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To: [DPTI:Planning Engagement](#)
Subject: Submission on the proposed Historic Area component of the draft Planning and Design Code - J Robson
Date: Tuesday, 25 February 2020 4:54:09 PM

Thank you for your letter dated 31 January 2020 inviting my comment on the draft Planning and Design Code – Historic Areas.

We live in the Rose Park suburb of Burnside and have recently participated in an ERD court case to enforce proper consideration of the historic nature of our area.

I write to make an informed contribution about how the existing Planning and Development Code and its intended changes exacerbated, and will continue to do so, what should have been a simple decision enforced at the district Council level.

Even though this second court attempt was again successfully pursued by ourselves and our neighbours it is the ambiguous wording used in the Code, I feel, that made the whole very costly experience necessary in the first place.

Local residents should not have had to fund a defence of the intent of the Development Plan when a for profit organisation backed by a district Council prosecuted a case supporting replacement of an existing building with a “discordant and jarring” (judgement wording) alternative.

Less ambiguous wording in the Code could have prevented all the time and expense, by all Parties.

If the State Government is genuine about preserving areas of historic importance a simple set of fundamental mandatory statements at the beginning of each Historic Area Statement would give the clear guidance necessary.

Otherwise, erosion of the overarching planning objectives, by a continuum of rulings sought by parties with self-interest will eventually hold sway in an environment where local resident’s altruistic intent and willingness to put up personal, not for gain, funding is the only barrier.

A statement such as,

Any Party ruling or seeking a ruling from the ERD court on the interpretation of the Planning and Design Code in relation to an Historic Area Statement, shall firstly, substantiate, that the following fundamental mandatory conditions exist:

1. The resulting building development will look the same from the predominant bordering street(s) as buildings of a similar purpose existing during the historic time period important to that Area (including physical appearance, height, layout, fencing, set back and materials used), and
2. If the site of the proposed development is within a Community Zoned Area that is itself wholly surrounded by the Historic Area it shall be considered to be part of the Historic Area.

This would, at least, halt the recent prevalence of multi-story dwellings built from modern materials that appear to be more American colonial, French provincial or Germanic in appearance and are not at the same set back or scale as the original homes.

As an additional point, specifically related to the proposed Rose Park Historic Area Statement, I make the following plea. It is not just the Architectural appearance the Code should protect. Alexandra Avenue is a significant historic boulevard within this precinct and a War Memorial of importance to SA. Each of the English Elms trees on the median strip is dedicated to a fallen local hero who made the eternal sacrifice.

These trees are poignantly juxtaposed by Algerian Oak trees in an arrangement that forms a pathway or guard of honour up to the war monument at the eastern end of the Avenue. This whole scene is only complete if the residential back drop portrays the era from which these heroes and their surviving families lived.

The wording at the beginning of the Area Statement would be strengthened if the attribute table included the requirement to support and enhance the layout of the Alexandra Avenue wartime monument by architecture sympathetic to the persons of that era.

Regards,
John Robson

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