

**MONDAY, 9 SEPTEMBER 2019**  
**Presentation to ERD Committee**

Good Morning Mr Chairman and Committee Members.

Thank you for the opportunity to address you this morning about an issue that is not only important to the City of Norwood Payneham & St Peters but the entire state.

With me today is Mr Mario Barone PSM, the Council's Chief Executive Officer and Mr Carlos Buzzetti, Council's General Manager, Urban Planning and Environment.

Mr Chairman, the future of South Australia's heritage and urban form is at the crossroads. The path the Parliament takes regarding the Commission's proposals for the Planning and Design Code will have a transformational and we submit, a detrimental lasting impact on our streetscapes and our neighbourhoods.

My submission this morning on behalf of the City of Norwood Payneham & St Peters will comprise three parts.

Firstly, I will provide the Committee with the historical context of the council area from the perspective of its built heritage and character.

I will then outline the specific concerns of my council regarding the State Planning Commission's foreshadowed removal of Contributory Items from the new Planning and Design Code.

Thirdly and perhaps most importantly, I want to present a practical and considered pathway to progress the resolution of this issue, one which can continue to provide certainty, clarity and flexibility to owners of Contributory Items and those in the many affected neighbourhoods who highly value their retention.

The City of Norwood Payneham & St Peters is the oldest municipal council in Australia with one of its predecessor councils, the City of Kensington and Norwood, formed in 1853. It also had the first Town Hall in South Australia and is a city steeped in history of which its residents are fiercely proud. At the core of the history of the city is its built form.

After four decades of hard-fought gains to retain and conserve the built heritage and character of some of Adelaide's oldest suburbs - a process started by the former Town of St Peters, the former City of Kensington and Norwood and finally the City of Norwood Payneham and St Peters - we now find ourselves under threat of poor planning policy, which lacks any evidence base and which notwithstanding the many arguments which have been put forward to defend the decision, is unable to withstand the rigour of proper scrutiny.

The Norwood Payneham & St Peters Development Plan currently contains 73 State Heritage Listed Places, 661 Local heritage Listed Places and 1463 Contributory Items. All of these listings have had the scrutiny and endorsement of previous Planning Ministers as well as this Parliamentary Committee, in the approval of Development Plan Amendments, prior to that Plan Amendment Reports and further back again, via

Supplementary Development Plans – all authorised by the Planning Minister of the day, on the independent advice of his or her Policy Advisory Committees.

Our heritage credentials were central to the Council's successful application for admission to the international organisation, the League of Historical cities. In fact, Norwood Payneham & St Peters is the only South Australian member city in the League and only one of three cities in Australia, the City of Melbourne and the City of Ballarat being the other two.

A number of suburbs within our city are among the most desirable places to live in Adelaide, evidenced by high property values and significant investment in renovations and extensions to these buildings.

People want to live in these suburbs, not only because they are close to the City, great eateries, schools and amenities, but because they have vast tracts of conserved Victorian and Federation era residential dwellings. Take for example, this intact row of Contributory Items in one of the Avenues in St Peters as shown on the image before you.

Importantly, it is the continuity and clustering of these dwellings that underpins their cultural and property value. The property owners that live in these suburbs value the historic conservation rules that have preserved these heritage outcomes and I will further demonstrate that when I speak about our survey of Contributory Item owners.

This brings me to the second part of the Council's submission.

Mr Chairman, let there be no misunderstanding. The Council supports improvements to South Australia's heritage framework, and we agree with one of the Government's original objectives of the new planning system in providing greater certainty to property owners, local communities and the development industry.

Since 2001, State Governments, both Liberal and Labor, have had numerous opportunities to review the role of Contributory Items, Historic Conservation Zones and heritage listings in the planning system but it has taken until 2019 – almost two decades for this to occur, albeit this is now being rushed, compromised and disjointed with the Commission's policy reforms not being genuinely consulted upon in a Discussion Paper. With Phase 2 and 3 of the Planning and Design Code now only 3 weeks away from consultation, these reforms to the planning system have not followed the previously foreshadowed processes of collaboration with local government nor early and transparent engagement with the community.

In 2006, the Council wrote to the then Minister for Urban Development and Planning, The Hon. Paul Holloway MLC, expressing concerns with the absence of legislative criteria for Contributory Items and called for a review of the broader heritage framework in South Australia. I have provided copies of this letter and subsequent Ministerial correspondence in the documentation which has been distributed to you. In the fourteen years since my letter, much could have been done to progress the identified heritage and character policy challenges.

Since 2001, many councils have undertaken Heritage DPAs, seeking and ultimately obtaining approval for the inclusion of Historic Conservation Zones, Local Heritage Places and Contributory Items, based on the State Government's, and I stress the State Government's, recommended model policy for the retention of these buildings. Sign-off on various Councils' listing and mapping of Contributory Items has been authorised by successive Planning Ministers in accordance with the Governments *Heritage Planning Bulletin (2001)* and the Department's *South Australian Planning Policy Library*. To now remove the transparency of those lists and maps and to weaken these policy controls, is to undermine the significant financial and resource investment each of those Councils has made, through a statutory and consultative process, which has had the imprimatur of State Governments, for the sake of a one-size-fits-all planning system. My Council rejects that notion on the basis it has not followed due process of public discussion and debate and will not serve our community well – not now, and not in the future

The State Planning Commission's public assertions that the listing process for Contributory Items has lacked rigour is both unfair and unfounded and misleading. When my Council prepared two Heritage Plan Amendment Reports in 2005-06, we did so with the highest standard of rigour, which to this day, is often held up as the exemplar of how a Heritage DPA should be undertaken.

This process involved:

- the preparation of surveys by heritage architects for all proposed Local Heritage Places and Contributory Items (meeting all of the documentation requirements of the *Heritage Bulletin* );
- a Statement of Intent, agreed to by the Minister for Urban Development and Planning (specifically addressing the inclusion of Contributory Items);
- approval from the Governor for Interim Operation of the policy;
- written notification to every owner of a proposed Local Heritage Place or Contributory Item, outlining the process for objecting to the proposed listing;
- an extended statutory consultation period;
- extensive community engagement workshops, displays and information sessions;
- two public hearings conducted by the Council;
- the commissioning of an independent heritage architect, who was a different consultant to the heritage architects who prepared the surveys, to review all of the Local Heritage Places and Contributory Items which were the subject of an objection;
- the Council's consulting Building Surveyor undertook structural assessments of all properties which were the subject of an objection to their listing based on the structural condition of those dwellings;
- three post consultation Council meetings to review the listing of Local Heritage Places and Contributory Items, resulting in 26 Contributory Items being de-listed;
- Planning SA undertook a second round of notification to all owners of Local Heritage Places and Contributory Items who objected to the listing, outlining a second round of reviews;

- the former Local Heritage Advisory Committee (LHAC) physically inspected all properties which were the subject of an objection;
- four hearings were conducted by the Minister's Local Heritage Advisory Committee to hear objections from owners;
- Planning SA staff reviewed the draft DPA to ensure all supporting information, listings and mapping met required standards (of the Heritage Bulletin and Development Plan formatting);
- the Local Heritage Advisory Committee's recommendations were then reviewed by the Minister's former Development Policy Advisory Committee (DPAC);
- a further review of the proposed listings was then undertaken by the Minister for Urban Development and Planning which resulted in a further eight Contributory Items being removed and one initially removed by the Council being re-instated;
- finally, both DPAs were reviewed by this Environment, Resources and Development Committee of Parliament; and
- at the end of this rigorous process, less than 4% of owners of Contributory Items objected to the listing of their property.

Importantly, the survey of each property went through no less than six separate filters before being vetted by two of the Minister's Advisory Committees and ultimately being signed off by the Minister and Parliament. If there was anything unlawful or unsupported about the construction of planning policy for Contributory Items, it should have been raised through these extensive Ministerial authorisation processes.

The extensive rigour of the listing process for Contributory Items that I have just described, highlights a significant shortcoming in the Commission's approach to heritage reforms. The reality is that the Commission has failed to justify with any evidence or rationale, its position and has made significant decisions in the absence of hard facts and data. It is easy for the Commission to make public statements about the shortcomings of the current system – we can all do that, but such statements and assertions need to be supported with hard cold facts and data. I have provided our Councils facts today and through our Chief Executive, we have issued a standing invitation for the Commission to do the same.

The foreshadowed wholesale removal of the Contributory Items simply because there is no legislative criteria for their listing and because of reported isolated examples of owners of Contributory Items having a negative experience with the development assessment process relating to their respective Councils, is a lazy argument of convenience.

It would be just as easy to grandfather across existing Contributory Items and develop legislative criteria for the listing of new Contributory Items as part of the new planning system, to reinforce their importance, as recognised by previous State planning departments and State Governments. In fact the State Government first published a definition of "Contributory Items" as far back as 2001, indicating a straightforward translation across into a legislative definition is possible, if that is the reported obstacle.

Planning SA's *Heritage Bulletin* defined a Contributory Item as:

**Contributory Item** – *Identified through policy formulation and amendment and deemed to have historic value by contributing to the heritage values of a Historic (Conservation) Zone or Policy Area.*

So members, we have a definition of Contributory Items provided by the State planning agency and in fact, that definition explicitly confirms that Contributory Items are a product of policy formulation. That is, Contributory Items and the policy protection that provides for their retention are certainly not a fabrication of local government, as curiously claimed in the Position Paper recently released by the State Planning Commission.

I draw the Committee's attention to the statement made by the State Planning Commission Chair, Mr Michael Lennon on ABC Radio on 6 May 2019 in which he stated "... *there is an expectation in people's mind that these Contributory Items have demolition control and are protected, and that is not the case.*"

This statement is both chilling and inaccurate. Contributory Items *are* protected from demolition in most Councils through strong policy wording which advocates their retention.

If I may read the detail of our policy protection to you as this is an important point. Principle of Development Control 27 of the Residential Historic (Conservation) Zone in the Council's Development Plan clearly states that **Contributory Items listed in Table NPSP 7 should not be demolished or removed, in total or in part unless:**

- (a) the part of the item to be demolished or removed does not contribute to the heritage value, historic character of the zone; or
- (b) the condition of the item is structurally unsound and substantial rehabilitation work is required to an extent that is unreasonable; and
- (c) in either of the circumstances described above, the demolition of that building, or that part of the building is part of a development involving erection of a substitute building, or part of a building, or addition to that building in a manner which does not diminish the level of contribution to the historic character of the zone made by the building on the site of the demolition.

There is clear policy construction in the Council's Development Plan that the starting point for Contributory Items is that they should in fact be retained, despite the Planning Commission's inaccurate public statements. The retention of Contributory Items as a policy construct was advocated by Planning SA in 2001 when it set out model policy Principle of Development Control 1 (a) for Historic Conservation Zones stating:

*Existing significant and contributory buildings identified in Table X and Map Y, which contribute to the historic character of the zone should not be demolished.*

That is the starting point, Contributory Items as first defined and written into policy protections by the State Government...should not be demolished.

The Council's policy regarding the protection of Contributory Items have a lower threshold retention test than that which applies for Local Heritage Places. The Council and our community have always accepted the fact that Contributory Items can be

demolished where circumstances warrant such demolition and therefore, the assessment tests for this are not as stringent as they are for Local Heritage or State Heritage Places. (Again, I can provide the data substantiating this fact, should the Committee require). In this context, it is hard to understand the Commission's view that some councils treat Contributory Items as 'de-facto' Local Heritage Places. If this is the case, I would respectfully suggest that the Commission take up that concern with the councils in question, rather than tar all councils with the same brush and force unnecessary reforms on all councils and local communities, to the lowest common denominator policy test.

On that point, Mr Chairman, my Council believes that automatically elevating all Contributory Items to Local Heritage Place status is an unnecessary and counter-productive response that blurs the existing heritage framework that has worked well for two decades and already includes a differentiation of status and commensurate development constraints and opportunities for Local Heritage Places and Contributory Items.

As I mentioned earlier in my submission, the Council has almost 1500 Contributory Items and across metropolitan Adelaide we understand there are approximately 12,000.

This represents a mere 3% of total housing stock in metropolitan Adelaide, so it's hard to imagine that Contributory Item listings are a massive anchor that is stifling economic development in South Australia. Quite the contrary, economic analysis demonstrates the significant cumulative investment made in the renovation and extension of these properties, as highly desirable assets and adaptive to the expectations of modern day living. Two examples of this are provided in the images before you. The first of these reflects extensive conservation works to a cottage in Kensington undertaken in recent years. The second example I draw to your attention reflects a contemporary extension to an existing Contributory Item in Maylands. This example clearly shows that Contributory Items can be adapted in a sustainable, aesthetically pleasing manner in which the occupants experience modern day living and the community benefits from the preservation of the original form that contributes to the streetscape.

By its own admission, the Commission suggests that there won't be wholesale demolition of housing within heritage overlays in the new planning system.

If this is the case, why target Contributory Items?

I wish to also focus on the broader strategic planning for the future growth and development of our City. In 2013, the Council undertook a Strategic Growth DPA, which identified development, employment and growth opportunities in substantial parts of the suburbs of Kent Town and Norwood. This DPA was undertaken in collaboration with the State Government at the time and was underpinned by an agreement that the Council would identify significant growth opportunities in designated areas in return for being able to balance those opportunities with the protection of existing Historic (Conservation) Zones and character areas.

This trade-off approach of considering the introduction of high growth areas balanced against retention of historic building stock in already-designated locations, was unanimously endorsed by the Council and the DPA, which introduced new mixed use development up to 10 storeys high, was overwhelmingly well received by our community. This was no mean feat for an eastern suburbs council in which traditional low scale and low rise developments were the norm.

Fast forward five years. Take a quick drive along The Parade and around Kent Town, and it will be very obvious that many growth opportunities have been taken up by the development industry and the Council has supplemented this growth with its own significant investment in infrastructure and public realm upgrades. This is the role of good local area planning, the system is working. The Council has held up its end of the deal with delivery of these ambitious growth opportunities – what we can't reconcile is why the Commission and the State Planning Agency (DPTI) are suddenly hell bent on dismantling the heritage framework, which has been built up over 40 years. In addition, in a less than clear and transparent process, this foreshadowed change was introduced in May this year in the absence of the promised community engagement through a Discussion Paper.

When more than ample development opportunities have been recently made available through rezoning and remain available to developers, why do we need to weaken the long-standing policy which protects our unique heritage building stock and character of our suburbs? It just does not make sense.

The Commission argues that the removal of Contributory Items will provide property owners and developers with greater certainty. Nothing could be further from the truth.

If the foreshadowed policy framework is implemented, then consider the practical implications.

Right now, under the current system – assuming I own or wish to purchase a Contributory Item – I walk into the Council office and ask what development constraints affect the property.

Most likely I am aware that my property or the property I purchase is a Contributory Item, which is verified by the planner showing me a little black dot on the map – bearing in mind that the black dot made its way on the map following robust heritage surveys, multiple reviews by the State Planning Agency, LHAC, DPAC and the Minister, all of which confirmed that my Contributory Item, along with other Contributory Items in my Historic Conservation Zone, collectively contribute to the historic character of the area I live in.

The planner then explains the implications of the Contributory Item status, including the assessment tests which would apply if I wanted to demolish the Contributory Item or retain it and undertake alterations and additions. In this regard, it is worth noting that the Council has approved the demolition of 14 Contributory Items since 2006. Our data shows that our community is willing to invest tens of millions of dollars into the conservation and enhancement of Contributory Items – because our community and people seeking to live in our City understand their inherent cultural and aesthetic worth. The fact that the Council has allowed 14 Contributory Items to be demolished

also demonstrates that our heritage policy framework strikes an appropriate balance between generally seeking the retention and conservation of Contributory Items, whilst allowing for renewal of building stock in appropriate circumstances.

The scenario I have outlined provides an owner of a Contributory Item with certainty and clarity, precisely those elements of the current system that are being taken away in the planning reforms.

Now consider the same conversation under the foreshadowed heritage framework, proposed by the Commission.

I meet with the Council planner and ask the same question about my property or the property I wish to purchase, which was previously listed as a Contributory Item. Only now, the response is far more complex and unclear.

Firstly, there is no black dot or street address to refer to on a Development Plan map, just a print out of pre-determined relevant policies from a generically worded Planning and Design Code.

An assessment of the building's heritage value and its contribution to historic values of the area, then has to be undertaken on an ad-hoc, costly, case-by-case basis. As the owner, I am now unclear what the new process requires for my application:

- Will I need to engage a heritage advisor (at a cost of around \$500-\$1000) to visit my property and assess its heritage values?
- Will the heritage advisor need to prepare a Contextual Analysis Report, assessing my proposed replacement dwelling and its contribution to the heritage values of the areas?
- Can I argue that the heritage value of my property is now diminished due to a high front hedge that partly obscures its view? Is this sufficient grounds for demolition approval?
- Would I get a different demolition outcome depending on which heritage advisor I engage?

Once I have had to engage a heritage consultant to review this, a Council planner will then also need to inspect and review the property, most likely requiring a referral to its consultant heritage advisor – all racking up unnecessary costs for ratepayers and time delays. This inefficiency means paying for a heritage review of the property 3 times over, once when the property was originally identified as a Contributory Item pre-2006, then an Contextual Analysis Report paid for by the applicant and the third time as part of a referral to the Council's Heritage Advisor. This wasteful process is not streamlining the development assessment system.

All these costly and time consuming steps will need to be undertaken before a person can be advised whether their building can be demolished. Not only is the process more lengthy and complicated than before, but the Council Planner under the new the PDI Act now has half the time to undertake this assessment (from 8 weeks to 4 weeks) before potentially facing an automatic approval (through the new Deemed Consent process).

Clearer, simpler and more certain? I think we all know the answer to that question. This can be nothing other than the introduction of entirely new policy tests to open up for re-examination those properties currently protected by a less ambiguous policy framework.

While it is understood officers of DPTI are working on changes to the final version of this policy ready for consultation, this Council remains very concerned about any approach to do away with the upfront certainty of Contributory Items, only to replace it with an adhoc, costly, delayed assessment process which will lead to poor development outcomes.

Mr Chairman, the irony of this cumbersome and labour-intensive approach is that the new ad-hoc assessment requirements which have been foreshadowed by the Commission have already been undertaken via the very heritage surveys and Heritage DPAs, which led to the Contributory Item's listings in the first place.

I am sure you will agree that going through this process again, paying for potentially two heritage advisors on an application-by-application basis makes no sense from both a policy and implementation perspective.

Mr Chairman, to underscore the extent of my Council's concerns I have written to every member of State Parliament and to all Mayors who have Contributory Items within their council areas. To date, I and the Council have been heartened by the supportive responses of some members of Parliament.

The Council has also invested in writing to every owner of a Contributory Item within our City, to understand their opinions on preserving historic areas, and their experiences with development processes, opportunities and constraints. We are collecting this information to provide an evidence base for improving the proposed policy.

In support of its policy position, the Commission has publically stated that the current policy framework unfairly impacts upon the Mums and Dads who own Contributory Items. Our survey results have demonstrated that this is not the case.

Firstly, the 374 returned survey responses from CI owners demonstrates how important this issue is to those individuals who are most affected and shows the extent to which our community is willing to be engaged on important policy topics. A response rate of 26% is a very positive return rate for postal surveys and constitutes a statistically valid representative sample.

Respondents were asked how important it is to them to own a building within a Historic Conservation Zone:

- 56% said it was very important;
- 24% said it was somewhat important; and
- 20% said it was not important...

In total, 80% of the respondents placed an importance or strong importance on owning a Contributory Item in a Historic Conservation Zone as opposed to owning a property

in another zone. This demonstrates a very high level of value attached to owning a CI inside a zone where consistency and cohesiveness of development outcomes can be expected.

Most importantly, with respect to the Council's current Development Plan wording regarding the demolition of Contributory Items, respondents were asked if they thought:

- the policy should be strengthened so it is harder to demolish a CI;
- whether it is satisfactory and no change is required; or
- if the policy should be weakened so it is easier to demolish a CI.

The responses to this question revealed that:

- 45% thought the policy should be strengthened;
- 38% thought no change is required; and
- 17% thought the policy should be weakened.

Our data on the *actual* opinions of owners show 83% of respondents think the current policy is sound or should be strengthened. This is contrary to the Commission's claim that owners perceive strong policy controls over demolition as being unfair. With such a high degree of support for strong policy controls, it would be *unfair* to these owners to weaken the demolition policy tests which have been in place since 2006.

Respondents were asked if they have undertaken work to their property since 2006 which required a Development Application, and if so, were asked to comment on their experience in that process. Of the 158 respondents that had been through a DA process, 31% indicated that they had a satisfactory or positive experience and a further 51% did not express any concerns with the assessment process, while 18% were moderately or very unhappy with the process.

Mr Chairman, these survey results from 374 households illustrate not only a high level of awareness of the current community discussion around Contributory Items and their valued place within the planning system, but also a high degree of support from the owners of these buildings for the retention of strong policy tests over the demolition of their buildings.

With your permission, Mr Chairman, I would like to table a copy my covering letter to the owners of Contributory Items, a copy the survey and a summary of the responses.

The Minister's recent invitation for council to undertake a Heritage DPA to elevate Contributory Items to Local Heritage Places is certainly well intended.

However, as the listing criteria for Local Heritage Places as not been expanded since Contributory Items were previously considered and rejected for Local Heritage Place listing, why would councils, the Department, the Commission or the Minister now expect a different result, save for a very small percentage that may have been incorrectly identified during the original heritage survey?

To test this hypothesis, the Council engaged a leading heritage architect to randomly review 15 Contributory Items within the Council area (at a cost of \$3300) against the

Local Heritage Place listing criteria and the results confirmed that Council would struggle to justify any of the CIs being listed as LHPs.

Why then would council spend hundreds of thousands of dollars and a year or more of scarce council resources to review nearly 1500 CIs when the listing criteria for LHPs hasn't changed? Is the Commission really expecting a different result?

The timing is also curious given the heritage policy framework hasn't been finalised, so potentially, councils could commence the DPA process only to find the new policy framework is revised back to provide genuine 'like for like' protections, which would render the DPA unnecessary.

To add to the changing goalposts around heritage in the new planning reforms, the Council is also very concerned about the timing, scope and process of the State Planning Commission's *Heritage in Transition* guidelines for the listing of Local Heritage Places, which seeks to further refine local heritage assessments beyond legislative criteria. This document, released quietly in August, some three months *after* the Commission's release of its Heritage and Character Position Papers. The process for not releasing the *People in Neighbourhoods Discussion Paper*, publishing instead the position papers (not for consultation) followed by *Heritage in Transition* guidelines (again without any consultation), undermines the Code's stated intent to collaborate with Councils, the community and stakeholders with clear, upfront direction and transparency of processes.

The unannounced release of the *Heritage in Transition* document introduces a whole range of qualifiers of what properties may be supported for listing as a Local Heritage Place, along with completely new exclusions for what should be considered as local heritage. These new guidelines, released after the Minister's announcement of a Development Plan Amendment process for Councils seeking to protect their Contributory Items, serves to further limit Local Government's ability to list buildings of importance to the local community.

In addition, more recent game-changers for the ability of Councils to elevate CIs to LHPs, comes with at least one Council being advised by DPTI staff, of only being able to propose up to an arbitrary 100 buildings from their current CI list as Local Heritage Places. How can this be the case, when there is no legislative base for this position?

The Council's position remains firm that Contributory Items should be retained and transitioned over to the *Planning and Design Code* in a clearly identified database (e.g. spatially identified on a map or by address) and that demolition protections afforded under the current system also be transitioned across to the new planning system. The intent of consistent policy across the State is supported, however there must be a thorough and transparent review of all existing Development Plan policies accompanied by a robust consultation process to arrive at a reasonable policy position for heritage protection. To date, this has not occurred.

The continued rhetoric that it is either impossible or unconscionable to bring across the 12,000 Contributory Items as policy constructs of the current planning system to the new planning system, is unsubstantiated. Contributory Items, with all the rigour that has been demonstrated in their listing, and their support of every successive

planning Minister since they were first given a definition in the Heritage Bulletin in 2001, means these are absolutely able to be carried across to the new planning system. The planning system contains hundreds of policy constructs that impose greater or lesser policy controls on “Mum and Dad” property owners. To single out Contributory Items as not being lawfully able to come across to the new Planning and Design Code, is not borne out in reality.

By contrast, take for example the Code’s spatial application of policies applying to “sloping land”. Currently Councils have a varying extent of policy applying to those sites. Sloping land, just like the policy construct of Contributory Items, has no definition under the current Development Act. This does not stop there being varying policies in current Council Development Plans about the additional obligations (or reduced opportunities) for owners of sloping land. In practice, it would mean a proposal for building on a sloping site would have additional planning policy tests, than for a site that is flat. In the new system the Commission is not saying “*sloping land*” has no definition in law, therefore it cannot have policy applying to it in the Code. On the contrary, the Planning and Design Code, has created a whole new policy overlay, based on the “undefined” policy construct of sloping land, with additional restrictions applying to those sites. Why then are Contributory Items treated any differently – is it in fact because there is a push to relax the policy test applying to those buildings, rather than their lack of legislative definition?

In conclusion Mr Chairman and Committee members, as I have just outlined, the practical implications of the foreshadowed policy framework have not been properly considered.

The collective opposition to the proposed planning reforms by councils such as the City of Norwood Payneham & St Peters, community groups and owners of Contributory Items should not be dismissed as some sort of ‘rose coloured’ walk down memory lane, but rather a call to arms and a call to conscience for all South Australians to understand exactly what is at stake here if these changes proceed.

This is a cynical attempt by the Commission to rewrite South Australia’s history, not with a pen, but with a bulldozer; slowly, incrementally but methodically erasing the most valued and richest elements of the story of our state, and in particular Adelaide.

If the proposed policy framework comes into effect, I put it to this Committee that long after Mario, Carlos and I and all of you have left public office, future generations of South Australia may well ask what we did to stop this madness.

Why didn’t we listen to the voices of those we were elected to represent?

Why didn’t we fulfil our obligations as policy makers and legislators to ensure the quality of life enjoyed by owners of Contributory Items was preserved?

What did we do to protect our past so that it could be inherited by our children and grandchildren after them?

Once again, I thank you for the opportunity to speak before you this morning.

Mr Barone, Mr Buzzetti and I are happy to take any questions.