the subject place has been rendered in a similar manner.

While the subject place retains a low scale its integrity has been compromised to the extent that it appears that, of the original building fabric, only the masonry walls remain and these with a hard cement render applied to the exterior built out to a flush finish so as to completely obscure the masonry beneath.

The changes, which compromise the integrity of the place, are not reversible. Significant historic fabric has been lost and what remains has been damaged by insensitive renovation and maintenance by previous owners.

In conservation practice the degree of intactness of significant fabric is recognised as being relevant to establishing the cultural significance of a place. This is confirmed in the Burra Charter, the publication which sets out a standard of practice to guide and inform decisions affecting places of cultural significance.

Reconstruction is deemed to be appropriate only where a place is incomplete through damage or alteration and where it is necessary for its survival, or where it reveals the cultural significance of the place as a whole. Reconstruction should not constitute the majority of the fabric of a place and should be based on physical or documentary evidence.

In the case of the subject place, reconstruction would therefore be inappropriate as the majority of historic fabric has been lost. In any event, an attempt at reconstruction would be compromised by the attached two-storey dwelling, which appears to be in sound condition and bears on the northern wall of the subject place.

Context

The context of the subject place is significantly compromised by the attached two-storey dwelling.

The attached two-storey dwelling is substantially larger than the cottage and has a high gabled, terracotta tiled roof, rendered façade, gabled portico and elements of Old English Revival style architectural detailing. It is this building which terminates the vista down Kingston Terrace from the west and which visually dominates the subject place.

Assessment Against Relevant Criteria

In order to be listed as a local heritage place a place must fulfil one or more of the criteria listed in Section 23(4) of the Development Act 1993.

The Heritage Survey inventory sheet for the subject place provided by the Council and on which the proposed listing has been based states that the place fulfils criteria (a) and (d) under Section 23(4) of the Development Act 1993 as a place of local heritage value.

Criteria (a) states:

(a) It displays historical, economic or social themes that are of importance to the local area.

In my opinion the subject place does not fulfil criteria (a) in that insufficient historic building fabric and context remain to understand the place as a simple workers cottage of the 1840's - 1860's period and reconstruction is inappropriate. It therefore is not, I believe, representative of historical, economic or social themes.

Criteria (d) states:

(d) It displays aesthetic merit, design characteristics, or construction techniques of significance to the local area.

In my opinion the subject place does not fulfil criteria (d) as its historic aesthetic merit and design characteristics are not evident due to the changes that have been made and what historic fabric remains provides little understanding of construction techniques of significance to the local area.

Conclusion

In my view the integrity and context of the place has been so compromised by the loss of fabric and the physical and visual impact of the attached two-storey dwelling that it does not meet any of the relevant criteria under Section 23(4) of the Development Act and therefore should not be listed as a Local Heritage Place in Council's Development Plan.

Although not relevant to an assessment of the heritage value of the place I note that the survey identifies approximately fifteen places, all generally of high integrity, in the locality of lower North Adelaide as "excellent" examples of simple workers cottages dating from the 1840's to 1860's period. The subject place for reasons unknown appears to be one of only two or three places described as "good" examples.

My investigations, the results of which are described above, have lead me to believe that the subject place falls well short of being a good example of a simple workers cottage dating from the 1840's to 1860's period.

In my opinion it is those cottages dating from the 1840's to 1860's period that retain high integrity along with several State Heritage listed cottages in the locality and dating from the same period that are representative of the theme of the early settlement and development of North Adelaide. The subject place, I believe, is not one.

I would be pleased to discuss my comments and assessments with you, if you require further elaboration.

Yours faithfully

STEVENS ARCHITECTS PTY. LTD.

A handwritten signature in black ink, appearing to read 'Andrew Stevens', with a stylized flourish at the end.

Andrew Stevens RAIA (Director)

North Adelaide Heritage PAR Review of Objections**Property**

39-40 Kingston Terrace
North Adelaide

**Objector**

Graham Burns
Masterplan SA Pty Ltd
33 Carrington Street
Adelaide SA 5000

on behalf of Mr David Davies

Summary of McDougall & Vines Investigations**Property Description**

Prominent two storey 1940s house dominated by steeply pitched tiled roof with dormer windows. An early cottage is incorporated into its lower right elevation.

Relevant History

Built before the 1880s. (In Smith Survey) Subsequently greatly extended.

Heritage Assessment and Relevant Criteria

The house is a good example of an 1840s-1860s simple workers cottage. It reflects the design and building materials commonly in use at the time. Buildings of this type are an important element of the distinctive historic residential character of North Adelaide.

- (a) it displays historical and social themes that are of importance to the local area as an example of building construction at that time.
- (d) it displays aesthetic merit and design characteristics of significance to North Adelaide as a building displaying consistent use of local materials and techniques.

Summary of Grounds for Objection

The objection directly addresses the criteria. It says that the house was significantly altered from its original form in 1948 by removal of the roof, and the addition of a much larger two storey house alongside, profoundly altering the building. It has undergone further alterations in 1968, 1973 and 1982.

Only the masonry walls of the original cottage remain, and these have new openings and have been rendered. The changes are not reversible.

As a result of these alterations, the house is no longer characteristic of houses of the period, and has lost its original aesthetic merit.

The objection also raises the question of the boundary of the Kentish Arms Historic (Conservation) Zone, which is beyond the brief for this assessment.

The objection is supported by a heritage assessment by Stevens Architects Pty Ltd.

Discussion

This house is not "a good example of an 1840s-1860s simple workers cottage". It is a brash post-war Old English house with more than a touch of American Colonial Revival influence. Only fragments of the original cottage survive.

Recommendation

The objection brings the local heritage value of the house into serious question. It is recommended that it be **removed** from the Schedule of Local Heritage Places.

Your reference: VS 2023/45554
Amanda McConnell

Attention: Colleen McDonnell
Manager, City Planning and Heritage

Wednesday, 4 December 2024

David Deakin Davies
Nominees Pty Ltd
41 & 43 Kingston Terrace
North Adelaide
SA 5006

T: [REDACTED]

E: [REDACTED]

City of Adelaide
Code Amendment Consultation
GPO Box: 2252
Adelaide SA 5001

By Express Post

City of Adelaide Customer Care
Code Amendment Consultation
25 Pirie Street
Adelaide SA 5001

Delivery by hand

cc by email: PDCSA.amendments@cityofadelaide.com.au (this letter only)

Dear Ms McDonnell,

Historic Area Statement Update Code Amendment

David Deakin Davies Nominees Pty Ltd ("DDD Noms. P/L") is the registered proprietor of the 2 properties located at the addresses 41 Kingston Terrace North Adelaide SA 5006 and 43 Kingston Terrace North Adelaide SA 5006 ("the 2 properties").

I am a director and the secretary of DDD Noms. P/L and I am duly authorised to act on its behalf in respect of the matters referred to in this letter.

DDD Noms. P/L has received 2 letters bearing a facsimile of the signature of Ms Colleen McDonnell dated 18 & 22 October 2024 informing it (inter alia) of the proposal to nominate the 2 properties as Representative Buildings within the Historic Area Overlay for the purposes of the draft Historic Area Statement Update Code Amendment to amend the Planning and Design Code as required under the Planning, Development and Infrastructure Act 2016.

DDD Noms. P/L objects to the proposed nomination of the 2 properties.

By way of a submission in support of this objection I enclose with the hard copy of this letter copies of the following:

1. Report by Mr Andrew Stevens, director of Stevens Architects Pty Ltd, addressed to me, dated 4 December 2024 ("the report"); and
2. The enclosures referred to in the report, namely:

- Copy letter by Mr Andrew Stevens, director of Stevens Architects Pty Ltd, addressed to me, dated 29 November 2004; and
- Copy "North Adelaide Heritage PAR Review of Objections" by Mr Peter Bell in relation to 41 – 43 Kingston Terrace, North Adelaide SA 5006.

I will provide access to the original signed copy of the report and its enclosures upon receipt of a written request and reasonable notice.

Would you please acknowledge receipt of this letter and its enclosures, inform me of any other information or measures required from me to support the objection and, in due course, provide me with the response to the objection.

Please direct all further correspondence in relation to this issue as follows:

"David Deakin Davies Nominees Pty Ltd

Attention: Mr. David Davies

40 Kingston Terrace

North Adelaide

SA 5006

E: [REDACTED]

Yours faithfully,



David Davies
Director
for and on behalf of
David Deakin Davies
Nominees Pty Ltd



STEVENS
ARCHITECTS
PTY LTD

Architects and Heritage Consultants

Suite 19, 262 Melbourne Street
North Adelaide, SA 5006

Telephone: (08) 8267 1277
Facsimile: (08) 8267 2585

4 December 2024

Mr David Davies
39-40 Kingston Terrace
NORTH ADELAIDE SA 5006

Dear Mr Davies

**41 & 43 KINGSTON TERRACE, NORTH ADELAIDE –
NOMINATION AS A REPRESENTATIVE BUILDING**

Further to our recent discussions and correspondence, I understand that you have received advice that the City of Adelaide propose the inclusion of 41 & 43 Kingston Terrace, North Adelaide as Representative Buildings in the Planning & Design Code.

I further understand that you wish to object to the inclusion of 41 & 43 Kingston Terrace, North Adelaide as Representative Buildings in the Planning & Design Code.

In accordance with your instructions, I have therefore reviewed the proposal, including relevant documentation. Following is a report summarising the outcome of my review and my conclusion regarding the proposal.

The Proposal.

The City of Adelaide has released a draft Historic Area Statement Update Code Amendment for public consultation. Information provided by the City of Adelaide states:

"City of Adelaide is proposing changes to the Planning and Design Code, to revise the Historic Area Statements and nominate Representative Buildings. The Code Amendment proposes to update the City of Adelaide's 14 existing Historic Area Statements in the Planning and Design Code and identifies 54 Representative Buildings proposed to be included in the Historic Area Statements.

Historic Area Statements describe local features of historic character and relevant contextual information for applicants to inform how they design proposed developments, including alterations and additions. Representative Buildings are buildings that display characteristics of importance in a particular area."

In letters to you dated 18 October 2024 and 22 October 2024, the City of Adelaide state that the purpose of the draft Code Amendment is:

- *to revise the Historic Area Statements to include additional information to enable effective and efficient decision-making by heritage experts and planners during development assessment.*
- *to nominate Representative Buildings within the Historic Area Overlay which exemplify the characteristics and elements to be protected within the respective Historic Area.*

Process.

In preparing this report, I have visited and photographed the subject place. I have also reviewed the following documents and publications:

- City of Adelaide website: Historic Area Statement Update - Code Amendment (<https://onradelaide.sa.gov.au/historic-area-statement-update-code-amendment>).
- Drawings, specifications and documents relating to changes to the place over time in the City of Adelaide Archives.
- Copies of the Kingston Map (1842) and the Smith Survey (1880).
- The relevant assessment sheet from the North Adelaide Heritage Survey (2004) by McDougall and Vines.
- The relevant assessment sheet from the City of Adelaide Townscape Frontages Assessment (June 1992) by McDougall & Vines.
- The book "Heritage of the City of Adelaide an illustrated guide" (Marsden, Stark and Summerling 1990).
- The Illustrated Burra Charter.
- Letters to you concerning the proposal and the process from the City of Adelaide.

Background.

In 2004, the place, (41 & 43 Kingston Terrace), was proposed for listing as a local heritage place. At that time, I prepared an objection to the listing on your behalf. Much of the information relating to that objection remains relevant and I attach a copy of my letter dated 29 November 2004. I also attach a copy of a subsequent review by architectural historian Peter Bell which reaches a similar conclusion.

The current proposal is however for inclusion of 41 & 43 Kingston Terrace as Representative Buildings and, while the previous information remains relevant, the threshold for local heritage listing is higher than that applied to Representative Buildings and specific criteria apply to assessment of local heritage places. It is therefore necessary to consider the current proposal afresh.

The Place.

41 & 43 Kingston Terrace, North Adelaide comprises a pair of semi-detached dwellings. The dwellings are located at the eastern end of Kingston Terrace with vehicular access from Porter Street at the rear.

The dwellings are single storey and low in scale.

Historical Context.

The subject site is located within the area often known as "Lower North Adelaide". Amongst other things, the Historic Area Statement Update Code Amendment Engagement Plan (Attachment D) of the Consultation Document, October 2024, provided by the City of Adelaide states at page 232:

"This Historic Area is characterised by housing of the Victorian, Edwardian, and Inter-war periods as well as some corner shops and hotels. Victorian buildings are dominant across most of the area. Medium-scale dwellings tend to be where there is a view of the Adelaide Park Lands, with smaller-scale housing along Stanley Street (east of Jerningham Street) and minor streets."

Representative Buildings.

The Historic Area Statement Update Code Amendment Engagement Plan (Attachment D) of the Consultation Document, October 2024, provided by the City of Adelaide states at page 218:

"A Representative Building should exhibit significant historic themes and attributes of character based on the relevant Historic Area Statement in the Planning and Design Code."

It goes on to state:

Key factors considered in the assessment process include:

- *The building style and era should be consistent with those assessed as significant in the Historic Area as per the revised Historic Area Statement.*
- *The building demonstrates historical theme/s important in the area.*
- *For dwellings (whether converted to another use or still residential) there is visual continuity with buildings with similar characteristics in the streetscape, noting that this is a matter of fact and degree and can still occur where there is intervening development of another era in the same street or section of a street.*
- *Where there is a current valid approval for total demolition of a building.*

The subject dwellings are located within the Kentish Arms Historic Area (Adel 12).

Physical description.

The form and construction of the dwellings suggest that they were built around the 1870s period.

The streetscape elevation suggests that they were once a pair of Victorian era symmetrical cottages but now substantially altered.

The external walls are painted sandstone with rendered plinths, quoinwork, string course and reveals. The roof is corrugated steel sheet and features masonry chimneys and plaster eave brackets. Each of the dwellings has a relatively large projecting bay window and a double-hung sash window either side of the front door. A porch, with a very low-pitched roof to appear almost flat, projects across approximately two-thirds of the front elevation of each dwelling.

There are no buildings on the subject site on the Kingston Map of 1842. There is a building footprint on the subject site on the Smith Survey of 1880 that is representative of the pair of semi-detached dwellings, each with a small outhouse at the rear. This would appear to confirm that the semi-detached dwellings were built in the 1870s.

Integrity.

The semi-detached dwellings retain their original scale but have been added to and altered over time.

Records held at the Adelaide City Archives indicate that in 1965 substantial alterations were carried out in accordance with plans prepared by John S Chappell, Architect.

During the works, windows on the eastern side of number 41 and windows on the western side of number 43 were removed and sections of the front walls were demolished. New projecting bay windows were constructed to floor level. The front verandahs and the associated timber partition screens were demolished. New porches were constructed. Verandah floors were taken up and concrete paving and "crazy slate" paving installed at the front of the dwellings to higher

levels than the original. New front doors and glazing to windows, fanlights and sidelights were installed along with timber shutters to the windows. It also appears that the fireplace and chimney on the eastern side of number 41 and the fireplace and chimney on the eastern side of number 43 were removed during these works so that there are now two chimneys rather than four. Substantial alterations were also undertaken internally and at the rear of the dwellings. The front fence was demolished and replaced with a low brick wall with metal infill.

Subsequently further alterations have been undertaken internally as well as additions to the rear of the dwellings.

The impact of these changes to the streetscape appearance of the semi-detached dwellings has been substantial. The dwellings no longer present as a pair of late Victorian cottages but rather as an eclectic amalgam of Victorian and Neo-Georgian architecture resulting in a rather confusing pastiche of building styles and unusual building appearance. The bay windows and porches dominate the building façade.

In addition, the physical impact of the changes is substantial, more substantial than might first be anticipated. The extent of demolition for the bay windows went well beyond simply removing and replacing the previous double-hung sash windows. The width of the openings was almost doubled, and masonry was removed to floor level as well as above the original opening. The rendered reveals and sills were completely removed. It is evident that stonework alongside the opening was disturbed in the process and subsequently rebuilt rather poorly in a hard cement mortar with inappropriate bedding of some stones.

The porch structure and flashing was cut into and fixed into the stonework, further compromising the early building fabric. Rendered reveals around the doors and windows were poorly repaired, in the process much of the original detail was lost. Original wall vents were replaced with c1960s wall vents and outside levels were built up, exacerbating salt damp in the walls. The face stonework and renderwork were painted, with re-applications over time.

The façade has been further compromised by the installation of window shutters, electrical meter boxes and wiring, security cameras, imitative historic light fittings and ornate security doors.

In addition, the context and setting of the semi-detached dwellings has been adversely impacted through installation of a front fence of imitative historic metalwork and painted brickwork, crazy slate paving and concrete paving.

Although some of the 1870s building fabric and detailing survives, the integrity of the semi-detached dwellings, as far as their Victorian era appearance is concerned, is extremely low.

The general silhouette of the building, (except for apparently demolished chimneys), remains, along with details such as rendered quoins and facings to windows and doors and eaves brackets. The presence of these details in the context of the dwellings should not be overrated given the absence of other original stylistic elements such as the verandahs, windows and rendered facings that have been removed or altered and the physical impact of the changes that have been made. The relative dominance of the Neo-Georgian bay windows and porches is also relevant in considering the streetscape appearance of the dwellings.

The changes, which compromise the integrity of the place, are not reversible. Significant historic fabric has been lost and what remains has been compromised by alterations and additions which are inconsistent with the historic character of the subject place.

The appearance of the dwellings has been substantially altered.

Substantial reconstruction would be required to return the dwellings to an appearance of semi-detached Victorian cottages. Although hypothetically possible, the extent of reconstruction required is such that the result would be a subjective and hypothetical representation of what might have been rather than an authentic pair of semi-detached Victorian cottages.

Assessment as Representative Buildings.

The semi-detached dwellings at 41 Kingston Terrace and 43 Kingston Terrace are each proposed to be Representative Buildings.

At page 234 of the Historic Area Statement Update Code Amendment Engagement Plan (Attachment D) of the Consultation Document, October 2024, provided by the City of Adelaide it is stated that:

"Despite façade alterations in 1965, more particularly, larger windows and porches in neo-Georgian style (Bell, 2006), the original form of the building as viewed from the street is part of a row of earlier dwellings that is reasonably intact."

This recommendation seems to appropriate and amalgamate some words from architectural historian, Peter Bell's review of the proposal for local heritage listing of the semi-detached dwellings in 2004 with some supplementary opinions of Council's consultants.

Peter Bell, in his review of the proposal for local heritage listing, also stated that:

"As a result of these alterations, the house is no longer characteristic of houses of the period, and has lost its original aesthetic merit"

and:

"These houses are no longer "excellent examples of 1870s-1880s symmetrically fronted sandstone residences". They were modernised in the 1960s to become Georgian revival buildings. Only a small proportion of the fabric of the original houses survives."

For reasons mentioned in the previous section of this letter, I am also of the opinion that the appearance of the dwellings is such that they are no longer characteristic of houses of the period.

Furthermore, it is not clear what the "row of earlier dwellings" referred to is or how this might influence the standing of the semi-detached cottages at 41 and 43 Kingston Terrace. If it is the semi-detached cottages themselves that is referred to, then their compromised integrity is such that they do not form or positively contribute to a row of earlier dwellings.

As far as some broader consideration of streetscape character is concerned, the dwelling at 39-40 Kingston Terrace, to the north-east of the subject dwellings, presents to the streetscape as an unusually proportioned and eclectic building of the 1940s. To the west of the subject dwellings, numbers 44 and 45 Kingston Terrace are late Victorian cottages but have quite different form and proportions to the subject dwellings. 46-48 Kingston Terrace is a 1967 Modernist house, while 50 Kingston Terrace presents to the streetscape as a c1990s, two-storey imitative historic dwelling. Further to the east but some distance from the subject dwellings, are the former Lady Ayers Homes at 51-60 Kingston Terrace, built in the early 1880s.

In fact, the eastern end of Kingston Terrace does not exhibit a cohesive nor consistent historic character. It comprises a range of buildings of varying scale, form and architectural styles with

buildings dating from Victorian, Inter-War, Post-War periods and modern times. There are important historic places that are appropriately listed as State or local heritage places but in my opinion, it is inaccurate to describe the subject dwellings as *"part of a row of earlier dwellings that is reasonably intact."*

This appears to be supported in the draft Historic Area Statement, which in relation to Kingston Terrace specifically, identifies a broad range of buildings:

Victorian and Inter-war period.

Exhibits a collection of architectural styles including but not limited to Victorian villas and cottages, Victorian Italianate, Victorian Gothic, Victorian Terrace, and Inter-war Old English Revival.

It is evident that the semi-detached dwellings at 41 and 43 Kingston Terrace were built within an era mentioned in the Historic Area Statement for the Kentish Arms Historic Area (Adel 12): 1837 to 1901 - Victorian period. Nevertheless, in their compromised form and with a much-altered appearance, the subject dwellings are not consistent with the architectural styles, detailing and built form features mentioned in the Historic Area Statement with reference to Victorian Houses (1870s to 1890s). Nor do the dwellings contribute positively, in any meaningful way, to the historic streetscape character of the eastern section of Kingston Terrace, to the extent that it exists.

For these reasons, the subject dwellings are not Representative Buildings. Rather, they present to the streetscape as unusual, Georgian Revival buildings.

Conclusion.

The dwellings at 41 Kingston Terrace and 43 Kingston Terrace do not *"display characteristics of importance in a particular area"* nor do they *"exemplify the characteristics and elements to be protected within the respective Historic Area."*

In relation to the key factors mentioned at page 218 of the Consultation Document, it is evident that the subject dwellings:

- Are not of a building style and era consistent with those assessed as significant in the Historic Area as per the revised Historic Area Statement.
- Do not demonstrate historical theme/s important in the area.
- Do not display visual continuity with buildings with similar characteristics in the streetscape.

The subject dwellings should not be Representative Buildings.

Other Representative Buildings and Heritage Places.

The historic development of North Adelaide as a residential village and the continued residential nature of the suburb is well-represented in the existing State and local heritage places and proposed Representative Buildings with significantly higher integrity than the subject dwellings.

I would be pleased to discuss my assessments and conclusion with you, if you require further elaboration.

Yours faithfully
STEVENS ARCHITECTS PTY. LTD.

A handwritten signature in black ink, appearing to read 'Andrew Stevens', with a long horizontal flourish extending to the right.

Andrew Stevens RAIA (Director).

Encl:

Stevens Architects letter dated 29 November 2004.

Peter Bell: North Adelaide Heritage PAR Review of Objections, 41-43 Kingston Terrace,
(known as 42-43 Kingston Terrace), North Adelaide.



STEVENS
ARCHITECTS
PTY LTD

Architects and Heritage Consultants

Suite 19, 262 Melbourne Street
North Adelaide, SA 5006

Telephone: (08) 8267 1277
Facsimile: (08) 8267 2585

29 November 2004

Mr David Davies
39 Kingston Terrace
NORTH ADELAIDE SA 5006

Dear Mr Davies

**41 & 43 KINGSTON TERRACE, NORTH ADELAIDE -
PROPOSED LOCAL HERITAGE PLACE**

In accordance with your instructions I have reviewed the proposed Local Heritage Listing of the place and provide the following comments and opinions.

In preparing these comments and opinions I have made reference to the relevant inventory sheet from the North Adelaide Heritage Survey (2004) by McDougall and Vines, copies of the Kingston Map (1842) and the Smith Survey (1880), the book "Heritage of the City of Adelaide an illustrated guide" (Marsden, Stark and Summerling 1990), the Illustrated Burra Charter and drawings and documents held in the Adelaide City Archives.

The Place

41 and 43 Kingston Terrace, North Adelaide comprises a pair of semi-detached houses dating from the 1870's - 1880's period.

Historical Context

The Statement of Cultural Heritage Value of North Adelaide in the North Adelaide Heritage Survey (2004) states that North Adelaide contains excellent examples of a full range of residential architecture from all periods of the city's development.

The subject place has been identified as "an important example of the type of residences constructed in North Adelaide during the 1870's - 1880's. The survey inventory sheet states that the place "reflects the design, details and building materials of that time". The statement of heritage value in the survey inventory sheet does not explain why these dwellings are an important example when they appear to be a typical example of 1870's-1880's semi-detached houses that have undergone substantial change.

Heritage Status

The subject place has been identified in the North Adelaide Heritage Survey (2004) as a place of Local Heritage value and recommended for listing.

Integrity

The semi-detached houses retain their original scale but have been added to and altered over time.

Records held at the Adelaide City Archives indicate that in 1965 substantial alterations were carried out to plans prepared by John S Chappell, Architect.

Windows were removed and sections of the front walls were demolished. New bay windows were constructed to floor level. The front verandahs and screens were demolished and new porches were constructed. Verandah floors, which were probably tiled, were taken up and concrete paving and "crazy slate" paving placed at the front of the house to higher levels than the original. New front doors, fanlights and sidelights were installed along with shutters to the windows. Substantial alterations were also undertaken internally and at the rear of the dwellings. The front fence was demolished and replaced with a rendered masonry wall with modified recycled cast iron infill.

Subsequently further alterations have been undertaken internally as well as additions to the rear of the dwellings.

Despite its compromised condition, the survey inventory sheet describes the subject place as "an excellent example of semi-detached 1870's - 1880's symmetrically fronted sandstone residences that retain important stylistic elements including rendered quoins and facings to windows and doors, eaves brackets and verandahs".

In my opinion, rendered quoins and facings to windows and doors along with eaves brackets are typical rather than important stylistic elements of the architecture of the era. Their presence in the context of the subject place should not be overrated given the absence of other original stylistic elements such as the verandahs, windows and rendered facings that have been removed. The suggestion that the existing verandahs are important stylistic elements is erroneous as they are additions loosely Georgian in style and not original.

The changes, which compromise the integrity of the place, are not reversible. Significant historic fabric has been lost and what remains has been compromised by additions which are inconsistent with the historic character of the subject place.

In conservation practice the degree of intactness of significant fabric is recognised as being relevant to establishing the cultural significance of a place. This is confirmed in the Burra Charter, the publication which sets out a standard of practice to guide and inform decisions affecting places of cultural significance.

Reconstruction is deemed to be appropriate only where a place is incomplete through damage or alteration and where it is necessary for its survival, or where it reveals the cultural significance of the place as a whole. Reconstruction should not constitute the majority of the fabric of a place and should be based on physical or documentary evidence.

In the case of the subject place, reconstruction would therefore be inappropriate due to the extent of historic fabric that has been lost.

Criteria (a) states:

(a) It displays historical, economic or social themes that are of importance to the local area.

The heritage survey inventory sheet states that:

"This house displays historical and social themes that are of importance to North Adelaide as it represents the continued construction of residences on recently subdivided Town Acres, particularly during the 1870's and 1880's."

Volume 1 of the heritage survey states that an overview history of the whole of the City of Adelaide, which establishes the principal events and themes characterising the physical, cultural and social development of the city and serves as the historical basis for the recommendations of the heritage survey is currently in preparation. The inventory sheet therefore appears to anticipate that the subject place meets an, as yet, undefined theme although the brief thematic history accompanying the survey report does identify the boom years of the 1870's and 1880's as a main residential development period in North Adelaide. It appears that what survives of the original dwellings was constructed around this time, however the connection between the subject place and its ability to be representative of or display such a theme is not clear.

Even if such a connection could be made the integrity and context of the place is compromised, I believe, to the extent that the changes that have been made to building fabric do not enable an understanding of the subject place as an example of semi-detached 1870's – 1880's symmetrically fronted sandstone residences and certainly not an excellent example. Due to the extent of loss of historic fabric reconstruction is in my opinion inappropriate. The subject place therefore is not, I believe, representative of historical, economic or social themes.

Criteria (d) states:

(d) It displays aesthetic merit, design characteristics, or construction techniques of significance to the local area.

The heritage survey inventory sheet states that:

"The house displays aesthetic merit and design characteristics of significance to North Adelaide as it is a typical 1870's Victorian residence displaying consistent use of materials such as bluestone/sandstone masonry walls, detailed render and highly decorative cast iron".

In its compromised state the subject place is not, in my opinion, a typical 1870's Victorian residence. In fact, the 1960's mock Georgian makeover including porches and bay windows, along with the non-original fence, confuse an understanding of Architectural styles and the origins and integrity of the place. The subject place does not therefore in my opinion fulfil criteria (d) as an understanding of its aesthetic merit, design characteristics and construction techniques has been confused and compromised by later alterations and additions and an attempt to reconstruct the original form of the façade of the dwellings would be inappropriate given the degree to which original fabric has been lost.

Conclusion

In my view the integrity and context of the place has been so compromised by the loss of fabric and the physical and visual impact of alterations and additions that it does not meet any of the relevant criteria under Section 23(4) of the Development Act and therefore should not be listed as a Local Heritage Place in Council's Development Plan.

I would be pleased to discuss my comments and assessments with you, if you require further elaboration.

Yours faithfully

STEVENS ARCHITECTS PTY. LTD.

A handwritten signature in black ink, appearing to read 'Andrew Stevens', with a long horizontal line extending from the end of the signature.

Andrew Stevens RAIA (Director)

North Adelaide Heritage PAR Review of Objections**Property**

41-43 Kingston Terrace
(known as 42-43 Kingston Terrace)
North Adelaide

**Objector**

Graham Burns
Masterplan SA Pty Ltd
33 Carrington Street
Adelaide SA 5000

on behalf of David Deakin Davies Nominees Pty Ltd

Summary of McDougall & Vines Investigations**Property Description**

Pair of attached single storey late nineteenth century houses with modern treatment of facades.

Relevant History

Built before the 1880s. (In Smith Survey) Subsequently altered in the 1960s.

Heritage Assessment and Relevant Criteria

The houses are excellent examples of 1870s-1880s symmetrically fronted sandstone residences. The building reflects the design and building materials commonly in use at the time. Buildings of this type are an important element of the distinctive historic residential character of North Adelaide.

- (a) it displays historical and social themes that are of importance to the local area as an example of building construction at that time.
- (d) it displays aesthetic merit and design characteristics of significance to North Adelaide as a building displaying consistent use of local materials and techniques.

Summary of Grounds for Objection

The objection directly addresses the criteria. It says that the houses were significantly altered from their original form in 1965 by demolition of the verandahs and sections of the front wall, creating larger windows and porches in neo-Georgian style, profoundly altering the building.

Only sections of the walls of the original houses remain, and these have new openings and have been rendered. The changes are not reversible.

As a result of these alterations, the house is no longer characteristic of houses of the period, and has lost its original aesthetic merit.

The objection also raises the question of the boundary of the Kentish Arms Historic (Conservation) Zone, which is beyond the brief for this assessment.

The objection is supported by a heritage assessment by Stevens Architects Pty Ltd.

Discussion

These houses are no longer "excellent examples of 1870s-1880s symmetrically fronted sandstone residences". They were modernised in the 1960s to become Georgian Revival buildings. Only a small proportion of the fabric of the original houses survives. *

Recommendation

The objection brings the local heritage value of the house into serious question. It is recommended that it be **removed** from the Schedule of Local Heritage Places.



Our Ref: 88557JNM

9 December 2024

City of Adelaide
Community Consultation
Historic Area Statement Update
Code Amendment
Customer Centre
25 Pirie Street
ADELAIDE SA 5000

By Email & Hand Delivery: pdcsa.amendments@cityofadelaide.com.au

Dear Sir/Madam

**Historic Area Statement Update
99 Palmer Place, North Adelaide SA 5006**

We act for Mr Daniel Lee Farrugia the owner and occupier of the property at the above address.

The Code Amendment seeks to include the dwelling at the above address as a **Representative Building**.

Our client strongly opposes any such inclusion.

Similar attempts have been made in 1993 and 2005 and both attempts were rejected based on the heritage evidence available which has not changed. This has caused unnecessary concern, cost and expense to our client.

We enclose:

1. Completed Submission Form.
2. Detailed Heritage Report dated 9 December 2024 from DASH Architects.

ADELAIDE

SYDNEY

MELBOURNE

49 Flinders Street Adelaide SA 5000 GPO Box 2077 Adelaide SA 5001 telephone +61 8 8410 2020 facsimile +61 8 8410 1920 email griffins.com.au
GMG Legal Services Pty Ltd an Incorporated Legal Practice ABN 19 074 972 231
www.griffins.com.au

Our client submits that on the clear evidence available his dwelling should not be included to the Code Amendment as a "Representative Building".

If you have any queries please do not hesitate to contact me.

Yours faithfully
GRIFFINS LAWYERS

A handwritten signature in black ink, appearing to read 'John McElhinney', with a large, stylized loop at the end.

JOHN MCELHINNEY
Senior Consultant

Direct email: jmcclhinney@griffins.com.au
Direct line: (08) 8113 5119
Mobile: 0418 821 563

Encl: 1. Submission Form
2. Report from DASH Architects

CC: 1. Mr DL Farrugia by email
2. Jason Schultz by email

Historic Area Statement Update

Code Amendment

**Our
Adelaide**

Submission Form

Submissions close 5.00pm, Monday, 9 December 2024.

This form can also be completed online at ouradelaide.sa.gov.au.

Please include your name and residential address to ensure your submission is considered by Council. Formal submissions including names and addresses of respondents may on occasions be made public through reports to Council. Required information is marked with an * asterisk.

First Name:	DANIEL	Last Name:	FARRUGIA
Email Address:	C/- jmcclhuiney@griffins.com.au		
Address:	[REDACTED]		
Business/Organisation Name (if applicable):			
Gender:	☒ Male ☐ Female ☐ Other Identity	Year of Birth:	
Are you a City of Adelaide Ratepayer?		☒ Yes ☐ No	
Please tell us how you participate in city life (tick all that apply):			
☐ Work	☒ Live	☐ Shop	☐ Business Owner/Operator
☐ Study	☐ Tourist	☐ Play (e.g. leisure, recreation, entertainment, dining)	
Please indicate your main areas of interest (tick all that apply):			
☐ Our Community	☒ Our Economy	☐ Our Environment	☐ Our Places
Please indicate the locations that are of interest to you (tick all that apply):			
☐ East End	☒ North Adelaide	☐ South East	
☐ South West		☐ West End	

[OurAdelaide.sa.gov.au](https://ouradelaide.sa.gov.au) is Council's online consultation website. It is your chance to be kept up-to-date and provide feedback on areas of the city that interest you. Would you like to sign up to Our Adelaide to receive the monthly newsletter and be notified of new projects that match your interests?

☐ Yes* ☒ No *Please provide your email address above

Historic Area Statement Update

Code Amendment

**Our
Adelaide**

Q1. What is your interest in relation to the draft Code Amendment?

Owner of house at 99 Palmer Place North Adelaide which the Draft Code Amendment seeks to list as a
"Representative Building"

Q2. Do you support the proposed revisions to the Historic Area Statements within the draft Code Amendment? (Please provide comments below)

- a) ☐ Yes all
- b) ☐ Yes some
- c) ☒ No

Comments:

See attached Report from DASH Architects

Historic Area Statement Update

Code Amendment



Q3. Do you have any suggestions or improvements for the draft Code Amendment?

Deletion of my house at 99 Palmer Place as a "Representative Building"

Q4. Has your property been nominated as a Representative Building?

a) ☒ Yes

b) ☐ No

Q4a. Are you an owner and/or occupier? Please select all that apply.

a) ☒ Owner

b) ☒ Occupier

Historic Area Statement Update

Code Amendment



Q4b. If your property has been nominated as a Representative Building, are you in support of the nomination?

a) ☐ Yes

b) ☒ No

Comments:

See attached Architect's Report

Q5. Is there any further information you would like Council to consider?

See attached Architect's Report

99 Palmer Place, North Adelaide

City of Adelaide Historic Area Statement Update Objection Report

DA244780 Issue –
09.12.24

1.0 Introduction

DASH Architects has been engaged by the owners of 99 Palmer Place, North Adelaide (the Subject Property) to undertake a review of the proposed identification of the dwelling on the site as a Representative Building in the City of Adelaide Historic Area Statement Update Code Amendment.

This review has determined that the Subject Property does not exhibit any of the historic themes or attributes of historic built character described in the relevant Historic Area Statement, and accordingly should not be confirmed as a Representative Building under this Code Amendment. The basis of these findings are detailed within this Objection Report.

DASH Architects was founded in 1964, and has established itself as one of South Australia's leading practices specialising in the provision of heritage architectural services.

Over the past 60 years DASH Architects has established a reputation as one of the State's leading architectural practices in the following specialist heritage fields:

- Heritage Conservation
- Heritage Assessment and Impact Assessment
- Heritage Advisory Services
- Heritage Policy Development
- Condition and Compliance Audits
- Adaptive Reuse
- Conservation Management Plans
- Expert Witnessing, and
- Professional Desktop Historical Archaeological Services.

Our expertise extends across the full range of historic character and heritage listings to include:

- Historic Character
- Local Heritage Places
- State Heritage Places
- State Heritage Areas
- Commonwealth Heritage Places (including Defence), and
- National Heritage Places.

*dash*architects

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Adelaide SA 5000

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www.dasharchitects.com.au

ABN 62 059 685 059

Specifically, DASH Architects is also highly experienced in undertaking heritage advisory and assessment services of this nature, having been involved in dozens of Code Amendments / Development Plan Amendments / Plan Amendment Reports, and literally hundreds of heritage and historic character assessments over the past 30 years. This expertise is reflected in the following past and present postings of the Practice’s senior staff:

Jason Schulz Director	South Australian Heritage Council (2011 – 2021)
	Local Heritage Advisory Committee (2011 – 2016)
	Australian Institute of Architects Heritage Sub-Committee (2020 – 2021)
	Heritage Reform Advisory Committee (2021)
	City of Adelaide Heritage Advisor (2010)
Deborah Lindsay Associate	South Australian Heritage Council (2016 – ongoing)
	Local Heritage Advisory Committee (2015 – 2017)
	Heritage Sub-Committee, State Planning Commission (2020 – ongoing)
	ICOMOC Australia (Exec Committee 2012 – 2017)
David Holland Director	City of Mitcham Heritage Advisor (2023 ongoing)

2.0 Scope of Code Amendment

The City of Adelaide is seeking to amend the SA Planning and Design Code to update existing Historic Area Statements within its Council boundaries through the *Historic Area Statement Update Code Amendment*. These statements identify characteristics of identifiable historic, economic and / or social themes of recognised importance to a local area¹ to development outcomes under the Historic Area Overlay of the Planning and Design Code.

The *Historic Area Statement Update Code Amendment* also includes the review of potential additional Representative Buildings into these Historic Areas.

The consultation package (October 2024) to support the Code Amendment notes:²:

Representative Buildings
Representative Buildings in the Code are buildings that represent significant historic character described in the relevant Historic Area Statement (but do not include State and Local Heritage Places which may represent that character also).

Representative Buildings replaced *Contributory Items* in the former Development Plans. *Contributory Items* were buildings, other than designated heritage places, which contributed to the historic character of historic areas.

The former Adelaide (City) Development Plan did not include Contributory Items. Instead, a Townscape List defined buildings that contributed to historic streetscape character in Adelaide and North

¹ SA Planning and Design Code Historic Area Statements introduction
² City of Adelaide Historic Area Statement Update Code Amendment (For Consultation), October 2024, pp7-8

Adelaide. As part of the conversion of the former Development Plan to the Code, the Townscape List items in Adelaide and North Adelaide were converted to Local Heritage Places.

...Buildings that are not State or Local Heritage Places are protected from demolition by the current Historic Area Overlay irrespective of whether they are Representative Buildings. A Historic Area without Representative Buildings creates ambiguity as to which buildings (aside from Local or State Heritage Places) have merit for retention. Designation as Representative Building confers that there is value in retention.

... Greater clarity regarding the buildings' contribution to historic character is appropriate. This is achieved by updating the relevant Historic Area Statements to describe historic character attributes of significance and defining Representative Buildings which display relevant attributes.

54 Representative Buildings have been identified (31 in the Adelaide Historic Area and 23 in the Historic Areas in North Adelaide).

For each Representative Building, an assessment of the current streetscape context and condition of each potential Representative Building as far as possible to judge from viewing for the street has been made...

Key factors considered in the assessment process include:³

- The building style and era should be consistent with those assessed as significant in the Historic Area as per the revised Historic Area Statement.
- The building demonstrates historical theme/s important in the area.
- For dwellings (whether converted to another use or still residential) there is visual continuity with buildings with similar characteristics in the streetscape, noting that this is a matter of fact and degree and can still occur where there is intervening development of another era in the same street or section of a street.
- Where there is a current valid approval for total demolition of a building.

The Subject Property, 99 Palmer Place, North Adelaide, has been recommended as a Representative Building under this Code Amendment.

³ Ibid, p218



Figure 1: 99 Palmer Place, North Adelaide, 2024.



Figure 2: 99 Palmer Place, North Adelaide, 2024.



Figure 3: 99 Palmer Place, North Adelaide, 2024.

3.0 Past Assessments

The 99 Palmer Place, North Adelaide, has been subject to two prior detailed assessments by the City of Adelaide of its historic character or potential Local Heritage value:

- 1993 Local Heritage Review: The Subject Property was considered for Local Heritage listing by the City of Adelaide in 1993 in response to the newly introduced legislation (the Development Act) that provided criteria for the identification and assessment of places of potential Local Heritage value.
- 2005 Local Heritage Review: The City of Adelaide again considered the Subject Property for heritage protection in 2005, where it was identified as being of potential local heritage value by the 2004 City Heritage and Character Plan Amendment Report (North Adelaide).

In both instances:

- The assessments failed to recognise (or chose to ignore) that the dwelling had been substantially remodelled in 1987, as will be outlined in more detail later in this report.
- Detailed submissions were prepared (at considerable cost), identifying these inaccuracies and thoroughly assessing the heritage and historic character of the place.
- Council determined to not proceed with the identification of the Subject Property as either a Local Heritage Place, or place of historic character.

This cycle is now repeating for a third time.

4.0 Code Amendment Assessment

The *Historic Area Statement Update Code Amendment* provides the following basis for the recommended identification of the Subject Property as a Representative Building:⁴

99 Palmer Place was the subject of an earlier review of 'objection properties' in North Adelaide for the Draft Heritage and Character North Adelaide Plan Amendment Report (PAR) by historian, Dr Peter Bell. Dr Bell in his report addressed later alterations and the fact that the original design has been disguised in the process, as follows:

"The original house of 1882 was a smaller and plainer house. In 1987 it was enlarged and re-fitted internally. The entrance was shifted from the side to the front, and the facade was altered to reflect this by the addition of the central gable. The front fence also dates from 1987."

The objection is supported by a heritage assessment from Danvers Schulz Holland Architects. Dr Bell advised, in part, as follows:

⁴ Ibid, p231

...The extent of the recent physical changes to this house are unexpected. They are not evident on casual observation, from which I conclude that they have been done with great sensitivity. As is usual with house extensions, the major changes have happened at the sides and the rear.

From the street aspect, while the verandah fabric, front door and its gable are all new, the overall house form presented by roof, verandah and chimneys clearly and accurately convey the house's function, social standing and period of origin.

I believe the objection overstates the effect of the physical alterations to the building. Despite the extent of the alterations, this is still unmistakably a stately Victorian house, and faithfully reflects the spirit of its time of original construction.

Recommendation - The objection does not overturn the local heritage value of the property. It is recommended that it remain in the Schedule of Local Heritage Places."

Although the 2005 review process did not ultimately result in Local Heritage listing of the dwelling, it is considered that the dwelling does represent historical development of the area and therefore is worthy of Representative Building status.

Matters arising from the above summary will be considered later in this report.

5.0 Updated Historic Area Statement

As noted in the Code Amendment extracts provided in Section 2.0 above, Representative Buildings are places that represent, and demonstrate, the significant historic character described in the relevant Historic Area Statements.

99 Palmer Place is located within the North Adelaide Cathedral Historic Area (Adel 9). The updated Historic Area Statements for this locality identifies the following characteristics of identifiable historic, economic and / or social themes of recognised importance to the local area (as relevant to the Subject Property):

Eras, themes and context

Small cottages and worker housing, such as in Brougham Court, provide a contrast with the more substantial villas with Adelaide Park Lands frontage around Palmer Place and along Pennington Terrace and are indicative of the diverse social composition of the early resident population.

Eras

1837 to 1901 - Victorian period.

1901 to 1920s - Edwardian period.

1920s to 1942 - Inter-war period.

1950s plus - Post War Period.

**Architectural
styles, detailing
and built form
features**

Characterised by a range of architectural styles relating to North Adelaide's development as a residential village from the 1830s-1940s and from the 1960's with varying concentrations of styles localised to areas established by the prevailing patterns set by Heritage Places and Representative Buildings...

Roof pitch and forms and the design, form and composition of facades reflect traditional proportions of Heritage Places and Representative Buildings...

Design elements of a Heritage Place and Representative Buildings such as verandahs, roof forms or historic detailing maintain historic proportions and are not extended at the same alignment as the main face of the Heritage Places.

...

Victorian Houses (1870s to 1890s)

During this period of intensive development in North Adelaide, solid masonry houses of a range of forms and scale were constructed in large numbers. The detail on these houses is specifically derived from 'classical' Italianate sources, but the forms were varied, and included single fronted, symmetrically fronted, and asymmetrically fronted houses, some with bay fronted projections. Each of these forms could be single or two storey and all were built in a variety of sizes and scale. Houses in this period characteristically had verandahs with the roof most commonly of concave or convex form, and were typically constructed of bluestone, limestone or sandstone, often with side and rear walls of brick or rubble. Roofs were generally hipped in form, but with the asymmetrical style, the roof to the projecting bay could be gable ended or hipped. The vertically proportioned window and door surrounds were highlighted with either moulded render or brick dressings. The cast iron or timber posts to the verandahs were elaborated with moulded capitals and trim. Cast iron brackets and frieze decoration was used widely. Windows and doors were timber framed, and doors were typically four panelled, with fanlights and often sidelights.

...

Post War Housing (1950s plus)

During this period a range of new styles became popular. The styles constructed in North Adelaide included Old English and Georgian Revival. Houses in these styles were constructed both before and after the Second World War and were either infill or replaced earlier houses...

6.0 The Subject Property

99 Palmer Place, North Adelaide, was originally built as a modest asymmetrical dwelling in 1882. The house presents to Palmer Place as single storey, with the ground floor originally consisting of four main rooms with a return verandah and entrance setback on its northern side. The front room on the southern side included a bay window to the street front.

The topography of the site falls steeply from Palmer Place, allowing a lower ground floor to open to the rear (east) of the site where the dwelling presents as two storeys.

As noted, the dwelling underwent a substantial upgrade in 1987 that substantially altered the form, scale and architectural detailing of the original dwelling.

The only early photographs able to be sourced of the original dwelling were those of its two storey rear frontage, taken as part of a panorama series from St Peter's Cathedral c1903. This photo tells little of the original building's front style, but does show the form and scale of its chimneys.



Figure 4: Rear two storey façade of Subject Property, c1903. Source: SLISA, part B_3595.

The only image able to be located of the front of the dwelling prior to its renovation is the sketch provided below. This sketch is believed to have been prepared for the real estate agent on the sale of the property to the current owners in the late 1980s.

While only a sketch, this image clearly illustrates the original modest asymmetric form of the dwelling as it presents to Palmer Place. Despite the verandah detailing being clearly not original (dating possibly c1940-1950), its form, returning to the northern side, likely is. This sketch also shows the original entrance setback off the return verandah to the northern (left) side and single bay window to the right.

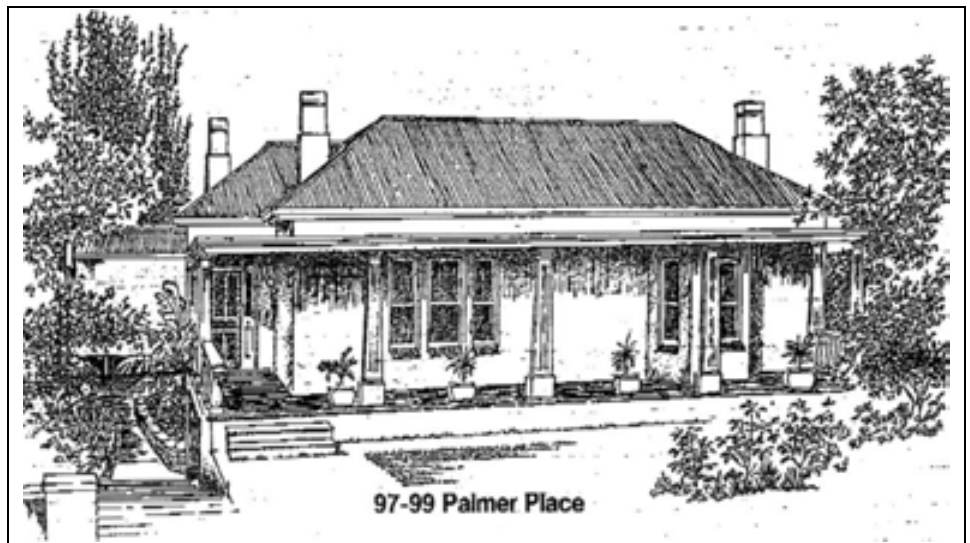


Figure 5: Real estate sketch of Palmer Place frontage of Subject Property, late 1980s.

As noted, extensive renovations were undertaken to the property in 1987 for the current property owners. These renovations sought to 'uplift' the scale and style of the dwelling from its modest origins to that of a more "stately Victorian House"⁵, with direct stylistic references based off St Helens, located at 48 Mills Terrace (Figure 9).

These renovations saw the majority of the front façade demolished and extended to the north, providing a new central entrance (to replace the original side entrance). A new bay windows was constructed to the left side of the frontage, and both were re-stylised to vaguely match the Mills Terrace example.

All of the door and window joinery have been replaced or replicated, while the front verandah was altered to accommodate a central entrance (rather than side), and again stylised to match the Mills Terrace examples.

The southern chimney's pot evident in c1903 image above (Figure 4) is missing, as is the original render detailing. The additions to the north saw the original northern (front) chimney removed and a new chimney provided in a different location.

The 1987 renovations also saw the front fence replaced, and reconfigured to provide a central entrance to the property.

These additions and alterations fundamentally reconfigured the Palmer Place presentation of the dwelling from a modest scale 1880s asymmetrical cottage to a 1980s symmetrical villa reproduction.

The extensive nature of these renovations also extended to the lower ground level, building interiors and the rear (eastern) elevation, all of which were notably expanded and reconfigured.

⁵ Ibid, p231

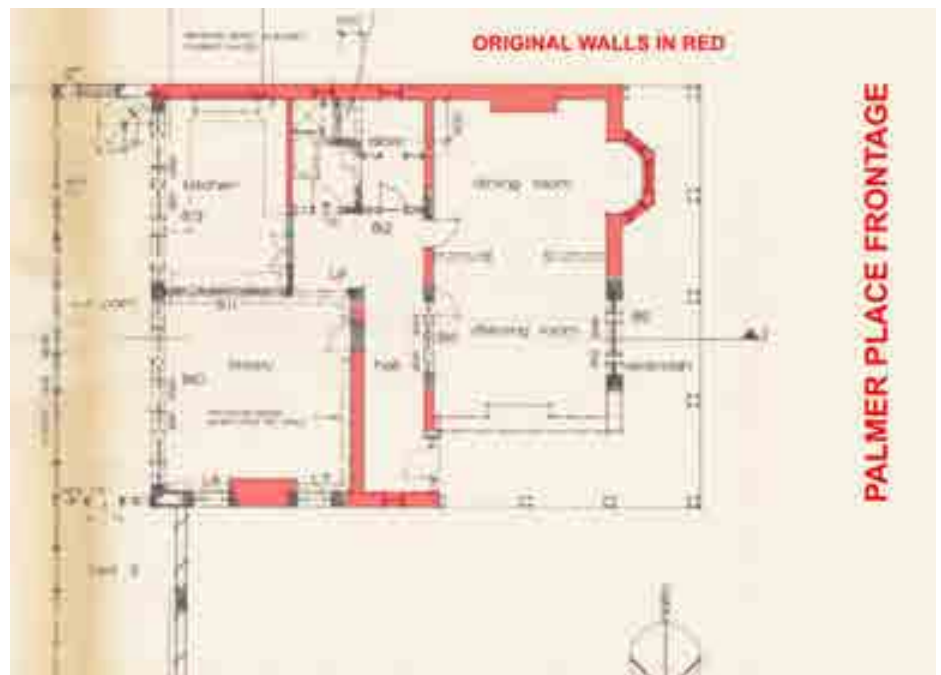


Figure 6: 1987 architect's documents showing ground floor demolition plan, showing retained walls in red

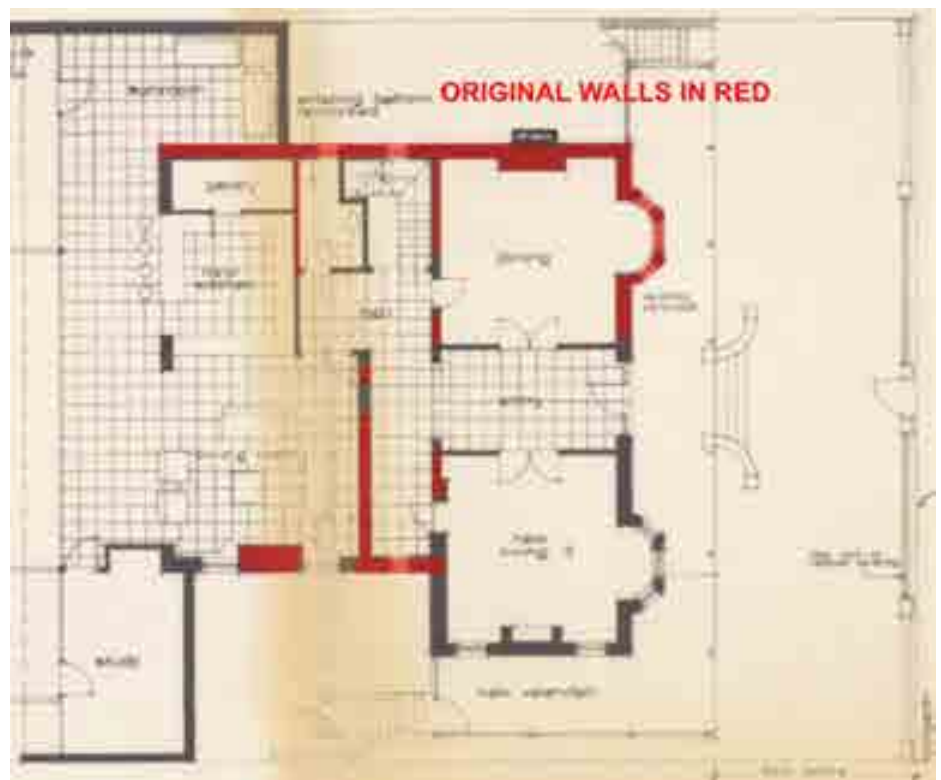


Figure 7: 1987 architect's documents showing new ground floor plan, showing retained walls in red.



Figure 8: Extent of original 1880s dwelling shown in red.



Figure 9: 48 Mills Terrace, North Adelaide, after which the remodelling of the 99 Palmer PI was modelled.

While the remodelling of 99 Palmer Place was undertaken to high standards, the execution lacks the finer detail, balanced proportion and finesse of the original, making it clearly evident as a c1980s reproduction on any reasonable inspection.



Figure 10: 1980s reproduction verandah detailing on 99 Palmer Place



Figure 11: Higher level of ornamentation, detail and proportion of 55 Mills Terrace, upon which 99 Palmer Place is based



Figure 12: 1980s reproduction render detailing on 99 Palmer Place



Figure 13: Detail and proportion of 55 Mills Terrace, upon which 99 Palmer Place is based

7.0 Historic Character Assessment

Historically, the Subject Property presents to Palmer Place as a relatively modest asymmetrical cottage with returns verandah and side entry. The 1980s renovations have modified the scale, form and detailing of the dwelling such that it retains very low integrity. As a result of these works, 99 Palmer Place now presents as a 1980s reproduction of a symmetrical "stately Victorian Dwelling".

The only portions of the original building as it presents to the street are:

- sections stone wall: approx. 30% of the current façade
- the form of the southern bay window: windows themselves have been replaced and the bay has been re-rendered as a clear 1980s reproduction of St Helens (55 Mills Terrace).
- the roof form of the southern portion of the dwelling.

As a result of these works, very little of the original form and none of the original detailing as the building presents to Palmer Place remain. The style of the dwelling is best described as '1980s Victorian Reproduction'.

The *Historic Area Statement Update Code Amendment* identifies the following key factors in assessing potential Representative Buildings:

- The building style and era should be consistent with those assessed as significant in the Historic Area as per the revised Historic Area Statement.
- The building demonstrates historical theme/s important in the area.

An assessment of 99 Palmer Place against the building style and era, and historic theme/s of importance as identified by the amended Historic Area Statements is provided below.

Attribute	Discussion	Satisfied?
Era 1837 to 1901 - Victorian period.	In its original form the dwelling would have been representative of development from the Victorian period in the local area, but this is no longer the case as a result of the extensive alterations that were undertaken in 1980s. Very little of the original form and none of the original detailing as the building presents to Palmer Place remains. Similarly, the new building is not a representation of Victorian period development in the locality, but rather is a 1980s reproduction of a more "stately Victorian house" from another locality.	No

<u>Era</u> 1950s plus - Post War Period. Old English and Georgian Revival.	The vast majority of the dwelling as it presents to the street was constructed in 1980s however this is not generally considered to be the post-war period. The style of the dwelling can best be described as "1980s Victorian reproduction"	No
<u>Housing Type</u> Small cottages and worker housing, such as in Brougham Court, provide a contrast with the more substantial villas with Adelaide Park Lands frontage around Palmer Place and along Pennington Terrace and are indicative of the diverse social composition of the early resident population	The historic form of 99 Palmer Place followed a similar pattern of development to other 'notable' streets where the topography fell away from the road: presenting as a relatively modest dwelling to the street front, with the remaining dwelling presenting to the rear of the site in two storey form. This pattern was shared with other properties along Kingston Terrace (North Adelaide) and Edwin Terrace (Walkerville) to name a few. As a result of this site topography, the Subject Site did not share the same street presence or grandeur as other early development along Palmer Place, particularly those on higher flat land. The renovations undertaken in 1980s fundamentally altered the scale, form and nature of dwelling presenting to Palmer Place, deliberately replicating a more "stately Victorian house" from another locality. As a result, the current dwelling on the site is not representative of the nature of development historically found in this portion of Palmer Place.	No
<u>Roof Form</u> Roof pitch and forms and the design, form and composition of facades reflect traditional proportions.	1980s renovations have fundamentally altered the roof form, façade composition and original proportions of the building, with only approximately 30% of the original building form remaining to the Palmer Place frontage. While the wall height and roof pitch remain consistent with traditional proportions, the overall composition retains very low integrity and can best be described as "1980s Victorian Reproduction".	No

<u>Vernadachs</u> Verandahs, roof forms or historic detailing maintain historic proportions. Verandahs with the roof most commonly of concave or convex form. The cast iron or timber posts to the verandahs were elaborated with moulded capitals and trim. Cast iron brackets and frieze decoration was used widely.	The current verandah form and detailing is 1980s Victorian reproduction, being based on the more "stately Victorian House" located at 55 Mills Terrace (St Helens). An inspection of this reproduction clearly indicates it lacks the finer detail, balanced proportion and finesse of the original.	No
<u>Stonework</u> typically constructed of bluestone, limestone or sandstone, often with side and rear walls of brick or rubble	While the Palmer Place frontage is constructed of bluestone, only approximately 30% is original. The remainder has been reconstructed utilising either salvaged or newly sourced material	Partially
<u>Windows</u> The vertically proportioned window and door surrounds were highlighted with either moulded render or brick dressings. Windows and doors were timber framed, and doors were typically four panelled, with fanlights and often sidelights	None of the windows or doors as they present to Palmer Place are original. The new entrance doors with side and fan lights were installed in the 1980s, as was the left side bay window. While the bay window form remains original, the timber windows therein date 1980s, as does the reproduction render dressing. It is likely the original bay windows was finished with simpler detailing to the present.	No

8.0 Summary

The assessment by Peter Bell in response to the 2005 Local Heritage review that *"despite the extent of the alterations, this is still unmistakably a stately Victorian house, and faithfully reflects the spirit of its time of original construction"* is patently untrue. 99 Palmer Place is clearly not a *stately Victorian House*, but rather a 1980s reproduction of one. It stands as a historically inaccurate representation of an era of development from another locality.

In summary, 99 Palmer Place fails to adequately display any of the attributes identified by the amended Historic Area Statements, with the possible exception of the use of bluestone in its facades. Even in this instance, however, 70% of this material has been reconstructed to a different layout in either salvaged or newly sourced material, so lacks any integrity to the original era of construction.

Accordingly, there is no basis for the inclusion of 99 Palmer Place as a Representative Building in the City of Adelaide *Historic Area Statement Update Code Amendment*.

These findings remain consistent with the two prior reviews undertaken by Council in 1993 and 2005, that saw any pursuit of Local Heritage listing rejected.

9.0 Further Discussion

The Historic Area Overlay within the Planning and Design Code offers additional guidance regarding the suitability of recognising 99 Palmer Place as a Representative Building.

Performance Outcomes 7.1, 7.2 and 7.3 all generally seek buildings and structures that *demonstrate the historic characteristics as expressed in the Historic Area Statement* to be retained.

The Code does provide limited circumstances, however, where demolition is contemplated, namely:

Performance Outcome 7.1 notes:

Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished, unless:

- (a) the front elevation of the building has been substantially altered and cannot be reasonably restored in a manner consistent with the building's original style*
- (b) the structural integrity or safe condition of the original building is beyond reasonable*

While PO7.1(b) would clearly not be satisfied for the Subject Property, the extent of alteration undertaken in the 1980's would almost certainly stratify (a). The scale and extent of alterations were extensive, and included the demolition and reconstruction of the majority of the façade to a different form, scale and style. The extent of alteration is so great that it *cannot be reasonably restored in a manner consistent with the buildings original style*, and accordingly PO7.1(a) would support any demolition of the place.

Even in the circumstance where reconstruction might be contemplated, there appears to be no specific details of what the building's original style was in order to facilitate this. The only current located image of the Palmer Place frontage is a c1980s real estate sketch (Figure 5). While this sketch shows the original form and configuration of the building, it lacks any illustration of the original 1880s architectural detail that heavily characterised development of this era. This is particularly the case for the verandah that is clearly not original (c1940 - 1950s).

The demolition of 99 Palmer Place would also be supported by Performance Outcome 7.3 which notes:

Buildings or elements of buildings that do not conform with the values described in the Historic Area Statement may be demolished.

As outlined in detail in the above assessment, 99 Palmer Place is not representative of the *values described in the Historic Area Statement*, but rather is a representation of a '1980s Victorian Reproduction'. For these reasons PO7.3 would support the demolition of the place.

The above noted provisions provide clear guidance, and a very high threshold, for any demolition of places within Historic Area Overlays. 99 Palmer Place satisfies these provisions. Any identification of the property as a Representative Building would be in direct conflict with these provisions.

From: James Hilditch <james@hilditchlawyers.com>
Sent: Friday, 6 December 2024 4:41 PM
To: PDCSA Amendments
Subject: Submission - Historic Area Statement Update - Code Amendment (66 Mills Terrace, North Adelaide) Reference: VS2023/4554
Attachments: doc20241206152919.pdf; Danvers Report 4 Dec 24.pdf

Dear Sir/Madam

I act for Hib Pty Ltd in relation to the above property.

Please see attached:

1. A submission prepared on behalf of my client dated 6 December 2024 in response to the Historic Area Statement Update Code Amendment.
2. An accompanying report prepared by Mr Danvers dated 4 December 2024 referred to in the submission together with a copy of the report of Mr Danvers dated July 1993 (referred to in both his report and the submission).

Please contact me if you have any queries on 0419 874 289.

Kind Regards,

James Hilditch



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6 December 2024

Ms C McDonnell
Manager, City Planning & Heritage
City of Adelaide
GPO Box 2252
Adelaide SA 5001

Dear Ms McDonnell

**Historic Area Statement Update – Code Amendment
Submission - 66 Mills Terrace, North Adelaide**

I act for Hib Pty Ltd, the trustee of the Walrut Family Trust (**Hib**), in relation to the property located at 66 Mills Terrace, North Adelaide (**Property**). I am taking instructions from Dr Bernie Walrut.

My client has provided me with a copy of your letter dated 18 October 2024 in relation to the above property, and more particularly the proposals within the Historic Area Statement Update Code Amendment concerning the property, and has instructed me to respond on its behalf.

This letter, and the attached reports prepared by Associate Professor Ron Danvers form my client's written submission in response to the draft Historic Area Statements Update Code Amendment, and in particular the proposal to nominate the above property as a Representative Building which is opposed.

Client's Position and Summary of Reasons

1. My client opposes the inclusion of the building (**Building**) on the Property as a Representative Building in the proposed Historic Area Statement Update Code Amendment (For Consultation) October 2024 (**Code Amendment**).
2. In making its objection, my client notes that the Building has already previously been rejected for listing as a Local Heritage Place on more than one occasion and I will deal with that history below.

3. My client's position is supported by the **enclosed** Report of Associate Professor Ron Danvers LFRAIA, MICOMOS of 4 December 2024 (**Danvers24 Report**) and in particular the following statements:

It is my view that the subject building does not meet the criteria for designation as a Representative Building, because it is one of a small eclectic group of buildings in what is otherwise one of Adelaide's finest extensive group of Victorian mansions, a typology and style that dominates the Historic Area. The subject building is an outlier stylistically in a small eclectic grouping, overwhelmed by the dominant character of the locality. I recommend that 66 Mills Terrace not be designated as a Representative Building as proposed. ...

I note from page 218 of the Code Amendment document that a Representative Building "should exhibit significant historic themes and attributes of character based on the relevant Historic Area statement in the Planning and Design Code". In my opinion it does not do so.

Location and Zoning

4. The Property is located within the City Living Zone and the North Adelaide Low Intensity Subzone. It is also located within a number of Overlays under the Planning and Design Code (**Code**) including the Historic Area (Adel 1) Overlay and the Heritage Adjacency Overlay.

Representative Building

5. The term "Representative Buildings" is defined in Part 8 of the Planning and Design Code as follows:¹

Representative buildings referenced in Historic Area Statements and Character Area Statements and mapped in the South Australian Planning and Property Atlas are buildings which display characteristics of importance in a particular area. The identification of representative buildings in a particular area is not intended to imply that other buildings in an historic area are not of importance

6. It is simply not to the point that the dwelling can be described as being representative of the Inter-War Spanish Mission Style. All buildings of this age can be described as being representative of one particular style or another – but they should not and cannot all be designated as Representative Buildings for that reason alone. The real question is – does the building display characteristics of importance in a particular area? In other words, does this Spanish Mission Style dwelling display characteristics of importance in this particular area? Dr Bell's observations, as referred to at page 224 of the Code Amendment, do not deal with this question at all.
7. Associate Professor Ron Danvers is of the view the Building is one which sits within an eclectic mix of buildings which are overwhelmed by the

¹ Page 4967 Planning and Design Code – 7 November 2024 – Version 2024.20/

dominant character of the locality which is comprised of Victorian dwellings. It simply does not display characteristics of importance in this area.

Code Amendment - Code Policy

8. Attachment C2 Part 3 sets out the proposed changes to the relevant statements including in respect of Adel 1. Most is of no relevance to this Property, other than possibly:

- 8.1 Allotments, subdivisions and built form patterns in respect of Mills Terrace states:

The residential streetscape is of high quality and the historic character is derived from the Adelaide Park Lands frontage and the low density one and two storey detached grand residences on large allotments set within a spacious garden setting including landscaped front gardens.

The historic dwellings are well setback from the street frontage and the rhythm and pattern of their siting contributes to the historic character.

As the opening sentence highlights the historic character is derived from the Park Lands frontage. The street is generally comprised of low density one and two storey detached grand residences on large allotments set within a spacious garden setting including landscaped front gardens.

As described in the various reports of Associate Professor Ron Danvers, the Building is part of an infill development, it is out of place in *one of Adelaide's finest extensive group of Victorian mansions*.

The Building is not set on a large allotment within a spacious garden setting including landscaped front gardens. It is part of a cluster of outlier infill dwellings including two recent town houses described below. Also, as described below, there is now a front hedge and large gates to deter intruders.

- 8.2 In terms of Architectural styles, detailing and built form there is fleeting reference in inter war homes to Spanish Mission styles, noting they are not so common, highlighting their outlier nature.

Current Basis and Use of Dr Bell's Report

9. The only basis put forward in the Code Amendment in support of the Building for the inclusion as a representative building is the report obtained by the Adelaide City Council (ACC) from Dr Bell in 2005 in response to an objection that the Building be included as a Local Heritage Item (**Dr Bell's**

Report),² desktop and drive through surveys,³ a peer review by heritage architects of the ACC and by Grieve Gillett Architects.⁴

10. No report is presented that considers the Building against the current criteria for a “representative building”. It is therefore further submitted that as the Building has not been properly assessed against the current criteria, any basis for its current inclusion must be fundamentally flawed and cannot support its inclusion.⁵
11. There is in parts of the Code Amendment references to desktop and drive through survey⁶ and a peer reviews by heritage architects of the ACC etc,⁷ but nothing further is presented in the Code Amendment in respect of the Property and Building⁸ as a consequence of such review or that supplements the prior advices apparently relied on.⁹ It simply does not satisfy the internally inconsistent statement appearing in the Code Amendment as follows:¹⁰

Inclusion of previous research, with a few minor refinements, will support a consistent and fuller understanding of important built-form characteristics. It should be supplemented by other descriptive content including on a street-by-street basis, given that existing street-by-street entries the current Historic Area Statements tend to be sparse or incomplete.

12. The Danvers24 Report does contain the descriptive content in respect of the surrounding buildings and why the Building does not conform to the significant built form characteristics of this part of Mills Terrace.
13. The Code Amendment indicates that a peer review of the draft Historic Area Statement was undertaken by Grieve Gillet Architects.¹¹ A copy of that Review is said to be Attachment G to Code Amendment but was not attached and available for download.¹²
14. The relevant Key Factors described in the Code Amendment in the assessment process are said to be:¹³
 - 14.1 *The building style and era should be consistent with those assessed as significant in the Historic Area as per the revised Historic Area Statement.*

² Code Amendment p 224.

³ Code Amendment p 202. A viewing from the street Code Amendment p 218.

⁴ Code Amendment p 202.

⁵ That is apart from Danvers24 Report.

⁶ Code Amendment p 202.

⁷ Code Amendment pp 213-214.

⁸ Code Amendment p 224.

⁹ Code Amendment p 214.

¹⁰ Code Amendment p 214.

¹¹ Code Amendment p 15.

¹² My client has also expressed concern about that. Grieve Gillet Architects were used by my client to advise on work carried out to the kitchen and laundry to the rear of the Building and in the end my client expressed dissatisfaction with their engagement and disputed their final payment.

¹³ Code Amendment p 218.

The Danvers24 Report refutes the applicability of this factor to the Building.

14.2 *The building demonstrates historical theme/s important in the area.*

Nothing in the Code Amendments description supports this factor. Matters of historical theme and importance were considered extensively in the Danvers 93 Report, again in the Danvers04 Report¹⁴ and the Danvers24 Report.

14.3 *For dwellings (whether converted to another use or still residential) there is visual continuity with buildings with similar characteristics in the streetscape, noting that this is a matter of fact and degree and can still occur where there is intervening development of another era in the same street or section of a street.*

The Danvers24 Report refutes the applicability of this factor to the Building. As Associate Professor Danvers says, it is an eclectic building out of place in *otherwise one of Adelaide' finest extensive group of Victorian mansions.*

Dr Bell's Report

15. Further, it is now put forward that a report prepared some 19 years ago in respect of the Building by Dr Bell can now be relied upon. Not only is that Report now very much dated but it also overlooks the fact that Dr Bell's Report was rejected by the Council in its deliberations that led to the gazettal of the PAR on 30 March 2006.
16. Dr Bell's Report was also further rejected by the Local Heritage Advisory Committee that undertook a further review in September 2006 on reference from the then Minister of Urban Development and Planning. The Building was not listed after the review undertaken by that Committee which not only received further submissions but conducted a hearing.
17. My instructions are that my client has no recollection of being provided with a copy of Dr Bell's report or being afforded an opportunity to comment on it at the time.
18. My client obtained a copy from the ACC on 11 November 2024. My client also asked that day whether there "Is there any general introduction or discussion preceding the discussion of the individual properties that adds any relevant context that would assist me." My client has never received a response to that request. Accordingly, the following comments are limited to the information provided in the relevant extract of Dr Bell's Report.
19. By way of some background, in mid-1993 the ACC proposed to list the Building as an item on the list of Local Heritage Places. The Danvers93 Report (copy **enclosed**), which was obtained in response to that proposed listing, sets out much of the background in respect of such proposed listings.

¹⁴ See later.

20. The Danvers93 Report considers the criteria for the listing of buildings as items on the list of Local Heritage Places. The Danvers93 Report considers the application of the criteria to the Building. The Danvers93 Report concludes that the Building did not satisfy the criteria. The Building was not listed.
21. In 2004 McDougall & Vines provided a recommendation to the ACC prior to Dr Bell's Report that the Building and now the fence be listed as an item on the list of Local heritage Places. The McDougall & Vines report makes no mention of the Danvers93 Report notwithstanding it was provided to the ACC in 1993 and led to the Building not being listed.
22. In response to the ACC's proposal in 2004 a further report was obtained from *Associate Professor Ron Danvers* dated 16 November 2004. He referred to his 1993 report and stated that the basis previously put forward for the Building not being listed are still valid.
23. Dr Bell's Report did not assess the Building against the criteria for including the Building in the Schedule of Local Heritage Places. Dr Bell simply states that it a good representation of a style and has heritage value. The Danvers93 Report considered each of the criteria and provided reasons as to why the Building did not satisfy the criteria. It was again supported in 2004 by a further report from *Associate Professor Ron Danvers* which again rejected the inclusion. Dr Bell's Report should again be rejected.

Listing Must Again Be Rejected – Three Prior Rejections

24. As already described, in 1993 the ACC proposed that the Building be listed as an item on the list of Local Heritage Places. After submissions at that time it was accepted by the ACC that it was not appropriate to list the Building as a Local Heritage Place.
25. Again in 2004 the ACC proposed to list the Building and the fence as an item on the list of Local Heritage Places. After submissions at that time it was accepted by the ACC that it was not appropriate to list the Building as a Local Heritage Place.
26. In September 2006 the Minister for Urban Development and Planning sought the advice of the Local Heritage Advisory Committee as to whether the Building and the fence should be listed as a Local Heritage Place. After submissions at that time, it was accepted by that Committee that it was not appropriate to list the Building as a Local Heritage Place.
27. Whilst the criteria for including the Building as a Representative Building are somewhat different, they nonetheless speak of *building[s] which display[s] characteristics of importance in a particular area*. The Danvers24 Report highlights why that is simply not the case in respect of the Building and why it does not meet the current criteria.
28. As the Statement of the Need for Amendment also highlights:¹⁵

¹⁵ Code Amendment p 7.

The former Adelaide (City) Development Plan did not include Contributory Items. Instead, a Townscape List defined buildings that contributed to historic streetscape character in Adelaide and North Adelaide. As part of the conversion of the former Development Plan to the Code, the Townscape List items in Adelaide and North Adelaide were converted to Local Heritage Places.

29. The Building was never regarded as a Local Heritage Place or as contributing to the historic streetscape character. This is unsurprising having regard to the streetscape as described in the Danvers24 Report.

30. Statement of the Need for Amendment further highlights:¹⁶

Greater clarity regarding the buildings' contribution to historic character is appropriate. This is achieved by updating the relevant Historic Area Statements to describe historic character attributes of significance and defining Representative Buildings which display relevant attributes.

31. Both the Danvers24 Report and Associate Professor Ron Danvers previous reports have repeatedly emphasised that the Building does not exhibit *historic character attributes of significance* nor constitutes a *Representative Buildings which display relevant attributes*.
32. Further, my client has instructed me that there are some practical aspects that further support why the Building should not be included as a representative building, some are which also mentioned in the Danvers93 Report and expanded on below.

Building – Some Practical Matters

33. My client has described in some detail the impracticality of this Building and I am instructed accordingly. The internal layout and workings are impractical and simply do not work with a standard family (two adults and two children). The Building was apparently built for a retiring publican couple in the late 1920s and it has become an impractical eclectic dwelling.
34. As Danvers93 Report notes *"The building has many oddities, such as the awkward meeting of the stair and ceiling, the uncomfortably low ceiling height on the west external porch, and the poor internal arrangements of the stair and bedrooms."* These difficulties and others impact on a daily basis. The facilities and internal workings are simply not adequate for a modern home and modern family. Most builders (and sometimes other trades) on entering the Building to undertake any work query whether it is better to demolish the Building and start again, consistent with Danvers93 Report.
35. In more recent years, some works have had to be carried out as Dr Walrut has aged. A conservatory bathroom was placed on the southern porch to provide those basic facilities upstairs. Until then such basic facilities did not exist upstairs and stairs involved high risk at night.

¹⁶ Ibid p 8.

36. Up until 1992 or thereabouts the Southern porch had a view and the benefit of adjoining open space as described further below. That porch simply now looks into a small courtyard and windows of the adjoining townhouses. That porch is over a driveway that is not wide enough for many modern vehicles and therefore access to the garage has become impractical.
37. The kitchen and laundry were renovated in a manner that included an open space verandha under the main roof being utilised, to make them a little more practical.¹⁷ More extensive gates and a hedge were required to further deter intruders and break ins that have occurred over many years as described below.
38. The western porch does not work and is not utilised. It is currently a waste of space. On a number of occasions advice has been taken as to how it can be modified to be better utilised. In any modernisation of this dwelling that will require consideration, if indeed practical. Most changes for that purpose will impact on the appearance of the front of the dwelling.
39. In the late 1980s, in preparation for the painting of the external building, my client arranged for some of the rendering to be repaired by tradesmen fully familiar with that type of work. Those engaged found it a very difficult task. Attempts to remedy an area induced adjoining areas of render to fall off. Any wholesale work of this nature appears impractical unless replacement of most of the render is accepted. Once again this will lead to a significant alteration of the external appearance. This again occurred more recently in respect of parts of the southern porch and part of the Western porch prior to repainting.
40. The roof has developed various leaks over recent years. Sometimes tiles have deteriorated, sometimes the guttering has been found to be inadequate or deteriorated or both (particularly the box guttering), sometimes the drainage system for those waters has been inadequate.
41. The fence was inadequate for a dwelling fronting a public open space. This was addressed, for the time being by a hedge and much taller gates. In the period of occupation of this dwelling my client has suffered various burglaries, break-ins and prowlers. On one occasion a motor vehicle was stolen from the driveway (and crashed into one of the gates and pillars of the fence, on the way out). On another occasion white goods were stolen from an external laundry. My client suspects it would have been much worse if it were not for the fact that for many of the earlier years he had a German Shepherd.
42. With the construction of the dwellings on the allotment adjoining the premises to the south in the early 1990s, the dwelling on 66 Mills Terrace has been significantly overshadowed (also see the Danvers93 Report and the Danvers24 Report). Furthermore, there is no separation between those dwellings and the land on which this dwelling is constructed. Objections to the construction of the adjoining dwelling and the impact it would have were not accepted by Council at the time. There was previously a very small and simple dwelling on that adjoining land which helped to provide more

¹⁷ Grieve Gillett Architects were retained to assist with this.

open space and presence for this dwelling. That no longer exists. Those dwellings further accentuated the oddity of the Building.

43. Any redevelopment of this Property is likely to lead to a practical dwelling more in sympathy with the surrounding dwellings and the overall character and status of Mills Terrace rather than this eclectic, out of place, odd, impractical and poorly designed dwelling.

Concluding remarks

44. The proposal seeks to, in effect, further impede the alteration of the current character and nature of much of Mills Terrace, whether beneficial or otherwise. Of approximately 40 dwellings it appears about 25 are already items on the Local Heritage list, 9 are modern, leaving only a small number, of which 2 are now proposed to be representative buildings.

The proposal should allow for suitable development (whether by division or built form) to be undertaken and to be assessed at the time without the unwarranted constraints contemplated by the further provisions proposed in the Code amendment in respect of the Building.

I am instructed to request the opportunity to be heard in support of this submission should the opportunity arise.

Please contact me if you have any queries or if you require any further information.

Yours Faithfully,



James Hilditch

james@hilditchlawyers.com

Our Ref: JRH.000884

Your Ref:

James Hilditch,
Hilditch Lawyers
Level 1 24 Grote Street,
Adelaide SA 5000.

December 4, 2024.

Dear Mr. Hilditch

Re: 66 Mills Terrace, North Adelaide, Proposed Representative Building

I refer to your instructions, on behalf of Hib Pty Ltd, in relation to the proposed listing of its dwelling at 66 Mills Terrace, North Adelaide as a "Representative Building". The relevant location of the subject property is at the end of the document.

It is my view that the subject building does not meet the criteria for designation as a Representative Building, because it is one of a small eclectic group of buildings in what is otherwise one of Adelaide's finest extensive group of Victorian mansions, a typology and style that dominates the Historic Area. The subject building is an outlier stylistically in a small eclectic grouping, overwhelmed by the dominant character of the locality. I recommend that 66 Mills Terrace not be designated as a Representative Building as proposed. I will expand on my reasons below.

I confirm that I have reviewed and considered the following documents:

1. The letter from the City of Adelaide to Hib P/L dated 18 October 2024.
2. The Historic Area Statement Update Code Amendment (for consultation) dated October 2024 (and in particular pages 25 and 218 and the Hill Street Historic Area (Adel 1) Statement including at pages 221 and 224 which specifically refer to the property).

I have undertaken a fresh inspection of the surrounding locality for the purposes of preparing this report.

I have considered the definition of the term "Representative Building" in Part 8 of the Planning and Design Code and I have also considered the four "key factors considered in the assessment process" set out at page 218 of the Code Amendment document.

Furthermore, I have reflected on the opinion which I expressed in relation to the same building back in 1993 in response to a proposal to have it listed as a Local Heritage Place back then. I attach that opinion accordingly. Nothing material has since changed in my opinion.

I note from page 218 of the Code Amendment document that a Representative Building "should exhibit significant historic themes and attributes of character based on the relevant Historic Area statement in the Planning and Design Code". In my opinion it does not do so.



66, Mills Terrace: The Subject Property

Further to the documents above, I have also considered the usual meaning of the term “representative”. The dictionary definition of the word ‘representative’ is: typical of a class, group or body of opinion. If applied to one building in a group of buildings in a locality, one might expect shared characteristics. That is to say, the building might be described as being typical of the buildings in the locality.

This raises the question of the degree to which a building can be described as being typical in an eclectic mix of buildings – being typically eclectic. It is not entirely absurd to be of the view that a building could be typical of an eclectic mix of buildings, but does this characteristic satisfy what is intended if a significant part of a locality is characterized by buildings that are of a predominant but different character, not as eclectic as the relevant Historic Character Statement, as revised, describes? In my view there would need to be a reasonable distribution of eclectic character in a locality of some kind, relative to the Historic Area Statement, against which the typicality of an eclectic candidate for designation as a Representative Building can be measured. If this does not exist, then it is difficult to imagine how such a designation can be ascribed. Mills Terrace has a dominant character of Victorian two storey dwellings and fewer single storey dwellings, in what is sometimes erroneously referred to as Adelaide Georgian style.



View South: Showing Predominant Character of Locality

It is a fact that in the immediate vicinity of the subject building at 66, Mills Terrace there are other buildings that are more eclectic in character, but this is not the dominant character of the locality. The dominant character of the locality is an outstanding one, being represented by an unusually large group of Adelaide's finest early Victorian mansions.



Adjacent South

The property to the immediate south, 62 Mills Terrace, I am instructed was erected in about 1993. It was the result of the subdivision of the block that fronted both Mills Terrace and Molesworth Street.



View North – 84 Mills Terrace: Predominant Character Returned

In the example of 66, Mills Terrace, the mix of buildings in its immediate vicinity is eclectic, but this is nothing when compared with the greater number of fine buildings in the dominant character of the Historic Area not only in terms of architectural character, but also in their landscape settings.



Adjacent North: 68, Mills Terrace

The property at 68 Mills Terrace, which is the property that is immediately adjacent to the North of the property at 66 Mills Terrace, was built in around the early 1920s and was redeveloped about ten years ago but generally the frontage and garden were retained. It is one of a small eclectic group of properties.

The property at 73 Mills Terrace, which adjoins 68 Mills Terrace to the North is another in a small eclectic group of properties.



Adjacent North But One: 73 Mills Terrace.

In conclusion, the subject building has been rejected previously from listing as a Local Heritage Place. It also does not, in my opinion, exhibit the qualities of a “Representative Building” as outlined at page 218 of the Code Amendment document. It does not exhibit significant historic themes and attributes of character based on the predominant character of the locality as intended in the relevant Historic Area Statement.

Sincerely,

Ron Danvers

Associate Professor Ron Danvers LFRAIA, MICOMOS.

danvers.studio - architects

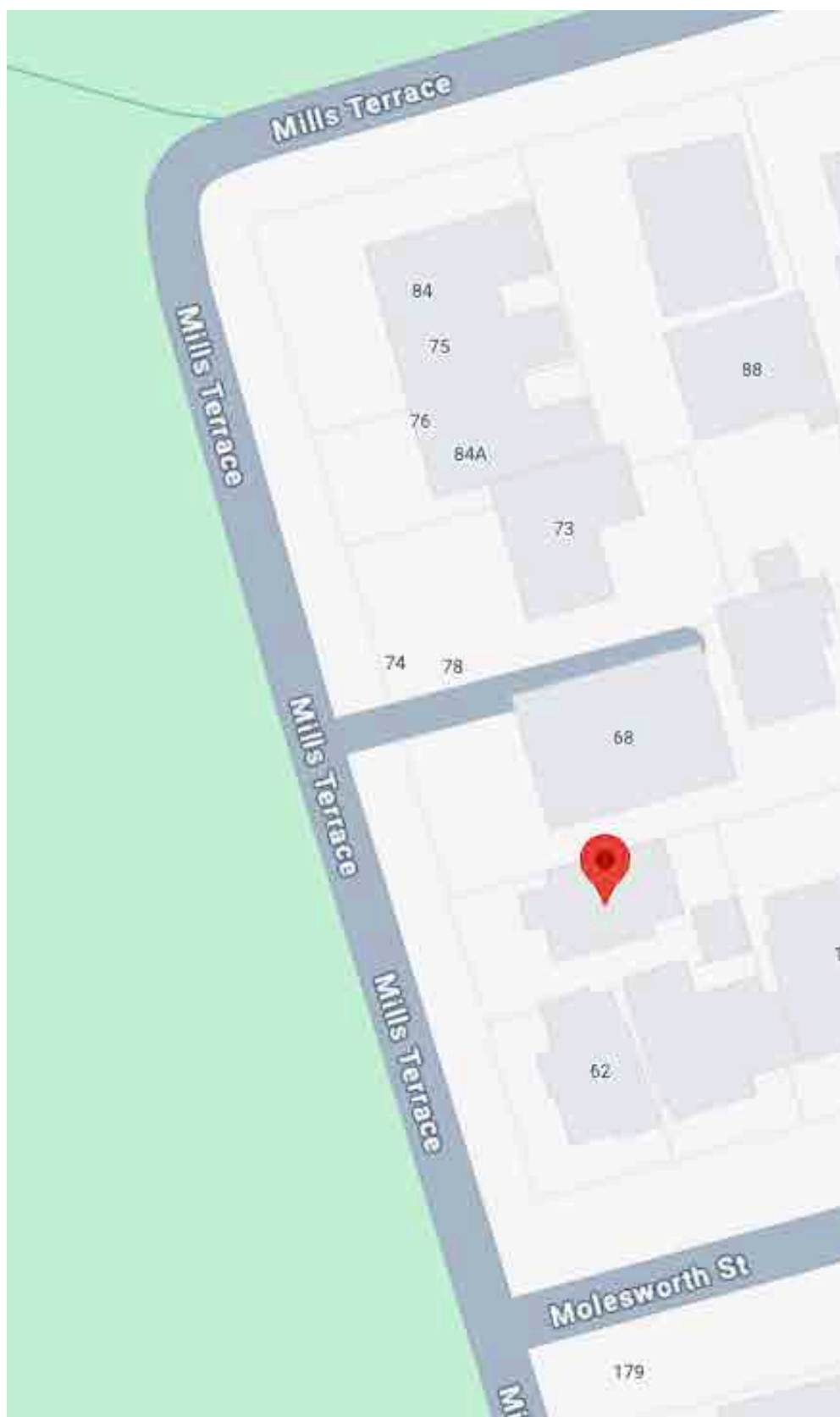
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The relevant stretch of Mills Terrace.



**REPORT ON
LOCAL HERITAGE SIGNIFICANCE**

**64-66 MILLS TERRACE
NORTH ADELAIDE**

**DANVERS
ARCHITECTS**

204 Grenfell Street
ADELAIDE
South Australia 5000

JULY 1993

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APPENDIX I Photographs

1. INTRODUCTION

Danvers Architects has been requested by Mr B Walrut, to prepare a discussion of the historic character of his property at 64-66 Mills Terrace. This is as a consequence of the Adelaide City Council's desire to list the property upon the proposed Adelaide Local Heritage Register.

The objectives of this study are as follows:

- to appraise the changing heritage objectives of the City of Adelaide, and whether these changes have any bearing on the assessment of the local significance of the place.
- to examine the basis for the current nomination of 64-66 Mills Terrace, Adelaide to the proposed City of Adelaide Local Heritage Register, and to determine whether the criteria have been adequately addressed;
- to assess the historic characteristics of 64-66 Mills Terrace against the Local Heritage criteria, while taking account of the integrity of the item.

The method for assessing the local value of a place nominated for the proposed Local Heritage Register is a list of criteria which has been adopted by the City of Adelaide and exhibited earlier this year. These criteria were established as part of the draft Development Bill 1993, but these have since been amended in the Bill's current draft (April 1993). The amendments are of some importance, with one of the original seven criteria, (g), being omitted and another, (d), being expanded to include consideration of aesthetic and design aspects, so as to now read:

It displays aesthetic merit, design characteristics or construction techniques of significance to the local area.¹

The Council has indicated that the original unamended list of criteria is to be retained as the basis for assessing the local significance of an item for the Adelaide Local Heritage Register. Consequently, it is proposed that a proportion of the nominated items have been marginalised by excluding consideration of aesthetic aspects which have been the principle basis for their nomination. The importance of this proposition to the nomination of 64-66 Mills Terrace warrants its elaboration as a part of this report.

¹ Development Bill 1993 (April draft), Part 3, Division 2, Item 23/4 (a-f).

2. HERITAGE EMPHASIS AND THE CITY OF ADELAIDE

In reviewing the heritage aims of the Adelaide City Council over the decade since the establishment of the Adelaide Heritage Register in 1983, a broadening of their objectives is evident. This section examines these changes and concludes that the Council's current heritage emphasis has been in recent times upon preserving and enhancing the character of the city.

The list of just over 400 items nominated for the original 1983 Adelaide Heritage Register were all of recognised significance, many of them being additionally nominated, or included on the Register of State Heritage Items and the Register of the National Estate. The Heritage Survey which had evolved this list, had assessed each item individually and generally confined the significance of the place to its particular site. Although each site was assessed in terms of its place in the local environment, the main thrust was to assess whether it was of significance in its own right. This was based on what was seen as the correct method of assessing significance at the time, but also on the perception of what Council would accept as recommendations for listing. This naturally reflected the composition of the Council at the time, as has been the case with subsequent changes in heritage aims.

The later expansion of the number of items included on the Adelaide Heritage Register was based upon a refashioned method of analysis. Items were additionally assessed upon whether they could, 'contribute significantly to the environmental, social or cultural heritage of the City,' or in other words, contribute as part of the general environment of the city. This was an early indication of the direction to be taken by Council's recent Townscape proposals, introduced as part of the new City of Adelaide Plan. Although engineered to be distinct from the existing Heritage Register, the intention of Townscape was to retain the heritage flavour of particular areas of the city by creating a new broad list of items. In emphasising the significance of the broader context to which an individual item contributes over the significance of the item itself, this amenity based initiative is implicit in demonstrating the changes in thinking of the Council.

While the City of Adelaide is currently in the process of establishing a Local Heritage Register, it is suggested that the heritage objectives, like the list of nominated items, is based upon the broad amenity aims which had been the foundation of Townscape. The criteria developed for assessing Local Heritage clearly supports this point of view.

3. LOCAL HERITAGE AND TOWNSCAPE

The nature of Adelaide's built environment lead to the heritage focus of the Townscape initiative, and it was seen by some to act as a de facto heritage register. Unlike a heritage register though, assessments of items were in theory made primarily upon their visual characteristics. In practice however, the lack of specific criteria lead to confusion between the Heritage and Townscape values of nominated items, resulting in discrepancies in the assessments and the eventual list.

The establishment of the City State Forum in late 1992 lead to the City of Adelaide proposal to relinquish the Townscape initiative, and in its place establish a Local Heritage Register based upon the criteria outlined in the draft Development Bill 1993. These criteria require consideration of broader aspects of an item, including its cultural, social, historical as well as environmental significance in relation to the locale.

Items which had been listed under the now defunct Townscape I and II have subsequently been nominated for the new Register. As the basis for the current nomination of 64-66 Mills Terrace is generally upon the character assessments of Townscape, this report will re-examine the significance of the property with respect to the criteria established for assessing Local Heritage.

4. HISTORICAL BACKGROUND

The plans for this unusual residence in Mills Terrace were approved by the Adelaide City Council during November 1928,² for Walter John Tame.³ Town Acre 849 had formerly comprised the grounds of the large residence facing Molesworth Street on the adjoining Acre 850.⁴ With the subdivision of the acre, Tame became the owner of the vacant allotment by the early 1920s.⁵ The residence was constructed to the designs of the architect F. Lancelot Blight, the tenders for which were to be received at his office

² TC Digest 1927-28, 12 November 1928, p407 (ACC Archives).

³ *ibid.*, see also Assessment Book 1925, Robt Ward, Ass. No.491 (ACC Archives) & 1931 Directory (Mortlock).

⁴ Assessment Book 1901, Robt Ward, Ass. No 453 (ACC Archives).

⁵ *ibid.*, 1925, Ass. No.491.

located in the Edments Building in Rundle Street.⁶ The successful tenderer, the builder AA Mann, of First Avenue, Sefton Park, was announced late in October 1928.⁷

The house was described in tender notices as a 'Spanish Residence', a style which was much in vogue during this particular period.⁸ Originally introduced to Australia as a response to our 'Mediterranean' climate,⁹ it became fashionable with the upper middle class who were looking for 'something different'.¹⁰ It later degenerated into symbolism applied to a standard plan in the later 1930s and 1940s when it became readily accepted by the population at large. The style is classified as appearing in Adelaide about 1929, making this Mills Terrace house an early example. At the same time, Blight designed another residence in a 'Spanish Mission' style on Greenhill Road at the new suburb of Linden Park Gardens.¹¹

Tame's residence was differentiated by its rendered walls, gable roof with terra cotta pipe vent, and the prominent two storey porch at the front and portecochere over the driveway on the south side. Although being of two stories, the upper floor primarily comprised two bedrooms which each opened onto the large external porches. Access was gained through a complicated stair arrangement with wrought iron balustrading, continuing the ambience of the design. Terrazzo were utilised externally as a floor finish under the porches.¹²

5. INTEGRITY

An inspection of the building has revealed that few, if any, changes have occurred to the original fabric as indicated by a copy of the original drawings held by the Adelaide City Archives. Evidence would therefore suggest that the integrity of the building has been preserved.

⁶ Building & Construction, 10 October 1928 p13, Vol.3 No.102 (Mortlock).

⁷ ibid., 31 October 1928 p15, Vol.3 No.105 (Mortlock).

⁸ ibid., 10 October 1928 p13.

⁹ JM Freeland, Architecture in Australia, 1968, p233.

¹⁰ JN Perwe & DM Rose, House Styles in Adelaide, 1981, p64.

¹¹ ibid., 21 November 1928 p9.

¹² Building Plan & Specification No.1819 (ACC Archives).

6. LOCAL HERITAGE ASSESSMENT

The situation concerning the criteria adopted by the City of Adelaide for assessing the local value of a place has previously been outlined in the *Introduction* of this report. Although the list to be utilised does not include the amendments made in the current draft (April) of the Development Bill 1993, the relevant amended criteria, (d), is additionally included as part of this assessment to allow for the benefit of comparison.

The assessment of 64-66 Mills Terrace is examined against each of these criteria as provided by the City of Adelaide. These are as follows:

6.1 (a) It displays historical, economic or social themes that are of importance to the local area

The Terraces overlooking the Parklands around North Adelaide have always been the location for some of the finer residences of noted Adelaide identities. The more remote Town Acres took longer to develop and the remaining sites, although still highly prized, were often acquired by individuals of lesser means and local influence. This residence is an example of one of these later homes. Its lack of context has in part been a result of its later construction and background of the original owner when compared to those buildings in the immediate vicinity. Although most of the original functions of the buildings in the locality remain, changing demographics have resulted in a diminishing of its former residential predominance.

6.2 (b) It represents customs or ways of life that are characteristic of the local area

The form and nature of the building are as a consequence of a wealthier suburban lifestyle, which in a less substantial form has become representative of Australian cities. This dwelling is no more representative or significant in this respect than other similar dwellings located throughout North Adelaide.

6.3 (c) It has played an important part in the lives of local residents

There is no evidence to indicate that this building has even been of an particular importance to the lives of local residents.

6.4 (d) It displays characteristic construction techniques traditional to the local area

This house is representative of a local building tradition only in its use of a solid masonry structure. In most other respects, its construction is of little interest and it is at odds with most other buildings in the local area.

As amended in the current draft of the Development Bill

(d) It displays aesthetic merit, design characteristics or construction techniques of significance to the local area

The building was described as 'Spanish' in style by the architect in the call to tenders. As with other examples of residences of this date, it breaks with more traditional planning, particularly with the side entry, portecochere, stair and bedroom arrangement. It is externally distinctive with its stucco finish and porches with their Hume concrete columns. Generally though, the external form displays few of the elements which help to distinguish residences of this style, and it does not create a particularly aesthetically pleasing composition. The only elements of the building which are of minor architectural interest are the ceiling in the study and the terrazzo paving of the ground floor porch and portecochere. The building has many oddities, such as the awkward meeting of the stair and ceiling, the uncomfortably low ceiling height on the west external porch, and the poor internal arrangement of the stair and bedrooms. These can only be seen as signs of poor planning, and seem to be a consequence of the architect attempting too much for the sake of the style. The date of its construction does place it among the early examples of this style genre in Adelaide, but an investigation of the building shows it is a poor example with little architectural or aesthetic significance.

6.5 (e) It is associated with a notable local personality or event

There have been no noted residents important to the locality associated with the house.

6.6 (f) It is a notable landmark in the area

Except for its lack of context with its neighbours, it has no physical or visual dominance which might warrant its consideration as a local landmark.

6.7 (g) It is regarded with high esteem or affection in the local area

This is a subjective matter and it is difficult to establish the feelings of the local community. There is generally affection for most buildings people have come to accept as part of their local environment, although the degree of esteem is more difficult to establish. As it appears the local community have had little other than passing contact with the building, any local feelings towards the building may originate from its remaining presence on Mills Terrace.

7. CONCLUSION

It is difficult to understand why this building has been nominated for the City of Adelaide Local Heritage Register. It rates very poorly against the criteria provided by the City of Adelaide and is a poor example of its type.

It can only be assumed that the only basis for nomination of this item is its external, aesthetic appearance which is remarkably out of context with its neighbours. Furthermore such aesthetic characteristics are specifically excluded from the criteria established by the City of Adelaide.

From: Peter Psaltis [REDACTED]
Sent: Thursday, 12 December 2024 11:33 AM
To: PDCSA Amendments
Cc: [REDACTED]
Subject: Historic Area Statement Update Code Amendment
Attachments: Letter to City of Adelaide.pdf; Annexures.pdf

Dear Ms McDonnell

Please find **attached** a submission lodged on behalf of the owners of 424 Gilles Street, Adelaide.

Could it be noted that although I am a principal at Norman Waterhouse (which acts for the City), I am acting in my personal capacity in this matter. To be clear, Norman Waterhouse does not act for the owners and it is not acting against the City.

Yours faithfully

Peter Psaltis

Principal



T [REDACTED] | M [REDACTED] | F 08 8210 1234 | W normans.com.au

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12 December 2024

City of Adelaide
25 Pirie Street
Adelaide SA 5000

Attention: Ms Colleen McDonnell, Manager, City Planning & Heritage

Dear Ms McDonnell

Historic Area Statement Update Code Amendment – objection to proposed listing of 424 Gilles Street as a representative building

1. I represent Stanley and Marian Psaltis, the owners of the property and house located at 424 Gilles Street Adelaide (CT 5278/435) (**the Owners**).
2. The Owners have been granted a short extension of time in which to lodge a submission in relation to the Historic Area Statement Update Code Amendment (**Code Amendment**), until the close of business on 13 December 2024. Thank you for that extension.
3. For the reasons set out herein, the Owners object to the proposed listing of the house as a representative building in Historic Area (Adel 14).
4. **SUMMARY OF THE OWNERS' POSITION**
5. The proposed listing is misconceived on at least the following grounds:
 - 5.1 first, an adequate foundation has not been laid for including the Inter-war period in the Historic Area Statement in the first place;
 - 5.2 second, even if the Inter-war period has been properly included, the building has been modified, which modifications have compromised its integrity;
 - 5.3 third, the building is not representative of dwellings of the Inter-war period; rather, it is an atypical example which does not represent relevant attributes of the Inter-war period as identified in the Historic Area Statement.
6. The Owners also take issue with the public notification process in that a crucial piece of information, namely 'Attachment G – *Grieve Gillett Architects 2024, City of Adelaide Historical Area Statement Code Amendment Review*' appears to have been omitted from the materials placed on public consultation.

7. PROCEDURAL ISSUE

8. On page 15 of the Code Amendment, it is said that the investigations included a peer review of the draft Historic Area Statements undertaken by Grieve Gillett Architects in 2024. We are told that review '*informed the final edit of the draft Statements in the draft Code Amendment.*'
9. Notwithstanding that this report was said to be 'Attachment G' to the Code Amendment, it was not attached as far as I can see.
10. In so far as reliance has been placed on the Grieve Gillett report, it should have formed part of the materials placed on public consultation. Failure to make the report available has denied the community an opportunity to review and respond to it. This has adversely impacted on the validity of the public consultation process.
11. The following submissions are made without prejudice to any argument that the Code Amendment process has miscarried.

12. INTRODUCTION

12.1 Representative Buildings Generally

- 12.2 The term 'representative building' is not found in the *Planning, Development and Infrastructure Act 2016*. As such, it has no statutory basis. Rather, the term exists wholly within the Planning and Design Code (**Code**) as figment of planning policy.
- 12.3 The term 'representative building' was, of course, devised during preparation of the Code, to replace the term 'contributory place' found in many Development Plans.
- 12.4 The listing of places as 'contributory places' was the subject of criticism by the Expert Panel on Planning Reform chaired by Brian Hayes QC. The Expert Panel recommended that contributory places should not be included into the new system for various reasons.¹ Respectfully, such criticism was not addressed by simply renaming them 'representative buildings.'
- 12.5 In any case, the purpose of listing a building as a representative building is described in the Code Amendment in the following terms (at page 218, with underlining added):

These are historic buildings which are not designated as a State Heritage Place or a Local Heritage Place.

A Representative Building should exhibit significant historic themes and attributes of character based on the relevant Historic Area Statement in the Planning and Design Code. This is predicated on the Statements being comprehensive and based on sound research, which is being addressed by this Code Amendment.

¹ Expert Panel on Planning Reform '*Heritage and Character in the Planning and Design Code – Report to the Minister for Planning*' December 2019

12.6 Importantly, what that statement confirms is that there are essentially two pre-conditions for the proper listing a representative building, namely:

12.6.1 there is a comprehensive Historic Area Statement (**HAS**) based on sound research; and

12.6.2 the building exhibits historic themes and attributes of character found in the HAS.

12.7 **Rationale for listing 424 Gilles Street as a representative building**

12.8 The rationale for the listing of 424 Gilles Street as a representative building is articulated on page 241 of the Code Amendment, in the following terms.

424 Gilles Street - proposed Representative Building (c.1925 residence)

The deeper building setback, and more generous size of the dwelling, site and garden reflect a transitional historic character influenced by proximity to East Terrace and the Park Lands edge at the south-eastern edge of the Historic Area in Gilles Street.

Immediately to the east are 432 and 440 Gilles Street, Local Heritage Places on the eastern perimeter of Historic Area Adel 14 – see photos below. On the southern side of Gilles Street opposite are other larger-scale residences which are heritage listed.

12.9 For the reasons that follow, it is submitted that both pre-conditions referred to above are absent.

13. **INCLUSION OF THE INTER-WAR PERIOD IN THE HISTORIC AREA STATEMENT IS NOT BASED ON ‘SOUND RESEARCH’**

14. It is important to note that the Owners do not take issue with the HAS (existing or proposed) in so far as it relates to late nineteenth century Victorian period, which period is clearly an important and defining era in the development of the south-eastern corner of the City.

15. The Owners’ issue is with the manner in which the Inter-war period, having crept into the policy framework during transition to the Code, is now proposed to be embedded by the nomination of representative buildings – neither of which appears to be supported by sound research or meaningful historical analysis.

16. To understand the Owners’ objection in this regard, it is first necessary to understand the background to the current HAS in the Code.

16.1 **Adelaide (City) Development Plan**

16.2 Immediately prior to the Code, the relevant area was in an Adelaide Historic (Conservation) Zone according to the Adelaide (City) Development Plan (30 April 2020 consolidation).

16.3 The Zone contained a Statement of Heritage Value (**SHV**), a copy of which is annexed (**Annexure 1**).

- 16.4 The SHV described the importance of the late nineteenth century (Victorian) period of residential development in the south-eastern corner of the City.
- 16.5 The various building types referred to included 'grand villas', 'humble cottages', a church, hotels and retail premises. The latest date referred to in the SHV is 1907.
- 16.6 In conclusion, the final sentence in the SHV noted:

'...the residential and relatively uniform character in the south-east.'

- 16.7 As such, prior to the introduction of the Code, the historic value of the south east corner of the City was because of its relatively uniform character established by buildings of the Victorian, late nineteenth century, period.
- 16.8 Notably, there was no mention whatsoever of buildings from the Inter-war period.
- 16.9 The importance of the late Victorian period was also reflected in the character study undertaken by the City of Adelaide in 2012, which was the basis for the Adelaide Historic (Conservation) Zone.
- 16.10 The Desired Character statement (**DCS**) (which immediately followed the SHV in the Development Plan) was more specific in terms of the character of particular streets – or parts of streets – sought to be conserved and reinforced. The introductory paragraphs made reference to:

The Zone's historic character is established by many cohesive groups of nineteenth century buildings...

- 16.11 By contrast, it is notable that in the Development Plan, Schedule 2 'House Periods, Styles and Types in North Adelaide' contained a detailed explanation of various eras of residential development in North Adelaide, including the Inter-war period described in the following terms.

Inter-War Houses (1920s to 1942)

In the period between the First World War and Second World War new styles developed, particularly the Bungalow (based on the Californian version) and Tudor Revival styles. Bungalows incorporated a broad spreading roof and verandah with typical masonry columns supporting verandah elements and the expansive two storey version was often known as a Gentlemen's Bungalow. The roof tiles used were Australian-made Wunderlich tiles of the same profile as earlier Marseilles tiles. The Tudor Revival style displayed steeply pitched roofs with half timber gable ends and variations of the verandah porch treatment. Other styles which were built in North Adelaide during this period included Spanish Mission (or more often 'Mediterranean') and Art Deco/Moderne, although these are not as common. During this period, timber joinery remained characteristic of the housing styles, but there was some use of metal framed windows.

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

Housing development essentially stopped in North Adelaide during the period 1942 to 1950 as a result of the materials shortages caused by the Second World War.

16.12 In the case of Gilles Street, the DCS provided (with underlining added):

(g) Gilles Street

The Gilles Street townscape comprises single storey attached and detached cottages in a close pattern of development. While residences exhibit a variety of architectural forms, the cohesive character established by consistent fenestration, pitched roof profiles and verandah styles is to be reinforced.

East of St John Street is a more open subdivision pattern of large detached residences set in landscaped grounds. This more open subdivision pattern creating a transition from the intimate cottage character of Gilles Street to the grand mansion character of the adjacent East Terrace Policy Area is to be maintained.

16.13 Again, it is notable that the character sought to be conserved and reinforced by the policy had nothing to do with Inter-war architecture or buildings. Rather, what was identified as being important about this section of Gilles Street was the pattern of development, which comprised a more open and landscaped character and which gave a sense of transition to the grand mansion character of East Terrace.

16.14 **Historic Area Statement – Planning and Design Code**

16.15 The Code commenced in operation on 19 March 2021 (Version 2021.2).

16.16 In the transition from Development Plans, the intent was to centralise historic area statements within the provisions of the Historic Area Overlay, rather than in individual zones.

16.17 Importantly, the stated intent was for a ‘policy neutral’ transition from the Development Plan to the Code.

16.18 This intent was articulated in the public consultation draft *Historic Area Statements and Character Area Statements – Proposal to amend Phase 3 (Urban Areas) Planning and Design Code Amendment*, where the State Planning Commission wrote (with underlining added):

New Historic Area Statements

At the time the draft Planning and Design Code for Urban Areas was released for public consultation, it was foreshadowed that historic statements could be drafted to support the Historic Area Overlay. The Historic Area Statements were proposed to be introduced in the Code to help clearly identify and articulate the key elements of historic importance in a particular area. These were intended to replace Desired Character Statements in existing Development Plans.

- *The proposal to include Historic Statements has gained support through the consultation process, and 22 councils*

have participated in the drafting process. The work prepared by Councils has been edited where necessary to provide a level of consistency in drafting style. Key amendments to the statements include the removal of prescriptive numbers which are covered in other areas of the code, the removal of background information and words that talk about what development should do (this is the role of the Overlay).

- *Over 200 Historic Area Statements have now been prepared, which will affect in the order of 40,000 properties across South Australia that are proposed to be transitioned into the new Historic Areas Overlay. Importantly, these statements are based on existing Development Plan content. The intent of these Statements is not to provide lengthy background statements, but to distil the critical information required to make an informed planning decision that results in development that complements the existing (historic) character of a particular location. The Statements should be used to determine the prevailing styles and patterns of development for the purposes of interpreting all policies within the Overlays. Councils will be able to evolve these statements over time.*

16.19 The intent to reflect existing Development Plan content was clearly evident in the draft HAS (Adel 14) which was initially released for public consultation as part of Phase 3 (Urban Area) Code Amendment.

16.20 The HAS (Adel 14) was, indeed, faithful to the SHV in so far as it referred to 'cohesive groups of nineteenth century buildings', while making no mention whatsoever of the Inter-war period (see **Annexure 2**).

16.21 However, by the time the Code went live in March 2021, the HAS (Adel 14) had been amended to include passing references to the Inter-war period, under the headings 'Eras, themes and context' and 'Materials' (see extracts below, and in **Annexure 3**). Notably, such references (highlighted in the extracts below) did not relate to Gilles Street, but were generic in nature.

<i>Eras, themes and context</i>	<i>Cultural and historic evidence of the creation of the colony and the consolidation of early settlement in Adelaide.</i> <i>1837 to 1901 – Victorian period.</i> <i>1901 to 1920's – Edwardian period</i> <i>1920's to 1942 – Inter-war period</i> <i>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 streets</i>
<i>Allotments, subdivision and built form patterns:</i>	<u><i>Gilles Street</i></u> <i>Close pattern of development</i> <i>East of St John Street is a more open subdivision pattern</i>

<i>Architectural styles, detailing and built form features</i>	<u>Gilles Street</u> <i>Intimate attached and detached cottages with consistent fenestration, pitched roof profiles and verandah styles.</i> <i>Large detached residences set in landscaped ground east of John Street.</i> <i>Variety of architectural forms</i>
<i>Materials</i>	<u>Victorian Houses</u> <i>Bluestone, limestone or sandstone, with brick or rubble side and rear walls.</i> <i>Timber framed windows and doors.</i> <i>Cast iron or timber posts to the verandahs elaborated with moulded capitals and trim, and widely used cast iron brackets and frieze decoration.</i> <i>Masonry base and piers with cast iron panels or railings, timber railing, timber picket fencing for smaller houses.</i> <u>Edwardian Houses</u> <i>Face brick walling with decorative brick detailing, ashlar stone with brick dressings or moulded render or 'rock face' sandstone (or freestone) for wall material.</i> <i>Unglazed terracotta Marseilles roof tiles, corrugated iron roof cladding.</i> <i>Timber framed windows and doors. Windows often grouped and doors often divided into three or four horizontal panels.</i> <i>Masonry fencing with cast iron palisade, or timber.</i> <u>Inter-War Houses</u> <i>Australian-made Wunderlich roof tiles.</i> <i>Timber joinery with some use of metal framed windows.</i> <i>Typically low masonry fencing, built from materials matching the main building</i>

- 16.1 In my review, I can find no historical analysis or 'sound research' to justify the inclusion of the Inter-war period, or typical Inter-war building materials, in the HAS. By any account, its inclusion occurred for reasons which remain undocumented and unexplained, and without appropriate rigor or public scrutiny.
- 16.2 **Draft Code Amendment – Historic Area Statement (Adel 14)**
- 16.3 Of course, one of the stated aims of the Code Amendment is to update Historic Area Statements in the Code.
- 16.4 While this is uncontentious in respect of those aspects of the HAS dealing with the late-Victorian period, the Owners submit that in relation to the Inter-war period the Code Amendment cannot 'pull itself up by its bootstraps'; sound

justification must be made for including this period in the first place, before amendments can be validly considered.

16.5 The Code Amendment fails to do this.

16.6 Rather, the HAS (Adel 2) continues to recognise the importance of predominantly late nineteenth-century character in the south-east corner of the city. For example, it states (on page 160):

Adelaide was once predominantly a residential city. The existing late nineteenth century character of the south-east corner of the city continues to reflect this. The Area retains a broad range of residential stock, from grand villas on South and East Terraces overlooking the Adelaide Park Lands to humble cottages lining the smaller streets, established during the course of successive subdivisions.

16.7 On page 161, it refers to the:

.....relatively uniform character of the south-east.

16.8 In relation to Gilles Street, the Code Amendment states on page 163:

The historic streetscape is formed by the wide street setting and the historic built form character is derived from the cohesive pattern of single storey detached and semi-detached double and single frontages cottages, villas and two storey terraces. West of St John Street, the buildings are set close to the street frontage with small garden areas or verandahs extending to the street frontage. The side and front setback pattern is established by the Heritage Places.

East of St John Street is a more open subdivision pattern containing larger, detached residences some having deeper setbacks from the street frontage and more spacious landscaped grounds. The more open subdivision pattern and site layouts are features of a transition from the intimate cottage character of Gilles Street to the grand mansion character of East Terrace.

16.9 Under the heading 'Architectural styles, detail and built form features', it says on page 165:

The Adelaide Historic Area is dominated by Victorian cottages and villas, including a number of Early Victorian cottages (Ada Street and Tomsey Street).

This section also includes with references to 'prevailing built form features' and 'cohesion' and 'consistency'.

16.10 And yet, without justification or explanation, the draft HAS refers to '1920s to 1942 - Inter-War Houses' as being an important era, and that the area is characterized 'by a variety of architectural styles including but not limited to Inter-war Houses.' Somewhat lazily perhaps, the HAS (Adel 14) then reproduces, word for word, the description of the Inter-war period in Schedule 2

of the Development Plan which, of course, related to house styles in North Adelaide.

- 16.11 Respectfully, the draft HAS (Adel 14) perpetuates the same problem as the current HAS (Adel 14) in that it seemingly includes the Inter-war period as an after-thought, and without a proper a base of 'strong research' or historical analysis. For example, where is the historical research and analysis to justify the Inter-war period as an important era in the south-eastern corner of the City, compared with North Adelaide and other inner-city suburbs and localities?
- 16.12 The tenuous nature of its inclusion is further revealed by a survey of the 'Inter-war' buildings proposed to be listed as representative buildings in the Adel 14 area, of which there are only 14 (see **Annexure 4**). Of that number, 9 are clustered in a continuous row on Allen Place, with the remaining 5 scattered variously on Carrington Street (1), Halifax Street (1), Power St (1) and Gilles Street (2).
- 16.13 With such a limited number of buildings from this era – majority of which are concentrated in a single cluster, and with the remaining few which are scattered haphazardly around the area– it hardly screams out as being an important era of building in the south-eastern corner of the City.
- 16.14 In support of this objection, the Owners refer to a report prepared in 1993 by renowned conservation architect Mark Butcher (**Annexure 5**). At the time of that report, it was proposed to list the house as a local heritage place.
- 16.15 Mr Butcher concisely summaries the point in the following terms (with underlining added):

The house at 424 Gilles Street is an ordinary red brick 1925 bungalow of no particular architectural merit. It forms part of the post-World War 1 residential boom which took place in metropolitan Adelaide, largely in the inner-city suburbs. The major historical, economic or social themes of importance to South-East Adelaide relate to its period of settlement and development in the 1840s-1890s. The existing house is from a later period.

- 16.16 As was the case when the Code was first introduced, the merits of including the Inter-war period as an important era of residential development in south-east Adelaide remains a live question.
- 16.17 The Owners submit that the Code Amendment has not answered that question with necessary research and historical analysis. Rather, it seeks to piggy-back on two passing references in the current HAS (Adel 14), which references crept in during the transition of policy from the Development Plan.
- 16.18 As such, the first pre-condition for the listing of representative buildings has not been satisfied.
17. **THE HOUSE DOES NOT EXHIBIT THEMES AND ATTRIBUTES OF THE INTER-WAR PERIOD AS STATED IN THE HISTORIC AREA STATEMENT**
18. In any case, even if it is accepted that the Inter-war period has been validly incorporated into the HAS (Adel 14), it is evident that the house at 424 Gilles Street

does not represent the relevant themes and attributes referred to in the HAS, or which are otherwise important to that era.

19. As mentioned above, a representative building should exhibit significant historic themes and attributes of character based on the relevant HAS. According to the Code Amendment, key factors include:

- *The building style and era should be consistent with those assessed as significant in the Historic Area as per the revised Historic Area Statement.*
- *The building demonstrates historical theme/s important in the area.*

20. In this regard, it is clear that apart from being originally constructed in the 1920s, the building:

- 20.1 has been substantially modified since construction, which modifications have diminished its integrity;
- 20.2 is of an unusual and atypical design which is not representative of buildings of that era; and
- 20.3 does not exhibit two of the three materials identified in the HAS as being typical of Inter-war houses.

Each of these issues is discussed in more detail below.

21. The building has been modified

- 21.1 As mentioned above, in 1993, our clients engaged respected conservation architect Mark Butcher to review the proposed listing of the building as a LHP.
- 21.2 Notwithstanding that the LHP criteria are not relevant here, important aspects of Mr Butcher's report remain as relevant now as they were in 1993.
- 21.3 In particular, in describing the building, Mr Butcher made the following observations:

This bungalow has been added to on the south-west corner and on the top, ie. a new "wing" has been built into the roof as a first floor addition. These two relatively major additions appear to have been carried out at more or less the same time, and collectively alter the original design quite significantly. A new dormer window has also been added on to the north-west corner of the roof and the eastern side modified to provide another in-roof room with new high-level windows in the eastern gable wall. A gable roof carport has also been added on to the eastern side. As a result of these additions and alterations, the symmetry of the original bungalow has largely been lost.

- 21.4 The rationale for listing on page 241 of the Code Amendment says nothing about these modifications, and it makes no attempt to discern how later additions and alterations have impacted on the integrity of the building.

22. Atypical example

- 22.1 Mr Butcher continued (with underlining added):

The existing house at 424-428 is atypical to the area...

This method of construction was typical of early bungalow construction in the mid 1920s when the house was built, and is characteristic of inner-city suburbs developed at that time. It is not characteristic of construction methods used in the south-east corner of the city which was typically settled and developed in the 1840-1890 period. Houses from this period were usually constructed from bluestone or rubble with red brick quoins, as typically seen in the house next door to the east.

The house is atypical of the area, and is not a good representation example of its type. It has been significantly altered and modified.

- 22.2 The design of the house is clearly peculiar, being a simple bungalow design, but with Tudor elements. Diagonal leadlight windows, and horizontal slatted timber gates, were also not original, having been added by the current owners.
- 22.3 It is perhaps unsurprising that the listing rationale makes little reference to the building itself, preferring to focus on other aspects, namely, '*the deeper building setback*' and the '*more generous size of the dwelling, site and garden*' which is said to make for a transition to the mansion character on East Terrace and other large scale residences that are heritage listed.
- 22.4 Respectfully, such elements are merely contextual, and are peripheral to the building itself which remains, from a heritage perspective, 'atypical' of the area and of Inter-war bungalows more generally.

23. Architectural features and materials

- 23.1 We further observe that the building does not incorporate typical architectural features or 'materials' of the Inter-war period as identified in HAS (Adel 14). In particular:
 - 23.1.1 it is not a traditional California Bungalow, or a Tudor Revival;
 - 23.1.2 the roof is colorbond, powder-coated steel, rather than '*Australian-made Wunderlich roof tiles of the same profile as earlier Marseilles tiles*'; and
 - 23.1.3 it does not feature '*a steeply pitch roof with half-timber gable ends*'
 - 23.1.4 the front fence is ivy-covered brush rather than '*low masonry walls, built from materials matching the main building*'.

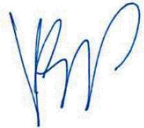
As such, most of the defining elements as identified in the HAS are simply absent.

24. SUMMARY

- 25. For all of the above reasons, even if it is legitimate to refer to the Inter-war period as an important era in the south-east of Adelaide (which is denied), the house at 424 Gilles Street remains an 'atypical' example.

26. In Mr Butcher's words, the building is of no particular architectural merit. Further, having undergone 'quite significant' modifications, the building is not representative of the themes and attributes of that era.
27. The Owners remain opposed to the proposed listing of the building as a representative building, which they would submit would be unfair and erroneous.
28. The Owners ask to be heard in support of their representation.

Yours sincerely



Peter Psaltis
Planning & Environment Lawyer
Email: ppsaltis@normans.com.au
Mobile: 0432 184 869

Annexure 1 – Development Plan Extracts
Annexure 2 – Draft Historic Area Statement
Annexure 3 – Adelaide Historic Area Statement (Adel 14) – Planning and Design Code
Annexure 4 – Table of Inter-war houses in south-east Adelaide
Annexure 5 – Mark Butcher Report

From: PlanSA Submissions <noreply@plan.sa.gov.au>
Sent: Tuesday, 5 November 2024 4:08 PM
To: PDCSA Amendments
Subject: Public Consultation submission for Historic Area Statement Update Code Amendment

Follow Up Flag: Follow up
Flag Status: Completed

City Policy and Heritage Team,

Submission Details

Amendment: Historic Area Statement Update Code Amendment
Customer type: Member of the public
Given name: Elisa
Family name: Star
Organisation:
Email address: [REDACTED]
Phone number: [REDACTED]
My overall view is: I support the Code Amendment
Comments: Support any code amendments which improve heritage assessments and care
Attachment 1: No file uploaded
Attachment 2: No file uploaded
Attachment 3: No file uploaded
Attachment 4: No file uploaded
Attachment 5: No file uploaded
Sent to proponent email: pdcsa.amendments@cityofadelaide.com.au

From: PlanSA Submissions <noreply@plan.sa.gov.au>
Sent: Monday, 9 December 2024 4:15 PM
To: PDCSA Amendments
Subject: Public Consultation submission for Historic Area Statement Update Code Amendment

Follow Up Flag: Follow up
Flag Status: Completed

City Policy and Heritage Team,

Submission Details

Amendment: Historic Area Statement Update Code Amendment

Customer type: Member of the public

Given name: Leonie

Family name: Ebert

Organisation:

Email address: [REDACTED]

Phone number: [REDACTED]

My overall view is: I support the Code Amendment

Comments: I support the Code Amendment only if it maintains the character and history of North Adelaide and it does not allow the development of preposterous buildings such as the one on 88 O'Connell Street which does not fit the character of North Adelaide. Will the code ensure this preposterous building does not open the door to other such ghastly buildings ? Will the code have the strength to prevent such buildings? Will the code take into account the wants of the residents.

Attachment 1: No file uploaded

Attachment 2: No file uploaded

Attachment 3: No file uploaded

Attachment 4: No file uploaded

Attachment 5: No file uploaded

Sent to proponent email: pdcsa.amendments@cityofadelaide.com.au

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Thursday, 31 October 2024 6:44 PM
To: Gabriella Cutri
Subject: Give your feedback! Form Submission



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

Do you have any suggestions or improvements for the draft Code Amendment?

Hi, I am a resident of Royal Avenue. Our street is an original display village from the 1890's with each house different in design, decoration and render but of similar block size and location to the street. It is in the Victorian Era not Edwardian as your statement reads. The two Edwardian Villas face Gilles Street.

Has your property been nominated as a Representative Building?

Yes

Are you in support of the nomination?

Yes

Please share why you are in support of the nomination

No out of character or 2 storey dwellings to be erected. No demolition of existing Historic buildings or landmarks. No modifications or out of character to historically significant buildings.

Is there any further information you would like Council to consider?

Underground power to Royal Avenue to restore it back to it's original beauty!
Acknowledgement of it's original purpose of an intact 1890's home display village.

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Postcode

5000

How do you participate in City life? (tick all that apply)

Work

Shop

Play (leisure/recreation)

Study

Own a business

Live (reside)

First Name

Debra

Last Name

Carson

Email address

[REDACTED]

Residential address

18 Royal Avenue, Adelaide SA 5000

To view all of this form's submissions, visit

https://ouradelaide.sa.gov.au/index.php/dashboard/reports/forms_new/data/376

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Our Adelaide.

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Friday, 1 November 2024 1:03 PM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

Yes - some

Please share which proposed revisions you do support and why

I support preservation of the parklands. We are lucky to have them and they will become more important when high density housing occurs. People living in units need the parklands for recreation for their families. On a visit to Spain I was told that if there is a high rise development then a certain amount of open space must be included.

Please share which proposed revisions you don't support and why

I do not support any provisions that are unreasonable when renovating heritage property. Heritage is important but time moves on. Properties can be renovated but there should not be too many onerous micro managing from Council.

Do you have any suggestions or improvements for the draft Code Amendment?

I found it complicated. We will personally not be developing our property any more. I hope there are no changes that might retrospectively affect us.

Has your property been nominated as a Representative Building?

Yes

Are you in support of the nomination?

Yes

Please share why you are in support of the nomination

I like history and preservation of "historic" buildings appeals to me. We have a plaque on our front fence. Does this mean we are Representative Building?
The former question only allowed a Yes or No but no Don't know response.

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Occupier

Postcode

5006

How do you participate in City life? (tick all that apply)

Live (reside)

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From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Friday, 1 November 2024 3:57 PM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

An owner and resident of the area. Strongly supportive of all means to retain the historic amenity, appeal and streetscape of the area.

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

Yes - all

Please share why you support the proposed revisions

They provide greater detail for future planning, particularly for developers, who are usually far more incentivised by financial gain than by a desire to retain the historic features and amenity of a property or area.

Do you have any suggestions or improvements for the draft Code Amendment?

Yes. Some of the writing is clumsy and incorrect grammar, e.g. the use of "comprise of" - this is not English. It should read EITHER "comprise" OR "consist of".

Some sentences are true sentences whilst some are not - easier to read if there is consistency.

Has your property been nominated as a Representative Building?

No

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Occupier

Postcode

5006

How do you participate in City life? (tick all that apply)

Work

Shop

Play (leisure/recreation)

Own a business

Live (reside)

First Name

Josephine

Last Name

Bills

Email address

[REDACTED]

Residential address

[REDACTED]

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This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Our Adelaide.

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Sunday, 3 November 2024 1:46 PM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

It does not directly affect me but I do believe that unscrupulous developers should not have their way unimpeded.

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

Yes - all

Please share why you support the proposed revisions

I think that historic buildings should not be allowed to be replaced by modern structures just to make money. This is our heritage and history. Thus it should be protected from developers.

Do you have any suggestions or improvements for the draft Code Amendment?

no

Has your property been nominated as a Representative Building?

No

Is there any further information you would like Council to consider?

no

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Postcode

5006

How do you participate in City life? (tick all that apply)

Shop

To view all of this form's submissions, visit

https://ouradelaide.sa.gov.au/index.php/dashboard/reports/forms_new/data/376

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Our Adelaide.

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Monday, 4 November 2024 1:23 PM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

I have been a resident of North Adelaide for many years.

My husband, Horst Salomon, was responsible for preserving much of the character of North Adelaide.

Do you have any suggestions or improvements for the draft Code Amendment?

I want the historic character of North Adelaide preserved.

Has your property been nominated as a Representative Building?

No

Is there any further information you would like Council to consider?

I am displeased with with certain hi rise developments in North Adelaide and the city in general.

Are you a City of Adelaide ratepayer?

No

Are you an owner and/or occupier?

Occupier

Postcode

5006

How do you participate in City life? (tick all that apply)

Live (reside)

First Name

Betty

Last Name

Salomon

Email address

[REDACTED]

Residential address

[REDACTED]

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https://ouradelaide.sa.gov.au/index.php/dashboard/reports/forms_new/data/376

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From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Monday, 4 November 2024 3:19 PM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

I assume that the properties at No 12 to No 16 Tomsey Street in Adelaide are not included in the Draft Code Amendment.

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

Yes - some

Please share which proposed revisions you don't support and why

I assume that the properties at No 12 to No 16 Tomsey Street in Adelaide are not included in the Draft Code Amendment. All Townhouses above were built in 2006 & 2007 They are not of heritage value.

Is there any further information you would like Council to consider?

I assume that the properties at No 12 to No 16 Tomsey Street in Adelaide are not included in the Draft Code Amendment. All Townhouses above were built in 2006 & 2007 They are not of heritage value.

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Occupier

Postcode

5006

First Name

Neil & Bronwyn

Last Name

Mullins

Email address

[REDACTED]

Residential address

[REDACTED]

To view all of this form's submissions, visit

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This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Our Adelaide.

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Wednesday, 6 November 2024 1:26 PM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

I own a property on Gover St in Adel 7, and am a Senior Lecturer in Architecture.

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

Yes - some

Please share which proposed revisions you do support and why

The additional detail is generally helpful in establishing an ambition for the area and the narrative format provides greater opportunity for Staff to exercise judgement rather than being tied by policy – something that is sorely lacking in the current system.

Please share which proposed revisions you don't support and why

1. "The open area of the school grounds on the southern side contrasts with the setback of the strong built edge along the remainder of the street."

I am very concerned that this sentence made it into the draft as the school oval

has nothing to do with the area's heritage and is not historical open space. This was formerly cottages which were razed to make way for an oval for the school well after the pattern of the street was established. From a street character and intention perspective, the reinstatement of cottages along this edge would be beneficial, so the policy should not actively preclude this or excuse the demolition.

If keeping this statement, the entire suite of documents should be extended to include "living heritage" in all descriptions (e.g. in Gover St, mention of the tiptop bakery, as well as various other businesses run from homes over the past 150 years) which is an absolute minefield, so I would strongly recommend this is removed.

2. "Building additions incorporate materials and proportions that reflect the character of the Heritage Place or Representative Building and are not readily visible from the street."

I am unsure why materials that are not visible from the street fall within the Historic Area Overlay. This runs counter to best practice in heritage architecture and may stop the inclusion of details and materials that enable a clear separation between original built form and new additions.

Do you have any suggestions or improvements for the draft Code Amendment?

Remove the statement about the school oval as suggested previously.

Has your property been nominated as a Representative Building?

No

Is there any further information you would like Council to consider?

The code amendment would be a good opportunity to clarify the placement of solar panels on homes. A solar panel is not a structural change to a building, nor is it permanent (at the scale of heritage) so I am unsure why solar panels are currently precluded if visible from the street. They do not damage the physical structure / form / materials of the building so it is not clear why these

are currently blocked from being installed.

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Occupier

Postcode

5006

How do you participate in City life? (tick all that apply)

Work

Shop

Play (leisure/recreation)

Live (reside)

Own a business

First Name

Aaron

Last Name

Davis

Email address

[REDACTED]

Residential address

[REDACTED]

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From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Friday, 8 November 2024 10:05 AM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission

Follow Up Flag: Follow up
Flag Status: Completed



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

I am an Architect who works in the city and lives nearby.

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

No

Please share why you don't support the proposed revisions

I believe buildings should either be given heritage listing protection or not. I don't believe that identifying "representative buildings" is a good means of preserving heritage fabric as it creates ambiguity about what is prohibited and what is encouraged. It worries me to see so much of North Adelaide covered by Historic Area Statements as this is likely to prevent innovation and limit opportunities for quality design.

Do you have any suggestions or improvements for the draft Code

Amendment?

Please be clear about whether it is only the appearance from the street that is of concern.

Encourage development that increases the population of these parts of the city.

Has your property been nominated as a Representative Building?

No

Is there any further information you would like Council to consider?

The future is as important as the past.

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Occupier

Postcode

5006

How do you participate in City life? (tick all that apply)

Work

Shop

Play (leisure/recreation)

Own a business

To view all of this form's submissions, visit

https://ouradelaide.sa.gov.au/index.php/dashboard/reports/forms_new/data/376

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Friday, 8 November 2024 1:21 PM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission

Follow Up Flag: Follow up
Flag Status: Completed



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

I live in the area

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

Yes - some

Please share which proposed revisions you do support and why

Use of representative buildings is good. However you have picked some very poor examples. Many are daubed in paint and not good examples. Tower street and gover street examples are poor in comparison to others

Do you have any suggestions or improvements for the draft Code Amendment?

Pick a larger range of buildings.

Has your property been nominated as a Representative Building?

No

Is there any further information you would like Council to consider?

Seems like you are seeking to weaken protections. Can you explain how this will more clearly protect heritage in the area

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Postcode

5006

How do you participate in City life? (tick all that apply)

Work

Shop

Play (leisure/recreation)

Live (reside)

First Name

James

To view all of this form's submissions, visit

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This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Our Adelaide.

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Monday, 11 November 2024 8:21 PM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

I am concerned that the Adelaide City Council has not done enough to conserve the heritage architecture of the remaining shops on Melbourne Street. It is disgraceful that so many Victorian and Edwardian buildings have been lost due to the overdevelopment and high-rise buildings along one of Adelaide's most important streets!

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

Yes - all

Please share why you support the proposed revisions

Adelaide has been voted one of the most beautiful cities in the world because of its heritage buildings. Not enough has been done to ensure the ongoing conservation of these sites. Melbourne Street is quickly becoming overdeveloped by highrise buildings and insensitive developments that tear down the existing heritage buildings. The few remaining SHOULD BE PROTECTED for future generations.

Do you have any suggestions or improvements for the draft Code Amendment?

No further highrise developments on Melbourne St.

All Houses and Shops on Melbourne St to be protected from demolition.

Has your property been nominated as a Representative Building?

No

Is there any further information you would like Council to consider?

Noise control on Melbourne St emanating from certain cafes that play overly loud music until midnight to entice patrons, especially in the eastern residential section

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Postcode

5006

How do you participate in City life? (tick all that apply)

Work

Shop

Play (leisure/recreation)

Live (reside)

Study

First Name

Bronwyn Louise

Last Name

Waters

Email address

[REDACTED]

Residential address

[REDACTED]

To view all of this form's submissions, visit

https://ouradelaide.sa.gov.au/index.php/dashboard/reports/forms_new/data/376

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Our Adelaide.

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Wednesday, 13 November 2024 4:23 PM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

I live there.

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

Yes - some

Please share which proposed revisions you do support and why

Generally ok, but this statement is laughable "The historic streetscape is formed by the wide street setting and attractive outlook to the Adelaide Park Lands..." since the Lord Mayor voted in favour of building huge aquatic centre on those parklands. Thanks for ruining our 'historic streetscape'

Please share which proposed revisions you don't support and why

I suggest the above is re-written.

Has your property been nominated as a Representative Building?

Yes

Are you in support of the nomination?

No

Please share why you are not in support of the nomination

It will place further limitations on what I do and offer zero benefits to me as a land holder.

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Postcode

5006

How do you participate in City life? (tick all that apply)

Work

Shop

Play (leisure/recreation)

Live (reside)

First Name

Carl

Last Name

Driesener

Email address

[REDACTED]

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https://ouradelaide.sa.gov.au/index.php/dashboard/reports/forms_new/data/376

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Our Adelaide.

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Friday, 15 November 2024 8:06 AM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

To include the East End in the revision of historic areas.

Has your property been nominated as a Representative Building?

No

Is there any further information you would like Council to consider?

Really concerned about the proposed accommodation development near the Crown and Anchor hotel and how that will change the culture of this precinct. The old stables are being demolished! High rise in this part of the city should be banned. There are so many unused buildings in the CBD that could be repurposed.

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Occupier

Postcode

5000

How do you participate in City life? (tick all that apply)

Work

Shop

Live (reside)

Play (leisure/recreation)

Residential address

[REDACTED]

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From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Sunday, 17 November 2024 10:04 AM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

Owner

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

Yes - some

Please share which proposed revisions you don't support and why

Unable to find which sites will be considered as representative, so can't comment.

Do you have any suggestions or improvements for the draft Code Amendment?

Make it much easier to find out which buildings will be nominated as representative. Having spent over 30 minutes searching multiple sites (council, planning, Google and, in total desperation, Facebook), all I know is what arrived in the letter. 54 sites will be nominated. Is mine one of them? I don't know.

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Occupier

Postcode

5000

How do you participate in City life? (tick all that apply)

Work

Shop

Play (leisure/recreation)

First Name

Laurel

Last Name

Hayes

Email address

[REDACTED]

Residential address

[REDACTED]

To view all of this form's submissions, visit

https://ouradelaide.sa.gov.au/index.php/dashboard/reports/forms_new/data/376

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Our Adelaide.

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Sunday, 17 November 2024 11:20 AM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

I am a city resident and have been considering an extension to our house

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

Yes - some

Please share which proposed revisions you do support and why

I'm supportive of heritage restrictions that maintain a streetscape and sense of place but if you want the city to remain attractive to families and residents it has to be possible to extend and renovate without this being prohibitively expensive.

Please share which proposed revisions you don't support and why

.

Do you have any suggestions or improvements for the draft Code Amendment?

Residents need clear guidance on the parameters for extensions and renovations - what is permissible, what the minimum requirements are for useable outdoor space, setbacks, building and windows on boundary lines etc.

Has your property been nominated as a Representative Building?

No

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Postcode

5000

How do you participate in City life? (tick all that apply)

Work

Shop

Play (leisure/recreation)

Live (reside)

To view all of this form's submissions, visit

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This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Our Adelaide.

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Saturday, 23 November 2024 3:45 PM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission

Follow Up Flag: Follow up
Flag Status: Completed



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

I live in the City of Adelaide and value its built heritage

Do you have any suggestions or improvements for the draft Code Amendment?

ACC should insist that the code amendment includes an assessment of other areas. The existing 14 Historic Areas are totally inadequate.

Has your property been nominated as a Representative Building?

No

Is there any further information you would like Council to consider?

Why is there none of the SW corner of the city, or the Eastern part of North Terrace included as an historic area. The SW area is a rich precinct of 19th Century workers cottages which have been largely spared destruction so far. Surely they should be included as an Historic Area. I do notice that the

Salvation Army was permitted to let a nice cottage on the corner of Morphett St and Gilbert St (in which they used to conduct CBT programs to teach men to not be violent to their partners) get run down and it has now been demolished. We do not want the same fate to befall the rest of this important built history!

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Postcode

5000

How do you participate in City life? (tick all that apply)

Work

Shop

Play (leisure/recreation)

Study

Own a business

Live (reside)

To view all of this form's submissions, visit

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This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Our Adelaide.

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Wednesday, 27 November 2024 5:03 PM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

No

Please share why you don't support the proposed revisions

Too general , Compromised and manipulated

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Postcode

5006

How do you participate in City life? (tick all that apply)

Play (leisure/recreation)

Live (reside)

Shop

First Name

N/a

To view all of this form's submissions, visit

https://ouradelaide.sa.gov.au/index.php/dashboard/reports/forms_new/data/376

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From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Friday, 29 November 2024 1:44 PM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission

Follow Up Flag: Follow up
Flag Status: Completed



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

retaining all relevant historic buildings in all areas of adelaide , not only areas of wealthy individuals. This state does not get it that visitors visit areas where there is history and beauty worth visiting. No one is interested in square cheap buildings

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

Yes - all

Please share why you support the proposed revisions

people visit environments like these in places like Europe etc. Unfortunately Adelaide has decimated its history and will continue to.

Do you have any suggestions or improvements for the draft Code Amendment?

retain historic buildings large/small

Has your property been nominated as a Representative Building?

No

Is there any further information you would like Council to consider?

keeping facades is not adequate enough to shove a high rise building into. It is relevant for people to see how people operated and lived in that particular building {rooms} in a different era. Of course this way of thinking will not change.

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Occupier

Postcode

5000

How do you participate in City life? (tick all that apply)

Work

Shop

Play (leisure/recreation)

Live (reside)

First Name

Lu

Last Name

Spinato

Residential address

[REDACTED]

To view all of this form's submissions, visit

https://ouradelaide.sa.gov.au/index.php/dashboard/reports/forms_new/data/376

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Our Adelaide.

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Thursday, 5 December 2024 12:57 AM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission

Follow Up Flag: Follow up
Flag Status: Completed



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

Owners of several properties in Halifax Street.

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

No

Please share why you don't support the proposed revisions

Please forgive the long missive but we are passionate about this issue.

We respectfully object to our properties (301 Halifax in particular) being placed on the register our reasons are as follows.

They have no significant or unusual architectural significance. They are not tourist attractions To our knowledge No prominent or special persons were ever born or lived there.

Our family has owned And kept possession of many properties in the Adelaide

CBD. and surrounding areas since 1958. We have paid many many Hundreds of Thousands of Dollars in Rates and Taxes etc. We have kept them maintained all these years being mindful of keeping in harmony with the local aesthetics.

We have had NO financial help from government. They are However important to us ,for at one time or another They were our "homes" and our Castles..

Some of them were and still are rented out to the homeless and less fortunate. Thus helping take a little of the burden off Government in respect to giving people an affordable roof over their heads.Also my collective family and their 100 or so tenants/ VOTERS Care very much about Our lovely city and have supported and unofficially campaigned for many of Adelaide's past and present Mayors.Jane Lomax-Smith (twice) and in days gone by; Sir John Glover, James Irwin, George Joseph, Wendy Chapman,Steve Condous, Henry Ninio etc. The only year recently we were not with the right candidate was in 2014.

We also have become very skeptical of Governments in general and this register could be the thin end of the wedge. We recently had issue with the planting of trees in Ada street (very narrow), with little or no regard to making access to our rear driveway extremely difficult some residents didn't care that we would not have CLEAR and UNOBSTRUCTED ACCESS.The majority were in our favour. We are not against greening the city however

This being already a fairly green street thanks to Council and house proud residents. The extra trees resulted in the loss of a few much needed parking spots, in a city notorious for its lack of parking we find this incredulous and showing no concern or Duty of Care for the local residents/ratepayers/ Voters!Emergency service vehicles have a hard time getting through, Cleanaway don't even try. As a result my family has to endure smelly rubbish bins left alongside some of our properties and not collected by neighbours sometimes for days.We had the issue eventually resolved only because of some help from fair minded council members, an MP other residents and the possibility of us taking legal action along with using social media and that good old stand- by A CURRENT AFFAIR, It did cost a lot of taxpayer money to reposition/remove the obstruction.We heard an unsubstantiated rumor it was over \$25 Thousand Dollars, regardless what a WASTE!

In the past 50 years we have constantly had expressions of interest in buying the whole property portfolio but my father resisted the very generous offers because he loved it in Halifax street.

He has unfortunately recently passed away.

As a consequence of his passing, should our properties be placed on the register in spite of our objections

We would not hesitate to sell the lot to the interested parties. They being an organization representing the Kaurna people. They have been wanting to supply temporary affordable housing to their people in a central location, what a better spot, logistically than Halifax street. Don't you agree?

Very fitting I think as they are the traditional owners of the land. I don't know how the other residents would react, in favour or not, but I'm sure they will show their feelings in some democratic and legal way.

Yours Without Prejudice

Randy and Luisa Manno

Do you have any suggestions or improvements for the draft Code Amendment?

Unfortunately no.

Has your property been nominated as a Representative Building?

Yes

Are you in support of the nomination?

No

Please share why you are not in support of the nomination

We respectfully object to our properties (301 Halifax in particular) being placed on the register our reasons are as follows. They have no significant or unusual architectural significance. They are not tourist attractions To our knowledge No prominent or special persons were ever born or lived there.

Our family has owned And kept possession of many properties in the Adelaide CBD. and surrounding areas since 1958. We have paid many many Hundreds of Thousands of Dollars in Rates and Taxes etc. We have kept them maintained all these years being mindful of keeping in harmony with the local aesthetics.

We have had NO financial help from government. They are However important to us ,for at one time or another They were our "homes" and our Castles..

Some of them were and still are rented out to the homeless and less fortunate.

Thus helping take a little of the burden off Government in respect to giving people an affordable roof over their heads.Also my collective family and their

100 or so tenants/ VOTERS Care very much about Our lovely city and have supported and unofficially campaigned for many of Adelaide's past and present

Mayors.Jane Lomax-Smith (twice) and in days gone by; Sir John Glover, James Irwin, George Joseph, Wendy Chapman,Steve Condous, Henry Ninio etc. The only year recently we were not with the right candidate was in 2014.

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Voters!Emergency service vehicles have a hard time getting through, Cleanaway don't even try. As a result my family has to endure smelly rubbish bins left alongside some of our properties and not collected by neighbours sometimes for days.We had the issue eventually resolved only because of some help from fair minded council members, an MP other residents and the possibility of us taking legal action along with using social media and that good old stand- by A CURRENT AFFAIR, It did cost a lot of taxpayer money to reposition/remove the obstruction.We heard an unsubstantiated rumor it was

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He has unfortunately recently passed away.

As a consequence of his passing,should our properties be placed on the register in-spite of our objections

We would not hesitate to sell the lot to the interested parties.They being an organization representing the Kaurna people.They have been wanting to supply temporary affordable housing to their people in a central location,what a better spot, logistically than Halifax street.Don't you agree?

Very fitting I think as they are the traditional owners of the land.I don't know how the other residents would react, in favour or not,but I'm sure they will show their feelings in some democratic and legal way.

Yours Without Prejudice Randy, Luisa and (Manno

Is there any further information you would like Council to consider?

Should our properties be put on register we would definitely look at selling all five properties as a parcel to the Kaurna people for low cost temporary housing. Making us a lot of money and helping out the Traditional owners of the land

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Occupier

Postcode

5000

How do you participate in City life? (tick all that apply)

Live (reside)

Play (leisure/recreation)

Shop

Email address

[REDACTED]

To view all of this form's submissions, visit

https://ouradelaide.sa.gov.au/index.php/dashboard/reports/forms_new/data/376

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Our Adelaide.

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Friday, 6 December 2024 4:49 PM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission

Follow Up Flag: Follow up
Flag Status: Completed



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

I am a local resident in 'Adel14 area', and have seen a number of unsuitable developments around here approved despite what Planning Regulations were in force at the time eg O'Connell St, which was supposed to be no higher than 6 storeys (30 yr Plan) or 8 storeys after public consultation

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

Yes - some

Please share which proposed revisions you do support and why

If it is just written stuff supporting what is already in the Historic Area Statements.

Please share which proposed revisions you don't support and why

I am unclear where the Representative Buildings are though, there should be a

map published with locations

Do you have any suggestions or improvements for the draft Code Amendment?

Provide better protection of historic buildings

Has your property been nominated as a Representative Building?

No

Is there any further information you would like Council to consider?

Refer my comments above

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Postcode

5006

How do you participate in City life? (tick all that apply)

Work

Shop

Play (leisure/recreation)

Live (reside)

First Name

Ingrid

Last Name

Kerkhoven

Email address

[REDACTED]

Residential address

[REDACTED]

To view all of this form's submissions, visit

https://ouradelaide.sa.gov.au/index.php/dashboard/reports/forms_new/data/376

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Our Adelaide.

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Monday, 9 December 2024 2:59 AM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission

Follow Up Flag: Follow up
Flag Status: Completed



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

I am an Executor to a deceased Estate where the deceased is a relevant property owner of 253 Stanley Street North Adelaide within Historic Area Statement, North Adelaide Stanley (Adel 11)

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

Yes - some

Please share which proposed revisions you do support and why

The broad concept of having Representative Buildings as part of existing Historic Area statements to provide additional contextual information to improve clarity, certainty and efficiency of decisions on developments is supported in certain areas. Particularly in respect of front facades of relevant properties.

Please share which proposed revisions you don't support and why

Properties must still be able to be developed and it must be right that development is still allowed to areas of properties where there is less consistency of architecture and there is already existing variability and precedent across neighbouring properties - in particular in respect of Stanley St, the rear of properties where more day to day living is also likely.

Do you have any suggestions or improvements for the draft Code Amendment?

I think it should be more specific in respect of key aspects of representative houses to be preserved.

Is there any further information you would like Council to consider?

It was quite difficult to properly discuss and understand where this consultation was properly focussed, or the likely risks and benefits of amendments, during the consultation period.

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Postcode

5006

How do you participate in City life? (tick all that apply)

Live (reside)

First Name

David

Last Name

Hargrave

Email address

[REDACTED]

Residential address

[REDACTED]

To view all of this form's submissions, visit

https://ouradelaide.sa.gov.au/index.php/dashboard/reports/forms_new/data/376

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Our Adelaide.

From: Our Adelaide <noreply@cityofadelaidecustomer.com.au>
Sent: Monday, 9 December 2024 3:02 PM
To: PDCSA Amendments
Subject: Give your feedback! Form Submission

Follow Up Flag: Follow up
Flag Status: Completed



Give your feedback! Form Submission

There has been a submission of the form Give your feedback! through your Our Adelaide website.

What is your interest in relation to the draft Code Amendment?

Resident and owner in 5006.

Do you support the proposed revisions to the Historic area Statements within the draft Code Amendment?

Yes - some

Please share which proposed revisions you do support and why

All except the nomination of 47 Stanley Street North Adelaide as a Representative building. A submission on this emailed to PDCSA on 8.12.24

Please share which proposed revisions you don't support and why

The building, which I own with my husband, Andrew Alston, was found by experts back in 2005 to 'no longer [display] ... design characteristics of importance to North Adelaide' [Bell, 2005] because of numerous severe alterations over time. Since then it has undergone even more major works,

2010-11, changing its street-visible profile, façade, presentation, garden, boundary and gates. Details of all this are provided in our Submission. The parameters for change and development are established by the numerous State and Local Heritage places in the Street. As captured in the current Kentish Arms Historic Area heritage controls, they can be seen to be effective, resulting in renovations and replacement builds along the south side of Stanley Street that respect the character and context of the street. The nomination of Number 47 as a RB is unjustifiable and without merit. It should not be confirmed.

Do you have any suggestions or improvements for the draft Code Amendment?

No, apart from the removal of 47 Stanley street from the nominated Representative buildings.

Has your property been nominated as a Representative Building?

Yes

Are you in support of the nomination?

No

Please share why you are not in support of the nomination

By Email 8.12.24

SUBMISSION

Historic Area Statement Update Code Amendment-Public Consultation

Re: Proposal to nominate 47 Stanley Street North Adelaide as a Representative Building

from

APS ALSTON and MM SLATTER

joint owners

It is surprising that the nomination of this particular project, which appears to lack any distinction in terms of architectural and contextual relevance, merits inclusion.

Its selection as the sole nominated Representative Building from Stanley Street North Adelaide raises significant questions about the nomination process.

The draft Code Amendment states [P 15]

Representative Buildings review [involved] a streetscape analysis for each individual building as well as assessment of the building's contribution to the 'historic character' of the relevant Historic Area. [

There are four principal reasons for objecting to this nomination:

47 Stanley Street

- is of uncertain date
- after many alterations, "no longer displays ... characteristics of importance to North Adelaide" [Bell, 2005]
- respects its street context simply by observing heritage protection requirements applicable across the Kentish Arms Historic Area
- recognises that the parameters for development are established by the large number of existing Local and State Heritage Places throughout the Street.

These are explained further below.

Uncertain date: there is no clear consensus regarding the age of the oldest remnants within the current building.

A 2004 heritage survey by McDougall and Vines attributed the house to 'the earliest period of housing development in North Adelaide'. This would be from the 1840s, when the Chichester Gardens Estate subdivision was developed. Ultimately McDougall and Vines seem to have assumed a date between 1860 and 1870.

In 2005, Professor Peter Bell, the respected South Australian historian and heritage consultant, endorsed a finding that

'the building does not match the characteristics which the heritage survey

[McDougall and Vines, 2004] identified as being common in the 1850s-1860s'. Currently, the property is listed in real estate details as having been begun in the 1880s.

This lack of certainty underlines the extreme alterations of form experienced by the dwelling since its first sod was turned, whenever that was.

A sequence of severe alterations

Before 2005: Whatever its original presentation, Professor Bell, 2005, found the building had experienced 'severe alterations' over the course of its life:

[e]verything visible of this building has undergone an unknown degree of alteration and has been heavily rendered.

He agreed that

'[it is] a mixture of architectural styles and eras. It is not typical and displays very little architectural merit.

As a result, the building no longer displays ... design characteristics of significance to North Adelaide.'

Since 2005: A further series of major alterations was undertaken in 2010-11 to remove extensive dilapidations and align the dwelling with contemporary residential expectations. Externally, these have resulted in even more changes to the dwelling's street-visible profile, façade, presentation, garden, boundary and gates.

After these further 'severe' alterations, the dwelling is even more 'a mixture of architectural styles and eras' than it was twenty years ago, when Professor Bell dismissed it as 'not typical' and its hotchpot design as 'of no significance to North Adelaide'.

Kentish Arms Historic Area: There is no doubt the most recent alteration and refashioning of 47 Stanley Street have considerably improved its street appeal. From being a rundown, charmless presence, the property now makes neat and respectful contribution to the streetscape of one of Adelaide's most historic boulevards.

The two photographs in Attachment F of the draft Amendment [P 235] make this very clear. Someone walking or driving past the exterior might well comment on the degree to which it has been made to fit in.

This is results simply of conforming to the heritage controls applicable across the entire Kentish Arms Historic area when designing and executing the most recent major works.

Replacement builds equally respectful. The two most recent replacement builds in this part of Stanley Street, at Numbers 43 and 45 and at Number 121, demonstrate the successful impact of Area heritage regulation on replacement buildings. Both developments provide substantial modern properties and display extreme respect for their streetscape context.

This has been achieved simply by observing heritage controls prevailing across the Kentish Arms Historic area, without any additional limitations or restrictive status imposed on the development sites.

Parameters established by existing Local and State Heritage Places: The Draft Amendment states [P 145]

the context of all development on the southern side of Stanley Street 'comprises of (sic) closely sited single storey detached and semi-detached dwellings with small setbacks from the street frontage and small front gardens established by the Heritage Places.'

47 Stanley Street contributes appropriate height, scale and set-back to the streetscape.

Stanley Street includes a wealth of Heritage Places, both State and Local. As the draft Amendment states, these set the parameters for future evolution and development throughout the Street.

The character and context of this very special Street are well-protected by the numerous Heritage Places' influence and by the Kentish Arms Historic Area heritage controls without additional 'Representative Buildings'.

IN SHORT

The nomination of 47 Stanley Street as a Representative Building is unjustified and inappropriate.

It is especially hard to understand when the nominee is a building found by experts to 'lack characteristics of significance to North Adelaide'.

This nomination should be rejected.

APS ALSTON MM SLATTER

Owner Owner

North Adelaide

7 December 2024

Is there any further information you would like Council to consider?

No. Thank you.

Are you a City of Adelaide ratepayer?

Yes

Are you an owner and/or occupier?

Owner

Occupier

Postcode

5006

How do you participate in City life? (tick all that apply)

Play (leisure/recreation)

Study

Live (reside)

Shop

First Name

Michele

Last Name

Slatter

Email address

[REDACTED]

Residential address

[REDACTED]

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