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State Planning Commission
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I wish to make this submission on the draft Planning and Design Code (the draft Code) that is intended to replace the current Development regulatory system for development applications.

I make this submission with the support of the South Road Inner West Action Group. The Action Group is made up of residents, businesses and property owners extending from Thebarton and Torrensville to Richmond and Kurralta Park who have specific concerns about the potential loss of local heritage associated with major infrastructure projects, and consider the draft Code would also have devastating consequences on the local heritage.

I am particularly concerned that the current Historic Conservation Zones will be abolished and replaced by a new system for "Historic Area Overlay". The Historic Conservation Zones (HCZ) for the Thebarton/Mile End/Torrensville area established in the 1990s, were put in place to protect the historical significance of one the oldest settled areas of Adelaide. The HCZs were established with strong advocacy from the then Thebarton Residents Association and informed by the "Thebarton Heritage Review Report" undertaken by McDougall and Vines Architectural and Heritage Consultants commissioned by the local Council. This study provided an authoritative description and evaluation of each of the contributory items of the HCZs based on expert assessment of the physical historical character and the architectural elements that are visible individually and collectively to the properties.

The proposed legislative provisions to abolish Historic Conservation Zones should be abandoned.

The proposed "Historic Area Overlay" will **not** provide the rigorous protection for contributory items as currently exist under the West Torrens Development Plan – Historic Conservation Area provisions. Key failures in the new "Historic Area Overlay" provisions include the following:

1. *The threshold to prevent demolition of heritage items will be removed*

The current HCZ provides a substantial threshold to prevent demolition of contributory items ie "Buildings and structures should not be demolished in whole or in part," unless the property owner can meet certain criteria.

Under the proposed "Historic Area Overlay", the reverse threshold applies. Property owners will be able to demolish historic buildings if they consider the costs of restoration uneconomical.

The introduction of an "economic test" for demolition of heritage items will be a disaster and will result in the loss of metropolitan Adelaide's history.

2. *Removal of contributory items*

The Fact Sheets accompanying the draft Code suggest that contributory items have no statutory basis under the *Planning Development and Infrastructure Act 2016* however the then Minister in the Second Reading Speech and Hansard stated that it was intended a further Bill would be introduced to ensure legislative provisions continued to apply for HCZs. The Fact Sheets also indicate that contributory items have been applied inconsistently.

The removal of contributory items in the new planning system is **not** a solution to these issues.

This can easily be addressed by legislative reform of the 2016 Act as had been promised by the then Minister. With regards to the lack of individual contributory items by some Councils, I suggest these Councils be directed to undertake reviews to establish an authoritative description and evaluation of each of the contributory items as was done by the then Thebarton and subsequent West Torrens Council. Further, for property owners who may be concerned about the heritage listing of their properties, the impact is non-existent or minimal. This is a furphy. For many of the property owners in Thebarton/Mile End/Torrensville area, English is their second or third language. The experience of living in HCZs for 20 years has demonstrated that their lives and control of their properties has not been impacted, and if there are any concerns then these can often be alleviated by communication that is culturally appropriate.

Other issues – Urban Corridor Zone

I am also seeking amendment of the Urban Corridor Zone (UCZ) that allows for 6 storey developments on Henley Beach Road in the Torrensville/Mile End area. This UCZ was established around 2016 by the previous Government. The community had not been consulted on the final boundaries that extends the zone into Norma Street and Hughes Street. The draft Development Plan that was circulated for public comment had only proposed multi-storey on Henley Beach Road.

Whilst it is reasonable for medium density housing to be developed along Henley Beach Road, the impacts of any 6 storey development in the residential streets such as Norma and Hughes Streets is substantial. There is no benefit for the community, the surrounding buildings are all single storey or occasionally 2 storey, and new buildings of that size would be out of character and not sympathetic to surrounding historic area and would have substantial privacy impacts on the surrounding houses.

I therefore seek that the housing along Norma and Hughes Streets and any other similarly affected residential streets be returned to Suburban Neighbourhood Zone or Residential Zone.

In summary

The draft Code will result in the destruction of the local community in the Thebarton/Mile End/Torrensville area as can be seen in areas without Historic Conservation Zones such as Campbelltown and Prospect in particularly along Churchill Road.

I would welcome the opportunity to participate in all future consultations, and to have these concerns presented to the State Planning Commission and the Government.

My contact details are email [REDACTED] or mobile [REDACTED].

Yours sincerely

Nicki Dantalis

cc Tom Koutsantonis, Member for West Torrens, SA Parliament
Mark Parnell, Member of Legislative Council
Michael Coxon, Mayor, City of West Torrens
Cr Graham Nitschke for Thebarton Ward, Deputy Mayor, City of West Torrens
Cr Dominic Mugavin for Thebarton Ward, City of West Torrens