

CITY OF UNLEY
COUNCIL ASSESSMENT PANEL

Dear Member

I write to advise of the Council Assessment Panel Meeting to be held on Wednesday 17 May 2023 at 6:00pm in the Unley Council Chambers, 181 Unley Road Unley.



Don Donaldson
ASSESSMENT MANAGER

Dated 08/05/2023

KAURNA ACKNOWLEDGEMENT

Ngadlurlu tampinhi, ngadlu Kurna yartangka inparrinhi. Ngadlurlu parnuku tuwila yartangka tampinhi.

*Ngadlurlu Kurna Miyurna yaitya yarta-mathanya Wama Tarntanyaku tampinhi. Parnuku yailtya, parnuku tapa purruna yalarra puru purruna.**

We would like to acknowledge this land that we meet on today is the traditional lands for the Kurna people and that we respect their spiritual relationship with their country.

We also acknowledge the Kurna people as the traditional custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

*Kurna Translation provided by Kurna Warra Karrpanthi

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

17 May 2023

MEMBERS:

Mr Brenton Burman
Ms Colleen Dunn
Mr Terry Sutcliffe
Mr Will Gormly
Dr. Iris Iwanicki

APOLOGIES:

CONFLICT OF INTEREST:

CONFIRMATION OF MINUTES:

MOVED:

SECONDED:

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 18 April 2023, as printed, and circulated, be taken as read and signed as a correct record.

AGENDA

Apologies
Conflict of Interest
Confirmation of the minutes

Item No	Planning, Development Infrastructure Act Applications	Page
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- | | | |
|----|--|-------|
| 1. | 7 Thornber Street, Unley Park - 22040422 | 4-73 |
| 2. | 30 Arthur Street, Unley - 22036815 | 74-94 |

Item No	Appeals Against Decision of Assessment Manager (PDI Act)	Page
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Nil

Item No	ERD Court Compromise Reports - CONFIDENTIAL	Page
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Motion to move into confidence

Nil

Motion to move out of confidence

Item No	Council Reports	Page
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Nil

Any Other Business
Matters for Council's consideration

ITEM 1**DEVELOPMENT APPLICATION - 22040422 – 7 THORNER STREET, UNLEY PARK SA 5061**

DEVELOPMENT NO.:	22040422
APPLICANT:	Genworth Group C-/ Future Urban Pty Ltd
ADDRESS:	7 THORNER ST UNLEY PARK SA 5061
NATURE OF DEVELOPMENT:	Demolition of existing structures
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Established Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Historic Area • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 6m) • Minimum Frontage (Minimum frontage for a detached dwelling is 21m) • Minimum Site Area (Minimum site area for a detached dwelling is 1,000 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level) • Minimum Side Boundary Setback (Minimum side boundary setback is 2m for the first building level; 4m for any second building level or higher) • Site Coverage (Maximum site coverage is 50 per cent)
LODGEMENT DATE:	2 Dec 2022
RELEVANT AUTHORITY:	Assessment panel
PLANNING & DESIGN CODE VERSION:	24 November 2022 – 2022.22
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Timothy Bournier Senior Planner
REFERRALS STATUTORY:	Not Required
REFERRALS NON-STATUTORY:	Heritage

CONTENTS:

ATTACHMENT 1:	Demolition Plan	ATTACHMENT 5:	Extract – Unley Architecture
ATTACHMENT 2:	Planning Statement	ATTACHMENT 6:	Representations
ATTACHMENT 3:	Heritage Character Assessment	ATTACHMENT 7:	Response to Representations
ATTACHMENT 4:	Council Heritage Advice		

ITEM 1

DEVELOPMENT APPLICATION - 22040422 – 7 THORNER STREET, UNLEY PARK SA 5061

DETAILED DESCRIPTION OF PROPOSAL:

This development proposes the demolition of all existing structures at 7 Thornber Street Unley Park including a single storey dwelling, outbuildings and tennis court.

The proposal was accompanied by a planning statement and heritage architect report which can be found in Attachments 2 and 3.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 7 THORNER ST UNLEY PARK SA 5061

Title ref.: CT 5137/125 **Plan Parcel:** F12402 AL285 **Council:** CITY OF UNLEY

The subject site is located within the **Established Neighbourhood Zone** and is a regular shaped allotment approximately 2110m² in area with a frontage of 26.4m and a depth of 80m.

The site currently contains a distinctive single storey detached dwelling constructed circa 1911/1912, a tennis court and three small outbuildings. The dwelling is a modest (in design) Federation-era bungalow. The dwelling itself will be discussed in greater detail later in this report.

The site is currently accessed by two crossovers to the primary street frontage.

The site is generally flat in nature.

The site is directly abutted by four (4) allotments of varying sizes all containing detached dwellings and various ancillary structures of varying styles.



Figure 1 – Subject site and dwelling.

Locality

The locality has been determined to be 100m to the north, east and south of the site and 150m to the west giving consideration to the general pattern of development and likely impacts of the

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DEVELOPMENT APPLICATION - 22040422 – 7 THORNBER STREET, UNLEY PARK SA 5061

proposal. The locality spans both the **Established Neighbourhood Zone** and the **General Neighbourhood Zone**. The subject site, locality and zoning is shown in Figure 2 below:

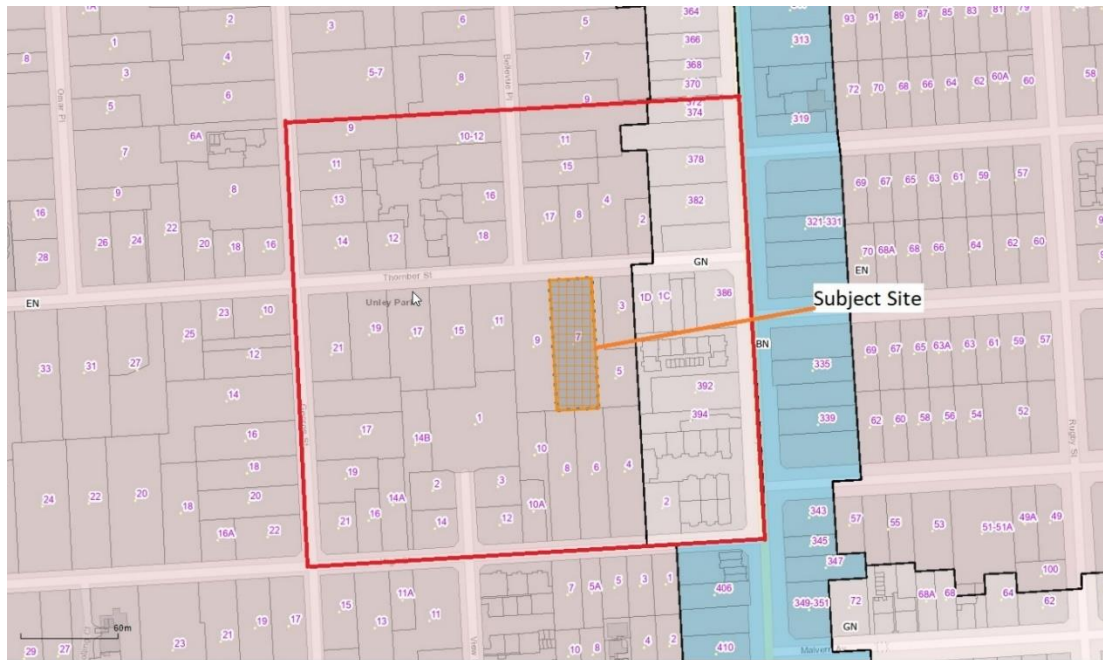


Figure 2 - Site and Locality

The locality contains a variety of dwelling styles predominantly Victorian, Turn of the Century and Interwar eras. More contemporary style dwellings of the late 20th century can be found dispersed through the locality in both single and double storey form.

Sections of the locality contained within the Established Neighbourhood Zone contain a variety of allotment sizes, however the predominant pattern of allotment size is described as large allotments with generous primary street frontages.

To the eastern side of the locality there are commercial land uses in converted character buildings, numerous residential flat buildings all within the **General Neighbourhood Zone**. The pattern of development in this part of the locality is mixed with a built form on notably smaller allotments.

The locality is well vegetated with numerous large trees, both on private land and on street verges.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**

Demolition: Code Assessed - Performance Assessed

- **OVERALL APPLICATION CATEGORY:**

Code Assessed - Performance Assessed

- **REASON**

P&D Code

PUBLIC NOTIFICATION

- **REASON**

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Table 5 (6) 1 - the demolition of a building (except an ancillary building) in a Historic Area Overlay is not excluded from notification.

• LIST OF REPRESENTATIONS

Representor Name/Address	Support/Support with Concerns/Oppose	Request to be heard
[REDACTED]	Do not Support	No
[REDACTED]	Do not Support	No
[REDACTED]	Do not Support	No
[REDACTED]	Do not Support	No
[REDACTED]	Do not Support	No
[REDACTED]	Do not Support	No
[REDACTED]	Do not Support	No
[REDACTED]	Do not Support	Yes (Peter Meline)
[REDACTED]	Do not Support	Yes (Self)
[REDACTED]	Do not Support	Yes (Peter Meline)
[REDACTED]	Do not Support	Yes (Peter Meline)
[REDACTED]	Do not Support	No

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• SUMMARY

43 owners or occupiers of adjacent land were directly notified and a sign detailing the proposal was placed on the subject site for the duration of the notification period. A copy of representations can be found in Attachment 6.

Eleven (11) representations were received, one of which is a duplicate with all representors opposing the development and four (4) seeking to be heard by the Panel.

The matters of concern raised by the representors are as follows:

- Heritage value of dwelling
- Future development on the land
- Tree loss
- Dwelling meets the Historic Area Statement

A response to the concerns raised by the representors has been provided by the applicant and can be found in Attachment 7.

AGENCY REFERRALS

Not required

INTERNAL REFERRALS

- Heritage

During the course of the assessment the proposal was referred to Council's Consultant Heritage Architect for advice. This response can be found in Attachment 4.

RULES OF INTERPRETATION

The Planning and Design Code outlines zones, subzones, overlay and general provisions policy which provide Performance Outcomes (POs) and Desired Outcome (DOs).

In order to assist a relevant authority to interpret the Performance Outcomes, in some cases the policy includes a standard outcome which will generally meet the corresponding performance outcome (a Designated Performance Feature or DPF). A DPF provides a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome. A DPF does not need to necessarily be satisfied to meet the Performance Outcome and does not derogate from the discretion to determine that the outcome is met in another way, or from discretion to determine that a Performance Outcome is not met despite a DPF being achieved.

Part 1 of the Planning and Design Code outlines that if there is an inconsistency between provisions in the relevant policies for a particular development, the following rules will apply to the extent of any inconsistency between policies:

- the provisions of an overlay will prevail over all other policies applying in the particular case; and
- a subzone policy will prevail over a zone policy or a general development policy; and
- a zone policy will prevail over a general development policy.

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PLANNING ASSESSMENT

The application has been assessed against the relevant policies of the **Planning & Design Code (the Code)**, which are contained in the following link:

[Planning and Design Code Extract](#)

Demolition

The subject site is located within the **Established Neighbourhood Zone (the Zone)** where the **Desired Outcomes (DO)** are as follows:

DO 1 - A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns.

DO 2 - Maintain the predominant streetscape character, having regard to key features such as roadside plantings, footpaths, front yards, and space between crossovers.

The subject site is also within the **Historic Area Overlay (the Overlay)** and associated **Residential Spacious Unley Park (East) Historic Area Statement (Un21)** where the **DO** is:

DO 1 - Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.

The relevant **Performance Outcomes (PO)** for demolition are:

PO 1.1 - All development is undertaken having consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.

PO 7.1 - 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

or

(b) the structural integrity or safe condition of the original building is beyond reasonable repair.

(c)

PO 7.3 - Buildings or elements of buildings that do not conform with the values described in the Historic Area Statement may be demolished.

DO 2 of the **Zone** and **DO 1** of the **Overlay** both seek the maintenance of the predominant streetscapes and conservation of the historic themes and characteristics of the area. **PO 1.1** of the **Overlay** seeks that development is undertaken with consideration to the **Historic Area Statement**.

PO 7.1 within the **Overlay** expressly seeks to retain buildings that demonstrate the characteristics expressed within the Statement unless it has been demonstrated that the façade is unable to be reasonably restored to its original style or the structural integrity and safe condition of the dwelling cannot be reasonably repaired.

No documentation in support of demolition for the above reasons has been provided which demonstrates the façade has been altered or the building is either structurally unsound or unsafe. Given this **PO 7.1** is not satisfied for demolition.

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PO 7.3 of the **Overlay** provides policy for where a building may be demolished. To satisfy this **PO**, it must be demonstrated that the building does not conform with the values described within the **Historic Area Statement**.

The applicant provided a Historic Character Assessment report. The report detailed the historical context of the site and locality and considered how the dwelling conformed with the **Historic Area Statement**. The conclusion of the report stated that due to the dwelling being inconsistent with other buildings within the vicinity it is not a significant contributor to the streetscape character.

In assessing the dwelling's conformance with the **Historic Area Statement**, Council's consultant Heritage Architect undertook an assessment and review of the dwelling and locality. The report references the Unley City Council's Twentieth Century Domestic Architecture Volume 1, 2012; the relevant extract from this publication can be found in Attachment 5.

Council's consultant Heritage Architect has assessed the dwelling against the table contained in the **Historic Area Statement** and determined that the dwelling meets the values described. The dwelling was constructed between 1911 and 1914 and is a Federation era bungalow constructed of reinforced concrete and finished in a rendered stucco style. The building height is consistent with other similar era buildings in the locality and the general form, materials and detailing of the dwelling are consistent with the materials noted in the statement. Finally, the site and positioning of the dwelling is consistent with the historic setbacks and displays the traditional building siting and landscaped setting. The full consideration against each value can be found within the Consultant Heritage Architect's report.

CONCLUSION

The subject dwelling is a Federation era bungalow on a spacious allotment with a mature garden setting.

The dwelling has been demonstrated to conform with the relevant **Historic Area Statement** and the dwelling adds to the variety of historic dwellings in the locality. The distinctiveness of the dwelling reinforces its value to the streetscape locality and the range of historic housing stock still remaining in the locality.

Given that the dwelling conforms with the historic characteristics expressed in the **Historic Area Statement** and that it does not satisfy **Historic Area Overlay PO 7.3**, the dwelling should be retained.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 22040422, by Genworth Group C-/ Future Urban Pty Ltd is REFUSED Planning Consent subject to the following reasons:

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DEVELOPMENT APPLICATION - 22040422 – 7 THORNER STREET, UNLEY PARK SA 5061

REFUSAL REASONS

Planning Consent

- The subject dwelling conforms with the values described in the Historic Area Statement and does not satisfy Historic Area Overly PO 1.1.
- The subject dwelling's front elevation has not been substantially altered such that it cannot be reasonably restored in a manner consistent with the building's original style nor is the subject dwelling's structural integrity of safe condition been demonstrated to be beyond reasonable repair and therefore does not satisfy Historic Area Overly PO 7.1.
- The subject dwelling conforms with the values described in the Historic Area Statement and does not satisfy the Historic Area Overly PO 7.3.

CONDITIONS

Planning Consent

Not required

ADVISORY NOTES

Planning Consent

The applicant has the right of review and appeal pursuant to section 202 of the PDI Act 2016.

An appeal to the Court against a decision by the Council Assessment Panel must be made directly to the Environment, Resources and Development Court within 2 months of the applicant receiving this notice of decision. The Court is located at the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

OFFICER MAKING RECOMMENDATION

Name: Timothy Bourner

Title: Senior Planner

Date: 5 May 2023

ATTACHMENT 1

THORNER STREET





Plan Production: 02/12/2022

Demolition Plan

7 Thornber Street,
UNLEY PARK

LEGEND

-  Subject Site
-  To be demolished



December 2022
Revision A
Scale 1:400 at A3



ATTACHMENT 2

November 30, 2022

Mark Troncone
 City of Unley

Dear Mark,

PROPOSED DEMOLITION AT 7 THORNBER STREET, UNLEY PARK

On behalf of our client, [REDACTED] ('the Proponent'), we are seeking Development Approval for the demolition of all existing structures at 7 Thornber Street, Unley Park ('the site').

The purpose of this brief statement is to describe the site, its surrounding and the proposal, and to assess the proposal against what we consider to be the most pertinent provisions of the Planning and Design Code ('the Code').

We have concluded from our assessment that the proposal is deserving of consent.

The Site and Locality

The site consists of one allotment, located on the southern side of Thornber Street and legally described as Certificate of Title Volume 5137 Folio 125. A dwelling and ancillary structures currently exists on the site. There are no regulated or significant trees on the site and neither the site or the building is heritage listed.

The site is located within the Established Neighbourhood Zone ('the Zone') and Historic Area Overlay (Un21) ('the Overlay') as shown in the map below.

Figure 1 *Subject site*



Plan Production: 26/11/2022

Zoning + Historic Area plan

LEGEND
 — Zone boundary
 - - - Subject land boundary
 = State Maintained Road
 [Hatched Box] Historic Area Overlay



Whilst inspecting the site and its immediate surroundings, we noticed, amongst other things that:

- The locality is largely residential with non-residential located along Unley Road.
- Unley Road is a State Maintained Road under the care and control of the Commissioner of Highways.
- Thornber Street and the surrounding locality is a very high amenity residential area;
- Two local heritage places are within close proximity (not abutting) the subject site.

The Proposal

The Proponent seeks planning consent to demolish the existing structures on the site as the site is captured by an Historic Area Overlay (see Schedule 4, Clause 10 of the *Planning, Development and Infrastructure (General) Regulations 2017* ('the Regulations') and Table 1 of Part 5 of the Planning and Design Code ('the Code').

Procedural Matters

Pursuant to Regulation 22 of the Regulations, the Council Assessment Panel is the relevant authority, as the proposal is to be performance assessed and publicly notified in accordance with Table 5 – Procedural Matters whereby the proposal involving the demolition of a building within the Historic Area Overlay is not excluded from notification.

Assessment

For the purposes of this assessment, the relevant version of the Code is V2022.22 (24 November 2022). The Code specifies the policies for demolition which have been enclosed for reference.

As previously mentioned, the demolition of the existing building is 'development', as the site is captured by the Historic Area Overlay. In the Historic Area Overlay, existing buildings are protected from demolition unless they meet the specific requirements contained within the Overlay which are as follows:

PO 7.3 *Buildings or elements of buildings that do not conform with the values described in the Historic Area Statement may be demolished.*

The Proponent has engaged Bruce Harry and Associates, a well-respected and eminently qualified firm of heritage advisors to prepare a comprehensive review of the existing dwelling on the subject site and a review of historical context of the original subdivision of the suburb of Unley Park and how that has informed the architectural features of development in the locality.

It is clear from the accompanying report prepared by Bruce Harry and Associates that the dwelling does not conform with the Historic Area Statement in that:

- The existing dwelling differs from most others in the street and does not fit within any of the recognised architectural styles of that period.
- It has an austere, eclectic built form appearance which is an unusual mix of symmetrical cottage and return verandah villa but without the distinctive attributes of either.
- It has none of the ornamental features of the typical styles of dwellings that predominated in the street in the early 20th century.
- It is the only pre-world war 2 dwelling in Thornber Street to have fully stuccoed external walls without any other ornamentation.

The report also found that “while it is the Federation/Arts and Crafts Bungalows dating from 1901-1914 and complementary Character/Californian Bungalows dating from 1919-1929 that are the predominant dwelling types in the street , their diverse interpretations of the bungalow style do not effect a consistent built form or establish a streetscape with a cohesive period character. Rather, the townscape of Thornber Street is primarily characterised by the superior quality of its dwellings, set in mature gardens, and enhanced by the avenue of mature trees along the road verges, and not from the repetitive use of any single dwelling type or style.”

As such, Thornber Street itself when considered in a wider context does not have a cohesive period character and the demolition of this dwelling will not have deleterious impacts on the overall character of the immediate locality given the eclectic nature of dwellings already existing.

The report prepared by Bruce Harry and Associates concluded:

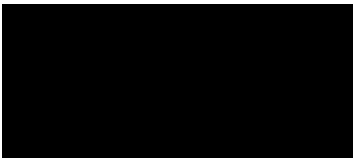
“In my opinion, its (the building) style is inconsistent with the other early 20th century dwellings in its vicinity, and it is not a significant contributor to the predominant streetscape character of its locality, the policy area, or the wider zone. As the Historic Area Overlay for the Established Neighbourhood Zone countenances demolition of buildings which sit outside the parameters of characteristic built form described in the Historic Area Statement, I am of the opinion that it should therefore be open to replacement by a new dwelling of high quality design and complementary built form and scale to the existing streetscape.”

Considering the above, it can be reasonably contemplated that the existing dwelling does not conform with the values described within the Historic Area Statement and thus satisfies PO 7.3 of the Historic Area Overlay.

For the above reasons, we are of the opinion that the proposal satisfies the relevant provisions of the Code and thereby contains sufficient merit to warrant planning consent.

Should you have any queries, please do not hesitate to contact me.

Yours sincerely,



Marc Duncan
Director

ATTACHMENT 3

HISTORIC CHARACTER ASSESSMENT

7 Thornber Street , Unley Park

November 2022



Bruce Harry + Associates
Heritage Consultants

4 Leslie Street , Glen Osmond SA 5064

ionica@internode.on.net

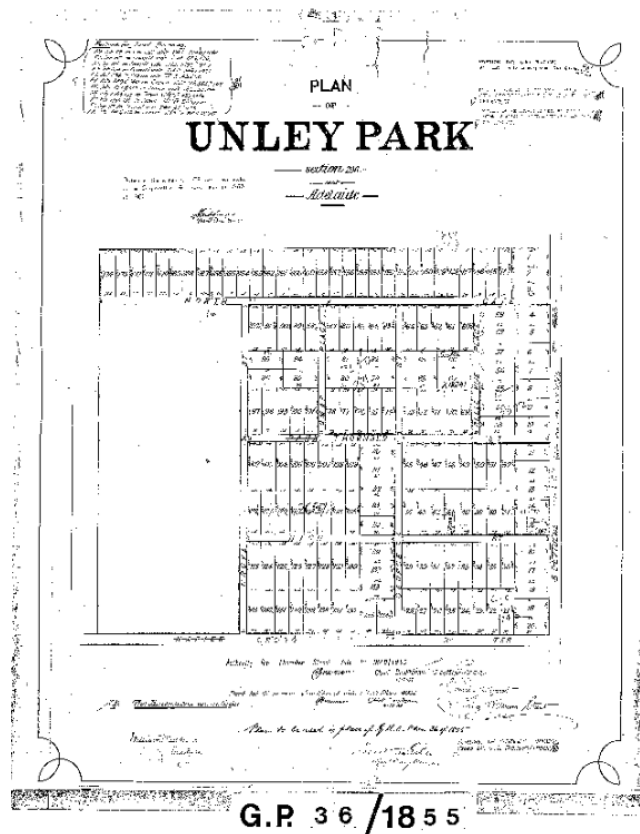
Historic Character Assessment 7 Thornber Street , Unley Park

I have visited the subject site in Thornber Street , and its locality within the Residential Spacious Unley Park (East) Historic Area in which it is situated, reviewed the development history and context of the place , and provide the following comments regarding its contribution to the character of Thornber Street .

Historical Context

After laying out the City of Adelaide , Colonel Light established a basic road network linking the City with the coast , the hills , and the plains to the north and south , and surveyed the land beyond the Park Lands into Sections of mostly 134 acres .

Thomas Whistler , a Colonial Agent in London , acquired Sections 236 , 237 and 238 south of the City and Park Lands along the Government Road to Brownhill Creek (now Unley Road) and moved to the Colony in 1840 . By 1842 he had subdivided Section 238 into one acre allotments for a village to be called "Unley" . Early development was slow , but in 1850 Whistler subdivided the northern part of his adjoining Section 237 into 84 allotments and in 1854 subdivided his other Section 236 into 174 allotments of 1¼ acres each , which he called "Unley Park" (GRO Plan 36/1855).



Many early purchasers of multiple allotments in Unley Park were speculators or investors but one of the earliest residents was Mrs C.M. Thornber , who in mid-1855 acquired Allotments 104 , 105 and 106 at the western end of Park Street (now Thornber Street) and Allotment 10 on the Unley Road corner of the street . Mrs Thornber , a widow , had a house constructed on Allotment 104 shortly thereafter (No 37) and relocated the private school for girls she had been operating at lower Mitcham to the house at Unley Park .

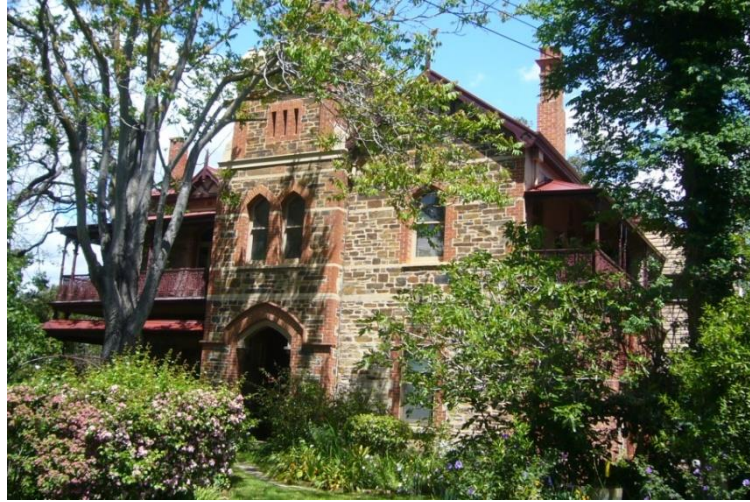
In the mid- 1850s a financial collapse in the S.A. economy stalled the growth of the Colony, and in 1856 Whistler returned to England. At the time , the total number of dwellings in his subdivisions was around 100, with Mrs Thornber’s residence/school the only building to have been erected in Thornber Street .It would remain so until the economic resurgence of the 1870s and the metropolitan wide speculative land and development boom that followed .

In 1875, Thornber purchased the vacant Allotments 99 , 100 and 101 opposite her School , probably with a view to future expansion . The next dwelling erected in Thornber Street after Mrs Thornber’s residence/school was on Lot 52 near Unley Road (No 5) around 1878/79 .The opening of horse tram lines along Unley Road in 1879 and King William Road in 1881 (to a terminus near Heywood Park) accelerated the development of community facilities such as shops , churches , police stations and more widespread residential development . In Unley Park , Whistler’s remaining broad acres south of Heyward Park were subdivided in 1879 and in the early-mid 1880s additional dwellings were erected in Thornber Street on the south-west corner of the George Street intersection (10 George Street) , a substantial two storey bluestone villa on the opposite corner (16 Thornber Street) , and west of George Street on Lots 108 (No 27) and 109 (No 25). During the 1880s, the original Allotments 53 , 54 , 69 – 73 and 74 – 78 on the northern side of the street were also subdivided (and reoriented) to create additional smaller blocks .

The onset of another more severe economic depression in the late 1880s finally brought the long metropolitan wide development boom to an end at the close of the decade . There was little further development in Thornber Street thereafter until the end of the 19th Century .

In 1893 the now retired Mrs Thornber transferred her school property and other allotments in Thornber Street to her three daughters , then jointly running the school , who in 1895 transformed the property from a single storey building into a substantial , two storey , towered property they named “*Harperhey*” (now generally known as Thornber House) . The only other dwellings erected in Thornber Street during the 1890s were on Lot 70 near Bellevue Place (No 10) and at the corner of Grove Street (17 Grove Street) on consolidated Lots 97 and 98 .

By the end of the 19th Century there was a small group of Victorian villas at the western end of Thornber Street , dominated by the very substantial two storey residences at Nos 16 and 37 , but the eastern end of the street remained largely undeveloped with only the two widely separated dwellings at Nos 5 and 10 between George Street and Unley Road (both since demolished) .



Photograph 1 : Thornber House after the extensive 1895 alterations and additions

At the start of the 20th Century , Federation of the States to create the Commonwealth of Australia combined with a new optimism in the South Australian community brought another resurgence of development across metropolitan Adelaide . In 1902, the Thornber sisters transferred Lot 10 at the Unley Road end of Thornber Street to others , and following its subdivision and resale in 1903 , a pair of shops was erected on the Unley Road corner (384 Unley Road) , a symmetrical cottage was built behind at No 2 Thornber Street , and “Kyre College” (the forerunner of today’s Scotch College) built a school in the form of a large symmetrical cottage alongside at No 4 Thornber Street .

In 1905, the Thornber sisters relinquished control of the school at 37 Thornber Street , sold the undeveloped Lots 99 , 100 and 101 west of Omar Place to F. Grasby , owner of the Grove Street corner dwelling on part Lots 97 and 98 , and moved into a dwelling newly built for them on the adjacent Grove Street corner (No 39) . In 1910 the school ceased operation . In the years before the onset of WW 1 , additional dwellings were also built in Thornber Street on Allotment 11 (386 Unley Road) , 45 (No 21) , 46 (19) , 49 (11) , 51(7) , 69 and 70 (18 Bellevue Place) , 73 (14) and 107 (31) . Most of these were in the increasingly popular Edwardian/Arts and Crafts styles of the “new age”. But the decade long development surge was largely brought to a standstill by 1914.

In 1915 the former school property was sold to J. Whittle who operated the “King George Hospital” therefrom for several years , before converting the property to the “Mayfair Flats” around 1918 . The dwelling at the corner of Omar Place (No 26) was built around the same time on grouped Allotments 76, 77 and 78 .

A post-war development boom in the 1920s saw the division of further of the large allotments in Unley Park and another surge of new dwellings in Thornber Street . Additional dwellings were erected during the 1920s on Lots 47 (No 17) , 48 (No 15) , former Lots 53 and 54 (No 8), and on Lot 106 (No 33) . In 1920 Kyre College relocated from Thornber Street to Torrens Park and the former school building was adapted to a dwelling . When the onset of a worldwide economic depression in 1929 again brought development to a halt across Adelaide , most of

the remaining vacant allotments in Thornber Street had finally been developed and Unley Park had evolved into a suburb of quality residences set on spacious blocks .

When development finally resumed after the lifting of wartime rationing in the early 1950s, the first post-war dwelling to be built in Thornber Street was on Lot 71 (No 12) in 1951/52 (since demolished). The post-war era was also when a shift to medium density living and group dwellings began to accelerate , leading to the demolition of many older dwellings on large original allotments. The popularity of cream brick and Basket Range stone for walling further emphasised the changing nature of post WW 2 residential development and led to an accelerating dissipation of traditional streetscapes across the metropolitan area .

In 1964/65 the 19th Century dwelling at No 10 Thornber Street was replaced with a group of red brick home units known as "*Thornber Court*" . Around 1966, the two storey cream brick complex of apartments known as "*Heywood Court*" was erected on Lot 100 (No 30). These group dwelling complexes were the first contemporary intrusions in the Thornber streetscape. Detached and duplex dwellings of contemporary style followed on other allotments during the 1970s-80s at Nos 1a and 1b on part former Allotments 11 and 12 (No 3) , and the project home on Allotment 99 (No 32).

Another wave of contemporary dwellings has come with the start of the 21st Century , and the replacement of other late 19th/early 20th Century dwellings with ultra-modern housing styles , such as the two storey duplex at Nos 1c and 1d Thornber Street , and the adjacent single storey dwelling at No 3 (in front of another at No 5 , both on former Lot 52 which has been subdivided to form a battle-axe allotment) . Other contemporary dwellings are at Nos 12 , 23, 28 , 32 , 34 and 37a Thornber Street , several of which have adopted reproduction elements (Nos 12, 28 , 34 and 37a) .

The consequence of this long cycle of brief development booms interrupted by lengthy economic recessions , is that Thornber Street does not have a unified streetscape character . Apart from the very significant history and presence of Thornber House , the key residential development periods that have shaped the current streetscape were the early years of the 20th Century between 1901-1914, and the post-WW 1 boom years from 1919-1929. The first of these was defined by the prevalence of Edwardian and Federation Arts and Crafts villas and early bungalows . In the second , it was derivations of the Character/Californian Bungalow that predominated . The character of Thornber Street thus established remained intact until the late 1950s when a pronounced shift to contemporary styles and group dwellings occurred , gradually dissipating its early 20th Century character and creating the more hybrid mix of dwelling types and styles that exists today .

Two of the dwellings in Thornber Street have statutory heritage listings : the former school for girls Thornber House at No 37 which is a State Heritage Place (ID 10733) , and the former Kyre College at No 4 which is a Local heritage Place (ID 3926). 39 Thornber Street has been identified as a Representative Place .

The subject dwelling

The existing dwelling at 7 Thornber Street was constructed circa 1911/12 for C.V. Hughes , a “*Commercial Traveller*”, on former Allotment 51 of Whistler’s original subdivision of Unley Park.

The adjacent Allotments 51 and 52 Thornber Street had been purchased by W.E. Weeden in 1878 (CT 274/153) who built a house on Lot 52 shortly and transferred Lot 51 to land agents Gully and Long who in August 1882 transferred it to G. C. Shierlaw of Adelaide , “*Gentleman*” , the owner of the adjacent Allotment 50 (CT 398/84). Shierlaw was an investor/speculator who had also acquired Lots 74 to 78 Thornber Street in 1872 (CT 165/137). When Shierlaw died in 1890 , Allotments 50 and 51 passed to his widow , who subsequently transferred Lot 50 to E. Hamlyn in 1903 and Lot 51 to C.V. Hughes in 1908 (enabling the sale to Hughes by providing him with a mortgage) .

Hughes does not appear in the Sands & McDougall Directories as a resident of Adelaide prior to 1909 when he is first recorded as residing in Eton Street , Malvern . By 1911 he is listed at Gladstone Road , Mile End . In February 1911 Hughes registered another mortgage on the Thornber Street property (with the S.A Public Service Superannuation Fund) which was not subsequently discharged until 1929 , indicating that the subject dwelling on the allotment was probably built around 1911/12 while he was living at Mile End . Curiously , Hughes is listed in the Directories at the western end of Thornber Street from 1912 – 1914 with his first entry as resident at 7 Thornber Street not appearing until 1915 , suggesting that he may have initially rented the property . Hamlyn appears to have built a house on his adjacent allotment (No 9) around 1911/12 .

In April 1920 , 7 Thornber Street was transferred from Hughes to S. Treasure , who is recorded by Sands & McDougall as residing at the address from 1921 . Treasure retained the property until 1933 , after which it has passed through numerous subsequent owners until the present day .

7 Thornber Street differs from most other dwellings in the street and does not fit within any of the recognised architectural styles of the period . It has an austere , eclectic built form appearance which is an unusual mix of symmetrical cottage and return verandah villa but without the distinctive attributes of either . It has none of the ornamental features typical of the Federation Queen Anne/Arts and Crafts styles or of the more stolid Federation Bungalow style that predominated in the street in the early 20th Century . Amongst its eclectic features are a visually dominating hipped roof with a small central gablet , extending unbroken to incorporate an asymmetrical return verandah over a projecting corner bay window , and a principal entrance at the side . It is the only pre WW 2 dwelling in Thornber Street to have fully stuccoed external walls without any other ornamentation .

With the exception of the adjacent modern dwellings on its eastern side , its contemporaneous neighbours are predominantly Edwardian/Arts and Crafts villas and cottages or character bungalows .



Photographs 2 and 3 : The subject dwelling at 7 Thornber Street, with its austere simple appearance and visually dominant roof with integrated verandah .

The subject dwelling is situated in the Residential Spacious Unley Park (East) Historic Area (Un21) of the Established Neighbourhood Zone, City of Unley , in which the key attributes of built character are described in the associated Historic Area Statement as comprising “1880 to 1940 built development” of “Victorian and Turn-of-the-Century double fronted cottages and villas , Inter-War era housing , primarily bungalow but also Tudor and art deco and complementary styles ” .

The Streetscape of the Locality

From 1855 to 1900, residential development along Thornber Street was mostly confined to the western end of the street , beyond George Street , and was of traditional Victorian era built form . The intense periods of development that followed between 1901 and 1914, and again between 1919 and 1929 , brought with them different dwelling styles , initially the pared back Edwardian villa and subsequently the many variations of the more modulated Federation bungalow .

Edwardian dwellings were typically simplified versions of the preceding Victorian era villas and cottages . Bungalow style dwellings had lower pitched roofs than traditional villa and cottage roofs , with a ridge line parallel with the street and gabled ends , and a shallower street facing gable over a wide, front verandah/porch , which typically incorporated oversized masonry piers and a solid balustrade . Front walls were frequently dressed stone , with side and rear walls typically constructed of brick . In the more fashionable “garden suburbs” , the wealthy built more substantial and varied versions adapted from the Arts and Crafts , Queen Anne and Old English styles of the late 19th/early 20th Century , and these are now generally described as Federation Bungalows . They generally had more steeply pitched , terra-cotta tiled roofs with ornamental chimneys , and frequently incorporated picturesque features such as large arched windows , ornamental verandah timberwork , pepper pot turrets , and typically had walls of face brickwork . During the 1920s , the large Californian Bungalow also began to appear in increasing numbers , more rusticated in appearance than the Federation Bungalow , and the grander examples were usually architect designed .

By the end of the 1920s , Thornber Street had a substantially complete bungalow dominant streetscape of diverse and varied architectural features . Most of the dwellings in the street had pitched roofs of corrugated iron or terra cotta tiles , and sandstone and/or red brick facades . Pre-WW 1 dwellings generally displayed more traditional built form and detailing with steeper roof pitches , stonework dressed with brick quoins around window and door

openings , and substantial attached verandahs . Post- WW 1 bungalows had lower roof pitches , were mostly constructed of brick, or stone without quoins around openings , and incorporated asymmetrical gabled porches/verandahs . This broadly consistent bungalow character survived until the mid-1950s , after which it began to dissipate , with accelerating speed during the late 20th/early 21st Century.

The townscape of Thornber Street today is comprised of a variety of Victorian era dwellings with traditional 19th Century built forms , early 20th Century Edwardian/Arts and Crafts villas and Character Bungalows , early modern detached and group dwellings of the mid-late 20th Century , and very contemporary 21st Century dwellings , none of which have the repetitive weight of numbers to create a unified streetscape character . They are a mix of one and two storey scale , have varying orientations at street corners , and sit on different allotment sizes .



Photograph 4 : Google Earth image of Thornber Street between Unley Road and George street with the subject site outlined in yellow. The buildings at the eastern end face onto Unley Road .

Between Unley Road and George Street , the southern side of Thornber Street has a mix of contemporary dwelling styles (Nos 1 – 5) and traditional villas and bungalows built in the early decades of the 20th Century , including the eclectic subject dwelling (No 7) built circa 1911/12 , an asymmetrical Edwardian villa (No 9) also built circa 1911/12 , a return verandah villa (No 11) built circa 1915, a character bungalow (No 15) built circa 1919 , a Californian bungalow (No 17) built circa 1926 , another return verandah villa (No 19) built circa 1913/14, and an asymmetrical villa at the George Street corner (No 21) built around 1912/13 .

Facing them on the opposite side of the street are a symmetrical cottage (No 2) built circa 1903 , the large symmetrical cottage built for Kyre College in 1903 , and a substantial Californian Bungalow with tennis court at the corner of Bellevue Place (No 8) built around 1921/22 . Beyond Bellevue Place, the corner residence is a substantial Federation/Arts and Crafts bungalow built circa 1908 (18 Bellevue Place) , at No 10 is a group of 1960s home units (“Thornber Court”), a two storey contemporary dwelling (No 12) built in the late 1980s, and a substantial Federation/Arts and Crafts villa with tennis court at the corner of George Street (No 14) , built around 1912.

The facades of the dwellings on the southern side of the street vary from 12 – 22 metres in width and are generally setback around 10 – 14 metres from the street boundary . Dwellings on the northern side have more varied façade widths of 10 – 26 metres and smaller setbacks between 6 - 9 metres (with the exception of No 4 , the former Kyre College , which has a 13 metre setback) . The variations in property frontages and siting of dwellings is reflective of their construction periods and the periodic subdivision of original allotments over more than 150 years . The 20th Century popularity of tennis courts has also led to several gaps in the built form streetscape . Examples of both are present in the immediate locality of the subject property in the tennis court directly opposite (No) and in the battle axe subdivision of former Lot 52 adjacent (now Nos 3 and 5) .

The built form diversity of Thornber Street in the locality of the subject site is evident from the photographs below:



Photo 5 : Modern duplex at 1C and 1D Thornber St



Photo 6 : The adjacent dwelling at No 5 Thornber St



Photo 7 : Asymmetrical Edwardian villa at No 9 Thornber St (c 1911/12)



Photo 8 : Character brick bungalow at No 15 Thornber St (c 1919)



Photo 9 : Californian Bungalow at No 17 (c 1926)



Photo 10 : Return verandah villa at No19 (c 1913/14)



Photo 11: Asymmetrical villa at No 21 Thornber St / corner of George St (c.1912/13)



Photo 12 : Symmetrical cottage at No 2 Thornber St (c 1903)



Photo 13: Former Kyre College at No 4 Thornber St (c 1903)



Photo 14: Californian Bungalow at 6-8 Thornber St /corner of Bellevue Place (c 1921)



Photo 15: Federation/Arts & Crafts villa at 18 Bellevue Place /corner of Thornber St (c 1908)



Photo 16: 1960s home units group at 10 Thornber St



Photo 17: Contemporary dwelling at No 12 Thornber St



Photo 18 : Federation/Arts & Crafts villa at No 14 Thornber St / corner of George St (c 1912/13)



Photo 19 : Victorian Italianate villa at No 16 -18 Thornber St/
corner of George St (c1885/86)



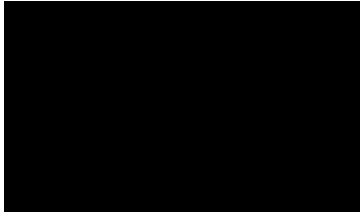
Photo 20 : No 10 George St / corner of Thornber St (c 1880 /81)

Conclusions

The subject dwelling is located within the Residential Spacious Unley park (East) Historic Area (Un21) , one of the key Objectives of which is the retention of buildings and structures that demonstrate the characteristics expressed in the accompanying Historic Area Statement . These are described as residing in Victorian and Turn-of-the-Century double fronted cottages and villas and interwar Bungalows and/or Tudor revival styles, primarily built of sandstone , bluestone or brick , and having hipped and gable roof forms , open verandahs and feature ornamentation .

Though of impressive size and style , the handful of late 19th Century Victorian villas at the western end of Thornber Street are outnumbered by the more numerous detached and group dwellings along the street dating from the mid- late 20th Century and the more contemporary 21st Century dwellings at the eastern end of the street . And while it is the Federation/Arts and Crafts Bungalows dating from 1901-1914 and complementary Character/Californian Bungalows dating from 1919-1929 that are the predominant dwelling types in the street , their diverse interpretations of the bungalow style do not effect a consistent built form or establish a streetscape with a cohesive period character . Rather , the townscape of Thornber Street is primarily characterised by the superior quality of its dwellings , set in mature gardens, and enhanced by the avenue of mature trees along the road verges , and not from the repetitive use of any single dwelling type or style .

The subject dwelling itself is an austere , eclectic early 20th Century dwelling on a spacious site without a mature garden setting . In my opinion, its style is inconsistent with the other early 20th Century dwellings in its vicinity , and it is not a significant contributor to the predominant streetscape character of its locality , the Policy Area , or the wider Zone . As the Historic Area Overlay for the Established Neighbourhood Zone countenances demolition of buildings (P.O. 7.3) which sit outside the parameters of characteristic built form described in the Historic Area Statement , I am of the opinion that it should therefore be open to replacement by a new dwelling of high quality design and complementary built form and scale to the existing streetscape .



Bruce Harry FRAIA

21 November 2022

Principal sources

SAILIS Historic Lands Titles and Deposited Plans
Sands & McDougall S.A. Directories
Trove Digitised Historic Newspapers
Unley Heritage Research Study 2006-2012 ; McDougall & Vines
City of Unley Heritage Surveys 1978 and 1985 ; Donovan & Associates
Unley Heritage areas 1980 ; Chase

ATTACHMENT 4



Anaglypta

ARCHITECTURE

ABN 81 614 388 439

PO Box 1390

Mount Barker SA 5251

08 83883440

pippa@anaglypta.com.au

Heritage Advice

DA Number	22040422
Property Address:	7 Thornber Street, Unley Park, SA 5061 CT Vol 5137 Folio 125
Heritage Listing:	None
Proposed Development:	Demolition of existing dwelling
Overlay:	Residential Spacious Unley Park (East) Historic Area (Un21)
Zone Section:	Established Neighbourhood
Author:	Anaglypta Architecture Pippa Buckberry
Date:	03/05/2023

Drawing	Future Urban Demolition Plan Revision A (2/12/2022)
References:	

Previous Advice to Applicant:

None known.

Heritage Significance:

The Historic Area Overlay identifies localities that comprise characteristics of an identifiable historic, economic and / or social theme of recognised importance. A detailed review of the subject site in the context of the defined characteristics is included below.

Legislative Context:

PlanSA Historic Area Overlay Design Advisory Guidelines state:

Buildings or features that are not consistent with the Historic Area Statement can be demolished or redeveloped in a manner that contextually responds to the existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statements.

Historic Area Statements (HAS) define the attributes that are displayed in the streetscape character of a locality. Importantly, a 'unified' streetscape is not a critical feature of a Historic Area Overlay, but rather the concentration of original dwellings representing the eras and styles expressed in the Historic Area Statements.

The Residential Spacious Unley Park (East) Historic Area statement describes the following Architectural styles, detailing and built form features;

Victorian and Turn-of-the-Century double-fronted cottages and villas. Inter-War era housing, primarily bungalow but also Tudor and art deco and complementary styles. Hipped and gable roof forms, chimneys, open verandahs, feature ornamentation (plasterwork, ironwork and timberwork), lattice work and associated front fences. Carports, garages and side additions are separate and recessed from the main building and façade, and are a minor, unobtrusive presence in the streetscape.

Subject Site



State Heritage Listed
W. Torode dwelling
8 Bellevue Place, Unley Park

Subject site

Historic Area
(shaded blue)

Figure 1, Screenshot extract of SAPPA Map showing locality
Source: <https://sappa.plan.sa.gov.au/>

While there are no representative buildings specifically identified within Un21 Historic Area Overlay, Council's Residential Morphology study (Figure 2 & 3 below) shows a high concentration of buildings of the relevant eras and styles, particularly on the Southern side of Thornber Street, and including #7 Thornber Street (noting that #3 Thornber has since been demolished c2014, prior to the current Planning Code).



Figure 2 (Left), Key to era's Intramaps Unley City Council Morphology Study
Source: <https://intramaps.unley.sa.gov.au/Intramaps98/>

Figure 3 (Right), Screenshot extract of Intramaps Unley City Council Morphology Study
Source: <https://intramaps.unley.sa.gov.au/Intramaps98/>

The subject site contains a modest Federation-era bungalow, its appearance is slightly more austere than it originally appeared due to the minor modifications which have been undertaken to the verandah detailing since its construction, (evident in Figure 2 & 3 below).

The building is likely of reinforced concrete construction, possibly associated with the notable South Australian builder Walter Torode (1858-1937) who had a shop on Unley Road & designed and constructed his own home (a State Heritage Place) less than 50m from 7 Thornber Street at 8 Bellevue Place, Unley Park.



7 Thornber Street in its original state (Courtesy of Gail Hamilton).

Figure 4, original photo of 7 Thornber Street, Unley Park

Source: *Selected Twentieth Century Domestic Architecture Volume 1*, 2012 pg 202-205



Figure 5, Recent photo of existing dwelling

Source: realestate.com

There are a number of similarly constructed dwellings in the vicinity and Torode is also known to have constructed reinforced concrete buildings designed by others, such as J. McDonough's 'Ferro Service'.

Reinforced concrete construction buildings known to be associated with Walter Torode;

- 34 Unley Road, Unley (State Heritage Place, 1908; possibly the first of its kind in South Australia)
- 35 Hughes Street, Unley (1910, Demolished)
- 5 Strathmore Gr, Urrbrae (Local Heritage Place, 1911)
- 241 Richmond Road, Richmond (1912)
- 307 Young Street, Wayville (Local Heritage Place, 1912)
- 306 Young Street, Wayville (c1912)
- 305 Young Street, Wayville (1914)
- 'Octagon House' at 305 Young Street Wayville (1914)
- 1 Weston Street, Goodwood (1916, demolished)
- 303 Young Street, Wayville (1918)
- 365 Glynburn Road, Kensington Park (Local Heritage Place, 1926)

Other dwellings likely to be reinforced concrete construction buildings which may be associated with Walter Torode;

- 10 Bellevue Place, Unley Park
- 7 Thornber Street, Unley Park (the subject site, c1911/12)

Proposed Development

The proposed development seeks to demolish the existing dwelling.

Impact of Proposed Development

The relevant desired and performance outcomes for this Historic Area Overlay, include;

DO1: Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.

Response: The proposed demolition of this building would not satisfy this Desired Objective.

PO 1.1: All development is undertaken having consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.

Response: The proposed demolition of this building would not satisfy this Performance Objective.

PO 7.1 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 or

(b) the structural integrity or safe condition of the original building is beyond reasonable repair.

Response: The proposed demolition of this building would not satisfy this Performance Objective. The existing building demonstrates the historic characteristics of Un21, as demonstrated in the table below. The front elevation has not been substantially altered and any elements that have been altered could be easily restored (eg. timber verandah detailing).

PO 7.3 Buildings or elements of buildings that do not conform with the values described in the Historic Area Statement may be demolished.

Response :

The proposed demolition does not satisfy this objective. The building does conform with the values described in the Historic Area Statement.

The Residential Spacious Unley Park (East) Historic Area (Un21) has been identified as having the following characteristics;

<p style="text-align: center;">Un21 Identified Characteristics</p>	<p style="text-align: center;">Subject Site Consistency with Identified Characteristics:</p> <p style="text-align: center;">7 Thornber Street, Unley Park</p>	<p style="text-align: center;">Criteria Met</p>

<p>1880 to 1940 built development</p>	<p>Constructed approx. 1911-14 the subject site reflects the identified characteristics.</p>
<p>Simple grid layout pattern of wider streets. Regular generous allotments and site frontages. Prevailing and coherent rhythm of building siting, street setbacks, side boundary setbacks, spacing between buildings and garden landscape setting.</p>	<p>The subject site is consistent with the historic setbacks and displays the traditional building siting & landscaped settings. Noting setbacks from #3-#21 Thornber Street were very consistent up until 2010, when some more recent development has altered the consistency to some degree.</p>
<p>Architectural styles including Victorian and Turn-of-the-Century double-fronted, cottages and Villas. Inter-War era housing, primarily bungalow but also Tudor and art deco and complementary styles. Hipped and gable roof forms, chimneys, open verandahs, feature ornamentation (plasterwork, ironwork and timberwork), lattice work and associated front fences.</p>	<p>The subject site is a Federation era bungalow of note for its construction type of reinforced concrete.</p> <p>Historic photos show it originally had typical feature ornamentation in the form of timberwork and low masonry wall to the verandah. (Refer Figure 2 above).</p>
<p>Carports, garages and side additions are separate and recessed from the main building and façade, and are a minor, unobtrusive presence in the streetscape.</p>	<p>The subject site demonstrates this characteristic to a high degree.</p>
<p>Consistent and recognisable pattern of traditional building proportions including wall heights and widths of facades, and roof height, volumes and shapes associated with the identified architectural styles.</p>	<p>The subject site demonstrates this characteristic to a high degree.</p>
<p>Sandstone. Bluestone. Brick, including glazed brick, and stucco painted finishes. Rendered masonry. Timber joinery including window frames, door frames, doors, fascias, bargeboards and verandah posts. Brick quoins, occasionally rendered, around windows and doors. Brick or rendered string courses and plinths. Corrugated iron roof cladding. Tiled roof cladding on some post 1900s buildings.</p>	<p>The subject site demonstrates this characteristic to a high degree.</p>
<p>Fencing typical of the historic character of the area, street and architectural style and materials of the associated building. Where forward of the</p>	<p>The subject site demonstrates this characteristic to a high degree, being a low hedge with simple masonry posts at driveway openings.</p>



<p>front façade of the principle building, low in height, typically less than 1.0 metre but up to 1.2 metres. Larger sites and of more than 16 metres street frontage may include vertical elements up to 1.8 metres in total height. Open, see-through and maintaining an open streetscape presence of the associated building, including typical styles comprising: Timber picket, dowel or paling with top rail; Corrugated iron or mini orb or steel strap panels within timber framing and posts; Woven crimped wire, wire mesh on timber or galvanised steel tube framing; Simple masonry plinth (500mm) and widely spaced minimum numbers of piers with decorative see-through iron palisade or steel bar inserts; Stone, brick and/or stucco masonry low in height with wrought iron or steel bar inserts (typically geometric pattern); hedges, with or without fencing.</p>	
<p>Spacious streetscape character. Regular grid of wide streets. Wide verges. Large street trees.</p>	<p>The subject site demonstrates this characteristic.</p>



Conclusion

The proposed demolition of the existing dwelling is not supported. The building should be retained and conserved into the future.

The fact that the dwelling was included in Unley City Councils Twentieth Century Domestic Architecture Volume 1, 2012 highlights the buildings significance within this Historic Area Overlay.

ATTACHMENT 5

7 Thornber Street

A bungalow house built for C.V. Hughes, a commercial traveller, probably in 1914, at number 7 Thornber Street, is austere, simple, and beautifully proportioned. It probably is of reinforced concrete, possibly built to the system of the master builder and contractor, Walter Torode who maintained an office on Unley Road, North Unley.

J. McDonough's 'Ferro Service' built a seven-room house on the south side of Thornber Street, on lot 106 and part of lot 105 for J.A. Gibson in 1921. This possibly was J.A. Gibson who managed the Adelaide business of the timber and iron merchants, Cowell Brothers and Company, and who in 1916, while living at Glenelg, became the general manager of the retailer Charles Moore and Company.⁸ Whether McDonough built number seven is presently uncertain.



7 Thornber Street. Built probably about 1913 or 1914 (Photo: 2012).



7 Thornber Street (Photo: 31 November 2010).

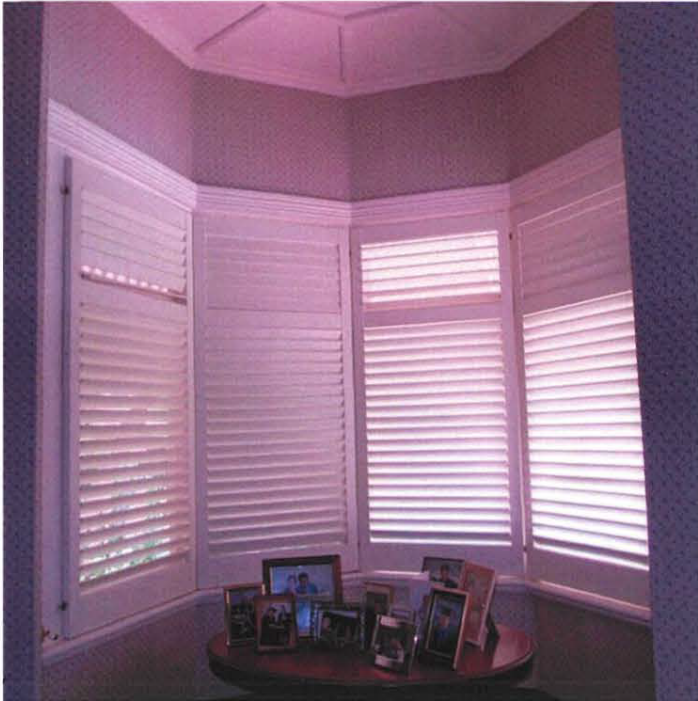
⁸ *Register*, 17 Jul 1916, p.4.



Interior of 7 Thornber Street. When the current owners came here, there were functioning gas pipes in the dining and sitting rooms (Courtesy of Gail Hamilton).



Western verandah. The current owners laid replica ceramic tiles to replace the damaged verandah floor.



Window of the north-west corner (Courtesy of Gail Hamilton).



7 Thornber Street in its original state (Courtesy of Gail Hamilton).



7 Thornber Street (*nearmap*, October 2009).



7 Thornber Street. Detail of southern extension clerestory window. The rear extension across the width of the house was designed in 1980 by Brent Blanks of Woodhead, Hall, McDonald Shaw.¹

It is likely that the later rear additions have doubled the original built space.

ATTACHMENT 6

Details of Representations

Application Summary

Application ID	22040422
Proposal	Demolition of existing structures
Location	7 THORNBUR ST UNLEY PARK SA 5061

Representations

Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	29/12/2022 12:07 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

There is absolutely no way this house should be demolished. It is Unley Council's job to preserve these beautiful historic houses. Why on earth not just do a renovation/extension - the last thing Unley Park needs is another generic enormous box (although I notice the plans aren't part of the application which makes me even more suspicious). Quoting from the real estate agent's spiel when it was sold last July "a truly beautiful family property that has been lovingly enjoyed and improved by the current family for some 50 years and awaiting the next generational owner to add their touches if so required". No one in their right mind would have ever thought this house would be purchased to be demolished let alone it being allowed to happen. I'm looking forward to Unley Council doing their job in not supporting this!

Attached Documents

Representations

Representor 2 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	29/12/2022 12:10 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

There is absolutely no way this house should be demolished. It is Unley Council's job to preserve these beautiful historic houses. Why on earth not just do a renovation/extension - the last thing Unley Park needs is another generic enormous box (although I notice the plans aren't part of the application which makes me even more suspicious). Quoting from the real estate agent's spiel when it was sold last July "a truly beautiful family property that has been lovingly enjoyed and improved by the current family for some 50 years and awaiting the next generational owner to add their touches if so required". No one in their right mind would have ever thought this house would be purchased to be demolished let alone it being allowed to happen. I'm looking forward to Unley Council doing their job in not supporting this!

Attached Documents

Representations

Representor 3 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	29/12/2022 11:00 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons It is so disappointing that beautiful heritage homes like this can even be considered for demolition rather than renovation. These houses cannot be rebuilt. This council area is losing its appeal with heritage homes on large blocks of land, and are being replaced with small cookie cutter buildings.	

Attached Documents

Representations

Representor 4 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	29/12/2022 11:16 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	
Heritage of historic houses within the City of Unley area should be preserved and not demolished. This home is not uninhabitable or dangerous to its owners and is a lovely home, I strongly oppose approval of its removal.	

Attached Documents

Representations

Representor 5 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	01/01/2023 11:46 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons Beautiful old character home amongst other character homes in the street/suburb is grossly unnecessary. Also the council seems to have double standards as in some cases houses of insignificant heritage worth are unable to be demolished to and build a new modern home of style. This particular home In Thornber Street had style and Grace!	

Attached Documents

Representations

Representor 6 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	10/01/2023 11:17 AM
Submission Source	Over Counter
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	
I am against the demolition of the property and multi-storey development.	

Attached Documents

Representations

Representor 7 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	18/01/2023 04:09 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

There is no detail on what will be built on the land. Multiple dwellings would destroy the existing streetscape and character of the area. This is an important house in the street with significant history. There are also many significant trees on the property including a large and very old and significant tree in the middle of the back yard. The lack of information about the future design on the property is alarming

Attached Documents

Representations

Representor 8 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	20/01/2023 08:02 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	

Attached Documents

rep-7-thornber-st-unley-park-1174333.pdf



**PETER MELINE & ASSOCIATES,
TOWN & COUNTRY PLANNERS.
PO BOX 1508, MT BARKER. S.A. 5251.
petermeline@bigpond.com
ph. 0448 395 299**

The Manager Development Services,
City of Unley,
181 Unley Rd
Unley SA

**REPRESENTATION
ID 22040422
7 Thornber St, Unley Park
Demolition of all existing buildings within the Historic Area
Overlay**

I act for [REDACTED] who is a neighbour to this development-

I hereby submit this representation pursuant to Regulation 50 of the PDI (General) Regulations 2017 to the above development that has been exhibited on the PDI Portal.

I wish to address the Unley C.A.P. in regard to this Development Application when the development application is considered by the panel for a determination pursuant to The PDI Act 2016.

Having reviewed the documented as exhibited I have to conclude that the development application does not find sufficient support in the code to warrant its approval, indeed it is considered that this proposal, is seriously at variance with the relevant parts of the code and should be refused.

ASSESSMENT

Relevant provisions of the Code are as follows-

Demolition	
<p>PO 7.1</p> <p>Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished, unless:</p> <p>(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 or (b) the structural integrity or safe condition of the original building is beyond reasonable repair.</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>
<p>PO 7.2</p> <p>Partial demolition of a building where that portion to be demolished does not contribute to the historic character of the streetscape.</p>	<p>DTS/DPF 7.2</p> <p>None are applicable.</p>
<p>PO 7.3</p> <p>Buildings or elements of buildings that do not conform with the values described in the Historic Area Statement may be demolished.</p>	<p>DTS/DPF 7.3</p> <p>None are applicable.</p>
Ruins	
<p>PO 8.1</p> <p>Development conserves and complements features and ruins associated with former activities of significance.</p>	<p>DTS/DPF 8.1</p> <p>None are applicable.</p>

Historic Area Statements

Statement#	Statement				
Historic Areas affecting City of Unley					
	<p>Residential Spacious Unley Park (East) Historic Area Statement (Un21)</p> <p>The Historic Area Overlay identifies localities that comprise characteristics of an identifiable historic, economic and / or social theme of recognised importance. They can comprise land divisions, development patterns, built form characteristics and natural features that provide a legible connection to the historic development of a locality.</p> <p>These attributes have been identified in the below table. In some cases State and / or Local Heritage Places within the locality contribute to the attributes of an Historic Area.</p> <p>The preparation of an Historic Impact Statement can assist in determining potential additional attributes of an Historic Area where these are not stated in the below table.</p> <table border="1"> <tbody> <tr> <td>Eras, themes and context</td> <td>1880 to 1940 built development.</td> </tr> <tr> <td>Allotments, subdivision and built</td> <td>Simple grid layout pattern of wider streets. Regular generous allotments and site frontages. Prevailing and coherent rhythm of building siting, street setbacks, side</td> </tr> </tbody> </table>	Eras, themes and context	1880 to 1940 built development.	Allotments, subdivision and built	Simple grid layout pattern of wider streets. Regular generous allotments and site frontages. Prevailing and coherent rhythm of building siting, street setbacks, side
Eras, themes and context	1880 to 1940 built development.				
Allotments, subdivision and built	Simple grid layout pattern of wider streets. Regular generous allotments and site frontages. Prevailing and coherent rhythm of building siting, street setbacks, side				

Policy24		P&D Code (in effect) Version 2023.1 19/01/2023
Statement#	Statement	
Un21	form patterns	boundary setbacks, spacing between buildings and garden landscape setting.
	Architectural styles, detailing and built form features	Victorian and Turn-of-the-Century double-fronted cottages and villas. Inter-War era housing, primarily bungalow but also Tudor and art deco and complementary styles. Hipped and gable roof forms, chimneys, open verandahs, feature ornamentation (plasterwork, ironwork and timberwork), lattice work and associated front fences. Carports, garages and side additions are separate and recessed from the main building and façade, and are a minor, unobtrusive presence in the streetscape.
	Building height	Consistent and recognisable pattern of traditional building proportions including wall heights and widths of facades, and roof height, volumes and shapes, and verandahs associated with the identified architectural styles.
	Materials	Sandstone. Bluestone. Brick, including glazed brick, and stucco painted finishes. Rendered masonry. Timber joinery including window frames, door frames, doors, fascias, bargeboards and verandah posts. Brick quoins, occasionally rendered, around windows and doors. Brick or rendered string courses and plinths. Corrugated iron roof cladding. Tiled roof cladding on some post 1900s buildings.
	Fencing	Typical of the historic character of the area, street and architectural style and materials of the associated building. Where forward of the front façade of the principle building, low in height, typically less than 1.0 metre but up to 1.2 metres. Larger sites and of more than 16 metres street frontage may include vertical elements up to 1.8 metres in total height. Open, see-through and maintaining an open streetscape presence of the associated building, including typical styles comprising: Timber picket, dowel or paling with top rail; Corrugated iron or mini orb or steel strap panels within timber framing and posts; Woven crimped wire, wire mesh on timber or galvanised steel tube framing; Simple masonry plinth (500mm) and widely spaced minimum numbers of piers with decorative see-through iron pallsade or steel bar inserts; Stone, brick and/or stucco masonry low in height with wrought iron or steel bar inserts (typically geometric pattern); hedges, with or without fencing.
	Setting, landscaping, streetscape and public realm features	Spacious streetscape character. Regular grid of wide streets. Wide verges. Large street trees.
	Representative Buildings	[Not identified]

It is clear that the site is within the Historic Area (Un21) Overlay and that it possesses heritage qualities. The Report of Bruce Harry advises that the dwelling was erected 1911/12. The form of the dwelling is clearly that of a building erected in that era.

Having regard to PO 7.1 above, it is clear that an assessment of “Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area” is central to the assessment of the merits of demolition on this land. This leads us to the historic Area statement above.

Point 1 of the Historic Area Statement defines the era as between 1880 and 1940, the dwelling erected in 1911/12 clearly falls within that range of years. Point 3 above nominates “*Primarily Bungalows...hipped roof forms and open verandas*” as the architectural form and it is clear that the dwelling is a Bungalow with a hipped roof and open verandas.

REPRESENTATION TO DA 22040422

The fourth dot point concerns building height and nominates- *“Consistent and recognisable pattern of traditional building proportions including wall heights and widths of facades, and roof height, volumes and shapes, and verandahs associated with the identified architectural styles”*, it is clear from a survey of the street that the height of the dwelling is generally consistent with other buildings in the street.

The fifth dot point concerns Materials and nominates *“Sandstone, Bluestone, Brick, including glazed brick, and stucco painted finishes”*. *Rendered masonry. Timber joinery including window frames, door frames, doors, fascias, bargeboards and verandah posts. Brick quoins, occasionally rendered, around windows and doors. Brick or rendered string courses and plinths. Corrugated iron roof cladding. Tiled roof cladding on some post 1900s buildings”* The building being rendered in Stucco with timber joinery and a corrugated iron roof clearly meets the specification above.

The report of Bruce Harry concedes that the heritage buildings in the street are an eclectic mix of styles, as such it is submitted that the dwelling erected in 1911/12 as part of an eclectic mix of heritage styles represents a legible connection to the historic development of a locality

CONCLUSION-

Whilst the subject dwelling might be relatively plain and austere in its presentation, it is undoubtedly a heritage building (the report of Bruce Harry does not dispute this fact).

The pivotal question is whether this dwelling comprises characteristics of an identifiable historic, economic and or social theme of recognised importance.

It is clear that the heritage elements of this locality are mixed and present no overwhelmingly dominant pattern, (the report of Bruce Harry concedes this point).

It is submitted that the application is for the demolition of a building that is undoubtedly of some heritage value and sits within a large “nest” of several other buildings of very eclectic form both heritage and contemporary.

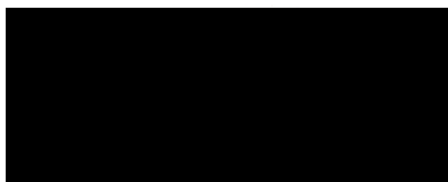
The applicant has not established that the dwelling on this land satisfies the test given at PO 7.3 (above), its lack of ornamentation and plain presentation should not be construed as negative elements in its form. On the contrary, its simple form is representative of a form that is not uncommon in the era and it deserves to be preserved.

It is submitted that the subject dwelling does contain historic characteristics in the Historic Area.

Insufficient justification for its demolition vide PO 7.1 above has been given by the applicant.

It is considered that this proposal is seriously at variance with the PDI Code and should be refused.

Regards,



Peter Meline
RPIA, MAIBS, JP.

Representations

Representor 9 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	20/01/2023 08:11 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	

Attached Documents

Representation-1174335.pdf

7 Thornber St Unley Park is located in the Residential Spacious Unley Park (East) (Un21) Historic Area Overlay.

According to the Un21 Historic Area Statement, this overlay covers buildings built from 1880 to 1940. The subject dwelling was built circa 1911/1912.

The subject dwelling demonstrates many features associated with the Historic Area Overlay, which states that it covers “Victorian and **Turn-of-the-Century** double fronted cottages and **villas...[with] hipped** and gable **roof forms**, chimneys, **open verandahs**, feature ornamentation (plasterwork, ironwork and timberwork), lattice work and associated front fences.”

It is also consistent with the materials associated with this Historic Area Overlay, which includes “glazed brick and **stucco painted finishes...timber joinery including window frames, door frames, doors**, fascias, **bargeboards and verandah posts...[and] corrugated iron roof cladding**”

It is also consistent with the fencing associated with this Historic Area Overlay, which are **“low in height, typically less than 1.0 metre but up to 1.2 metres forward of the principal façade of the building...[including] hedges.”**

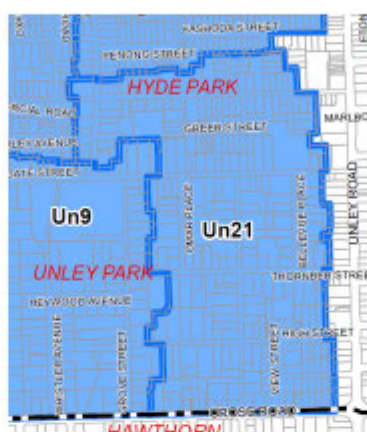
As a professional who works in the heritage sector, I am therefore of the opinion that it is wrong to suggest that this building is unworthy of heritage protection. I oppose this application and believe that it should be refused.

Residential Spacious Unley Park (East) Historic Area Statement (Un21)

Historic Area Overlays identify localities that comprise unified, consistent characteristics of an identifiable historic, economic and / or social theme of recognised importance. They can comprise land divisions, development patterns, built form characteristics and natural features that provide a legible connection to the historic development of a locality.

These attributes have been identified in the below table. In some cases State and / or Local Heritage Places within the locality contribute to the attributes of an Historic Area.

The preparation of a Heritage Impact Statement can assist in determining potential additional attributes of an Historic Area where these are not stated in the below table.



Eras and themes	1880 to 1940 built development.
Allotments and subdivision patterns	Simple grid layout pattern of wider streets. Regular allotments and site frontages. Prevailing and coherent rhythm of building siting, setbacks, spacing and garden landscape setting.
Architectural features	Victorian and Turn-of-the-Century double-fronted cottages and villas. Inter-War era housing, primarily bungalow but also tudor and art deco and complementary styles. Hipped and gable roof forms, chimneys, open verandahs, feature ornamentation (plasterwork, ironwork and timberwork), lattice work and associated front fences.
Building height	Consistent and recognisable pattern of traditional building proportions including wall heights and widths of facades, and roof height, volumes and shapes, and verandahs associated with the identified architectural styles.
Materials	Sandstone. Bluestone. Brick, including glazed brick, and stucco painted finishes. Rendered masonry. Timber joinery including window frames, door frames, doors, fascias, bargeboards and verandah posts. Brick quoins, occasionally rendered, around windows and doors. Brick or rendered string courses and plinths. Corrugated iron roof cladding. Tiled roof cladding on some post 1900s buildings.

Fencing	<p>Typical of the historic character of the area, street and architectural style and materials of the associated building. Low in height, typically less than 1.0 metre but up to 1.2 metres forward of the principal façade of the building. Larger sites and of more than 16 metres street frontage may include vertical elements up to 1.8 metres in total height. Open, see-through and maintain an open streetscape presence of the associated building, including typical styles comprising: Timber picket, dowel or paling with top rail; Corrugated iron or mini orb or steel strap panels within timber framing and posts; Woven crimped wire, wire mesh on timber or galvanised steel tube framing; Simple masonry plinth (500mm) and widely spaced minimum numbers of piers with decorative see-through iron palisade or steel bar inserts; Stone, brick and/or stucco masonry low in height with wrought iron or steel bar inserts (typically geometric pattern); hedges, with or without fencing.</p>
Setting and public realm features	<p>Spacious streetscape character. Regular grid of wide streets. Wide verges. Large street trees.</p>

Representations

Representor 10 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	20/01/2023 08:19 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	

Attached Documents

[REDACTED]



**PETER MELINE & ASSOCIATES,
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The Manager Development Services,
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**REPRESENTATION
ID 22040422
7 Thornber St, Unley Park
Demolition of all existing buildings within the Historic Area
Overlay**

I act for [REDACTED] who is a neighbour to this development-

I hereby submit this representation pursuant to Regulation 50 of the PDI (General) Regulations 2017 to the above development that has been exhibited on the PDI Portal.

I wish to address the Unley C.A.P. in regard to this Development Application when the development application is considered by the panel for a determination pursuant to The PDI Act 2016.

Having reviewed the documented as exhibited I have to conclude that the development application does not find sufficient support in the code to warrant its approval, indeed it is considered that this proposal, is seriously at variance with the relevant parts of the code and should be refused.

ASSESSMENT

Relevant provisions of the Code are as follows-

Demolition	
<p>PO 7.1</p> <p>Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished, unless:</p> <p>(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 or (b) the structural integrity or safe condition of the original building is beyond reasonable repair.</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>
<p>PO 7.2</p> <p>Partial demolition of a building where that portion to be demolished does not contribute to the historic character of the streetscape.</p>	<p>DTS/DPF 7.2</p> <p>None are applicable.</p>
<p>PO 7.3</p> <p>Buildings or elements of buildings that do not conform with the values described in the Historic Area Statement may be demolished.</p>	<p>DTS/DPF 7.3</p> <p>None are applicable.</p>
Ruins	
<p>PO 8.1</p> <p>Development conserves and complements features and ruins associated with former activities of significance.</p>	<p>DTS/DPF 8.1</p> <p>None are applicable.</p>

Historic Area Statements

Statement#	Statement				
Historic Areas affecting City of Unley					
	<p>Residential Spacious Unley Park (East) Historic Area Statement (Un21)</p> <p>The Historic Area Overlay identifies localities that comprise characteristics of an identifiable historic, economic and / or social theme of recognised importance. They can comprise land divisions, development patterns, built form characteristics and natural features that provide a legible connection to the historic development of a locality.</p> <p>These attributes have been identified in the below table. In some cases State and / or Local Heritage Places within the locality contribute to the attributes of an Historic Area.</p> <p>The preparation of an Historic Impact Statement can assist in determining potential additional attributes of an Historic Area where these are not stated in the below table.</p> <table border="1"> <tbody> <tr> <td>Eras, themes and context</td> <td>1880 to 1940 built development.</td> </tr> <tr> <td>Allotments, subdivision and built</td> <td>Simple grid layout pattern of wider streets. Regular generous allotments and site frontages. Prevailing and coherent rhythm of building siting, street setbacks, side</td> </tr> </tbody> </table>	Eras, themes and context	1880 to 1940 built development.	Allotments, subdivision and built	Simple grid layout pattern of wider streets. Regular generous allotments and site frontages. Prevailing and coherent rhythm of building siting, street setbacks, side
Eras, themes and context	1880 to 1940 built development.				
Allotments, subdivision and built	Simple grid layout pattern of wider streets. Regular generous allotments and site frontages. Prevailing and coherent rhythm of building siting, street setbacks, side				

Policy24		P&D Code (in effect) Version 2023.1 19/01/2023
Statement#	Statement	
Un21	form patterns	boundary setbacks, spacing between buildings and garden landscape setting.
	Architectural styles, detailing and built form features	Victorian and Turn-of-the-Century double-fronted cottages and villas. Inter-War era housing, primarily bungalow but also Tudor and art deco and complementary styles. Hipped and gable roof forms, chimneys, open verandahs, feature ornamentation (plasterwork, ironwork and timberwork), lattice work and associated front fences. Carports, garages and side additions are separate and recessed from the main building and façade, and are a minor, unobtrusive presence in the streetscape.
	Building height	Consistent and recognisable pattern of traditional building proportions including wall heights and widths of facades, and roof height, volumes and shapes, and verandahs associated with the identified architectural styles.
	Materials	Sandstone. Bluestone. Brick, including glazed brick, and stucco painted finishes. Rendered masonry. Timber joinery including window frames, door frames, doors, fascias, bargeboards and verandah posts. Brick quoins, occasionally rendered, around windows and doors. Brick or rendered string courses and plinths. Corrugated iron roof cladding. Tiled roof cladding on some post 1900s buildings.
	Fencing	Typical of the historic character of the area, street and architectural style and materials of the associated building. Where forward of the front façade of the principle building, low in height, typically less than 1.0 metre but up to 1.2 metres. Larger sites and of more than 16 metres street frontage may include vertical elements up to 1.8 metres in total height. Open, see-through and maintaining an open streetscape presence of the associated building, including typical styles comprising: Timber picket, dowel or paling with top rail; Corrugated iron or mini orb or steel strap panels within timber framing and posts; Woven crimped wire, wire mesh on timber or galvanised steel tube framing; Simple masonry plinth (500mm) and widely spaced minimum numbers of piers with decorative see-through iron pallsade or steel bar inserts; Stone, brick and/or stucco masonry low in height with wrought iron or steel bar inserts (typically geometric pattern); hedges, with or without fencing.
	Setting, landscaping, streetscape and public realm features	Spacious streetscape character. Regular grid of wide streets. Wide verges. Large street trees.
	Representative Buildings	[Not identified]

It is clear that the site is within the Historic Area (Un21) Overlay and that it possesses heritage qualities. The Report of Bruce Harry advises that the dwelling was erected 1911/12. The form of the dwelling is clearly that of a building erected in that era.

Having regard to PO 7.1 above, it is clear that an assessment of “Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area” is central to the assessment of the merits of demolition on this land. This leads us to the historic Area statement above.

Point 1 of the Historic Area Statement defines the era as between 1880 and 1940, the dwelling erected in 1911/12 clearly falls within that range of years. Point 3 above nominates “*Primarily Bungalows...hipped roof forms and open verandas*” as the architectural form and it is clear that the dwelling is a Bungalow with a hipped roof and open verandas.

REPRESENTATION TO DA 22040422

The fourth dot point concerns building height and nominates- *“Consistent and recognisable pattern of traditional building proportions including wall heights and widths of facades, and roof height, volumes and shapes, and verandahs associated with the identified architectural styles”*, it is clear from a survey of the street that the height of the dwelling is generally consistent with other buildings in the street.

The fifth dot point concerns Materials and nominates *“Sandstone, Bluestone, Brick, including glazed brick, and stucco painted finishes”*. *Rendered masonry. Timber joinery including window frames, door frames, doors, fascias, bargeboards and verandah posts. Brick quoins, occasionally rendered, around windows and doors. Brick or rendered string courses and plinths. Corrugated iron roof cladding. Tiled roof cladding on some post 1900s buildings”* The building being rendered in Stucco with timber joinery and a corrugated iron roof clearly meets the specification above.

The report of Bruce Harry concedes that the heritage buildings in the street are an eclectic mix of styles, as such it is submitted that the dwelling erected in 1911/12 as part of an eclectic mix of heritage styles represents a legible connection to the historic development of a locality

CONCLUSION-

Whilst the subject dwelling might be relatively plain and austere in its presentation, it is undoubtedly a heritage building (the report of Bruce Harry does not dispute this fact).

The pivotal question is whether this dwelling comprises characteristics of an identifiable historic, economic and or social theme of recognised importance.

It is clear that the heritage elements of this locality are mixed and present no overwhelmingly dominant pattern, (the report of Bruce Harry concedes this point).

It is submitted that the application is for the demolition of a building that is undoubtedly of some heritage value and sits within a large “nest” of several other buildings of very eclectic form both heritage and contemporary.

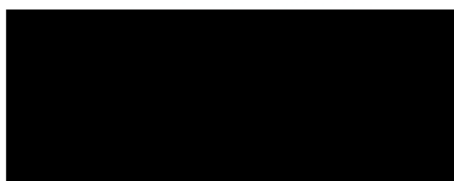
The applicant has not established that the dwelling on this land satisfies the test given at PO 7.3 (above), its lack of ornamentation and plain presentation should not be construed as negative elements in its form. On the contrary, its simple form is representative of a form that is not uncommon in the era and it deserves to be preserved.

It is submitted that the subject dwelling does contain historic characteristics in the Historic Area.

Insufficient justification for its demolition vide PO 7.1 above has been given by the applicant.

It is considered that this proposal is seriously at variance with the PDI Code and should be refused.

Regards,



Peter Meline
RPIA, MAIBS, JP.

Representations

Representor 11 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	20/01/2023 08:23 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	

Attached Documents

[REDACTED]	
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**PETER MELINE & ASSOCIATES,
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PO BOX 1508, MT BARKER. S.A. 5251.
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The Manager Development Services,
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Unley SA

**REPRESENTATION
ID 22040422
7 Thornber St, Unley Park
Demolition of all existing buildings within the Historic Area
Overlay**

I act for [REDACTED] who are neighbours to this development-

I hereby submit this representation pursuant to Regulation 50 of the PDI (General) Regulations 2017 to the above development that has been exhibited on the PDI Portal.

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ASSESSMENT

Relevant provisions of the Code are as follows-

Demolition	
<p>PO 7.1</p> <p>Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished, unless:</p> <p>(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 or (b) the structural integrity or safe condition of the original building is beyond reasonable repair.</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>
<p>PO 7.2</p> <p>Partial demolition of a building where that portion to be demolished does not contribute to the historic character of the streetscape.</p>	<p>DTS/DPF 7.2</p> <p>None are applicable.</p>
<p>PO 7.3</p> <p>Buildings or elements of buildings that do not conform with the values described in the Historic Area Statement may be demolished.</p>	<p>DTS/DPF 7.3</p> <p>None are applicable.</p>
Ruins	
<p>PO 8.1</p> <p>Development conserves and complements features and ruins associated with former activities of significance.</p>	<p>DTS/DPF 8.1</p> <p>None are applicable.</p>

Historic Area Statements

Statement#	Statement				
Historic Areas affecting City of Unley					
	<p>Residential Spacious Unley Park (East) Historic Area Statement (Un21)</p> <p>The Historic Area Overlay identifies localities that comprise characteristics of an identifiable historic, economic and / or social theme of recognised importance. They can comprise land divisions, development patterns, built form characteristics and natural features that provide a legible connection to the historic development of a locality.</p> <p>These attributes have been identified in the below table. In some cases State and / or Local Heritage Places within the locality contribute to the attributes of an Historic Area.</p> <p>The preparation of an Historic Impact Statement can assist in determining potential additional attributes of an Historic Area where these are not stated in the below table.</p> <table border="1"> <tbody> <tr> <td>Eras, themes and context</td> <td>1880 to 1940 built development.</td> </tr> <tr> <td>Allotments, subdivision and built</td> <td>Simple grid layout pattern of wider streets. Regular generous allotments and site frontages. Prevailing and coherent rhythm of building siting, street setbacks, side</td> </tr> </tbody> </table>	Eras, themes and context	1880 to 1940 built development.	Allotments, subdivision and built	Simple grid layout pattern of wider streets. Regular generous allotments and site frontages. Prevailing and coherent rhythm of building siting, street setbacks, side
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	Building height	Consistent and recognisable pattern of traditional building proportions including wall heights and widths of facades, and roof height, volumes and shapes, and verandahs associated with the identified architectural styles.
	Materials	Sandstone. Bluestone. Brick, including glazed brick, and stucco painted finishes. Rendered masonry. Timber joinery including window frames, door frames, doors, fascias, bargeboards and verandah posts. Brick quoins, occasionally rendered, around windows and doors. Brick or rendered string courses and plinths. Corrugated iron roof cladding. Tiled roof cladding on some post 1900s buildings.
	Fencing	Typical of the historic character of the area, street and architectural style and materials of the associated building. Where forward of the front façade of the principle building, low in height, typically less than 1.0 metre but up to 1.2 metres. Larger sites and of more than 16 metres street frontage may include vertical elements up to 1.8 metres in total height. Open, see-through and maintaining an open streetscape presence of the associated building, including typical styles comprising: Timber picket, dowel or paling with top rail; Corrugated iron or mini orb or steel strap panels within timber framing and posts; Woven crimped wire, wire mesh on timber or galvanised steel tube framing; Simple masonry plinth (500mm) and widely spaced minimum numbers of piers with decorative see-through iron pallsade or steel bar inserts; Stone, brick and/or stucco masonry low in height with wrought iron or steel bar inserts (typically geometric pattern); hedges, with or without fencing.
	Setting, landscaping, streetscape and public realm features	Spacious streetscape character. Regular grid of wide streets. Wide verges. Large street trees.
	Representative Buildings	[Not identified]

It is clear that the site is within the Historic Area (Un21) Overlay and that it possesses heritage qualities. The Report of Bruce Harry advises that the dwelling was erected 1911/12. The form of the dwelling is clearly that of a building erected in that era.

Having regard to PO 7.1 above, it is clear that an assessment of “Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area” is central to the assessment of the merits of demolition on this land. This leads us to the historic Area statement above.

Point 1 of the Historic Area Statement defines the era as between 1880 and 1940, the dwelling erected in 1911/12 clearly falls within that range of years. Point 3 above nominates “*Primarily Bungalows...hipped roof forms and open verandas*” as the architectural form and it is clear that the dwelling is a Bungalow with a hipped roof and open verandas.

REPRESENTATION TO DA 22040422

The fourth dot point concerns building height and nominates- *“Consistent and recognisable pattern of traditional building proportions including wall heights and widths of facades, and roof height, volumes and shapes, and verandahs associated with the identified architectural styles”*, it is clear from a survey of the street that the height of the dwelling is generally consistent with other buildings in the street.

The fifth dot point concerns Materials and nominates *“Sandstone, Bluestone, Brick, including glazed brick, and stucco painted finishes”*. *Rendered masonry. Timber joinery including window frames, door frames, doors, fascias, bargeboards and verandah posts. Brick quoins, occasionally rendered, around windows and doors. Brick or rendered string courses and plinths. Corrugated iron roof cladding. Tiled roof cladding on some post 1900s buildings”* The building being rendered in Stucco with timber joinery and a corrugated iron roof clearly meets the specification above.

The report of Bruce Harry concedes that the heritage buildings in the street are an eclectic mix of styles, as such it is submitted that the dwelling erected in 1911/12 as part of an eclectic mix of heritage styles represents a legible connection to the historic development of a locality

CONCLUSION-

Whilst the subject dwelling might be relatively plain and austere in its presentation, it is undoubtedly a heritage building (the report of Bruce Harry does not dispute this fact).

The pivotal question is whether this dwelling comprises characteristics of an identifiable historic, economic and or social theme of recognised importance.

It is clear that the heritage elements of this locality are mixed and present no overwhelmingly dominant pattern, (the report of Bruce Harry concedes this point).

It is submitted that the application is for the demolition of a building that is undoubtedly of some heritage value and sits within a large “nest” of several other buildings of very eclectic form both heritage and contemporary.

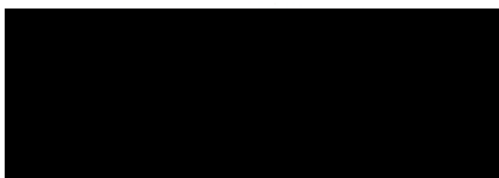
The applicant has not established that the dwelling on this land satisfies the test given at PO 7.3 (above), its lack of ornamentation and plain presentation should not be construed as negative elements in its form. On the contrary, its simple form is representative of a form that is not uncommon in the era and it deserves to be preserved.

It is submitted that the subject dwelling does contain historic characteristics in the Historic Area.

Insufficient justification for its demolition vide PO 7.1 above has been given by the applicant.

It is considered that this proposal is seriously at variance with the PDI Code and should be refused.

Regards,



Peter Meline
RPIA, MAIBS, JP.

ATTACHMENT 7

February 16, 2023

Timothy Bourner
City of Unley
Via the PlanSA Portal

Dear Timothy,

RE: RESPONSE TO REPRESENTATIONS (DA 22040422)

I refer to the proposed development application for the demolition of all existing structures at 7 Thornber Street, Unley Park.

Public notification has been undertaken and completed with 11 representations received. The key matters raised include the demolition of a historic item and the proposal being seriously at variance.

In the Historic Area Overlay, existing buildings are protected from demolition unless they meet the specific requirements contained within the Overlay which are as follows:

PO 7.3 *Buildings or elements of buildings that do not conform with the values described in the Historic Area Statement may be demolished.*

The Proponent has engaged Bruce Harry and Associates, a well-respected and eminently qualified firm of heritage advisors to prepare a comprehensive review of the existing dwelling on the subject site and a review of historical context of the original subdivision of the suburb of Unley Park and how that has informed the architectural features of development in the locality.

The report prepared by Bruce Harry and Associates concluded:

"In my opinion, its (the building) style is inconsistent with the other early 20th century dwellings in its vicinity, and it is not a significant contributor to the predominant streetscape character of its locality, the policy area, or the wider zone. As the Historic Area Overlay for the Established Neighbourhood Zone countenances demolition of buildings which sit outside the parameters of characteristic built form described in the Historic Area Statement, I am of the opinion that it should therefore be open to replacement by a new dwelling of high quality design and complementary built form and scale to the existing streetscape."

The representors that raised concerns about the validity of the heritage advice have not provided any evidence to support their assertions. The ERD Court has provided guidance on many occasions to third party representors who wish to challenge a decision of local planning authorities to approve a development, with the decision of *Carey and Bourdon v DAC [1994] EDLR 233* being most instructive:

"... an appellant should present a case of substance; ... assertions should be supported by evidence amounting to more than a collection of presumptions by an unqualified observer... Generally, it would not be enough to merely raise an issue without producing supporting evidence, particularly when the issue had been addressed by the developer as part of the development application."

The representors have not provided any independent or qualified advice in relation to the heritage value of the dwelling or its conformance with the Historic Area Statement in the Planning and Design Code.

In relation to the representor who believes the proposal is seriously at variance with the provisions of the Planning and Design Code. The Supreme Court has considered the “seriously at variance” test on several occasions and has set out the following further guidance on the scope and meaning of the test:

- Mere variance from the Code is not the test; it is a question of whether there is “...an important or grave departure in either quality or degree from the Development Plan...” (Courtney Hill Pty Ltd v SAPC (1990) 59 SASR 259 at p261; Mar Mina (SA) Pty Ltd v City of Marion & Others (2008) 163 LGERA 24 at [33]);
- “The question ... requires an examination on what is the essential thrust and objective of the Development Plan...” and it is necessary to look at the Development Plan as a whole to determine the extent of the variance (Mar Mina (SA) Pty Ltd v City of Marion & Others (2008) 163 LGERA 24 at [40]; Courtney Hill Pty Ltd v SAPC (1990) 59 SASR 259 at p262);
- The extent of variance is judged in the context in which the project will be implemented (Courtney Hill Pty Ltd v SAPC (1990) 59 SASR 259 at p263);
- The assessment is likely to involve a judgement as to planning merit based on matters of fact and degree (City of Kensington & Norwood v DAC & Boscaini Investments Pty Ltd (1988) 70 SASR 471 at p480); and
- If the development will entirely defeat the purpose of the zone, then it will be seriously at variance (Paradise Development (Investments) Pty Ltd v DC Yorke Peninsula & Anor [2008] SASR 139 at [63]).

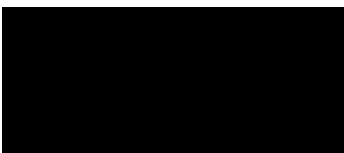
The applicant submits the proposal to demolish a dwelling is not at variance to the policies contained with the Planning and Design Code as it is supported by independent and qualified advice in support of the same.

There is no suggestion the proposed development will “defeat the purpose” of a zone or the Overlay that applies, in this case the Historic Area Overlay. That Overlay seek to protect dwellings that conform with the Historic Area Statement in the Code applicable to the area. The applicant has provided eminently qualified advice that supports the application on the basis the dwelling in question does not conform with policies contained in the Statement.

It is submitted the application therefore is in conformance with the provisions of the Planning and Design Code and the matters raised by the representors are adequately responded to.

Please do not hesitate to contact me if you need anything further.

Yours sincerely,



Marc Duncan
Director

ITEM 2**DEVELOPMENT APPLICATION - 22036815 – 30 ARTHUR STREET, UNLEY SA 5061**

DEVELOPMENT NO.:	22036815
APPLICANT:	Xin Onn Lai
ADDRESS:	30 ARTHUR ST UNLEY SA 5061
NATURE OF DEVELOPMENT:	Outbuilding consisting of a garage, studio and bathroom and demolition of an existing outbuilding.
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Established Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Building Near Airfields • Historic Area • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 5.7m) • Minimum Frontage (Minimum frontage for a detached dwelling is 15m; semi-detached dwelling is 15m; row dwelling is 15m) • Minimum Site Area (Minimum site area for a detached dwelling is 500 sqm; semi-detached dwelling is 500 sqm; row dwelling is 500 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level) • Minimum Side Boundary Setback (Minimum side boundary setback is 1m for the first building level; 3m for any second building level or higher) • Site Coverage (Maximum site coverage is 50 per cent)
LODGEMENT DATE:	30 Nov 2022
RELEVANT AUTHORITY:	Assessment Panel
PLANNING & DESIGN CODE VERSION:	24 November 2022 – 2022.22
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Timothy Bourner Senior Planner
REFERRALS STATUTORY:	Not Required
REFERRALS NON-STATUTORY:	Not Required

CONTENTS:

ATTACHMENT 1: Plans and Elevations

ATTACHMENT 2: Representation

ATTACHMENT 3: Response to Representation

ATTACHMENT 4: Response by Representor

ITEM 2

DEVELOPMENT APPLICATION - 22036815 – 30 ARTHUR STREET, UNLEY SA 5061

DETAILED DESCRIPTION OF PROPOSAL:

This development proposes a replacement outbuilding consisting of a double garage and a studio and bathroom.

The existing structure is a many decades old outbuilding of approximately 76m² located on the rear and secondary street (Ramage Street) boundaries of the subject site behind the dwelling. The marginally larger replacement structure will be located in essentially the same location but will abut the side boundary of the site, effectively spanning across the width of the site.

The new outbuilding will be approximately 78m² with the garage portion being 38m² and the studio and bathroom being the remainder.

The outbuilding is to have a very shallow pitched roof with a maximum height of 3.1m and a minimum height of 2.9m. The outbuilding is to be constructed of pre-coloured steel in a dark grey colour. The studio is to have skylights, windows, and an external door to the rear yard of the dwelling.

The outbuilding has a double width roller door accessing the garage from the existing double width crossover from the secondary street.

The plans and elevations of the proposal can be found in Attachment 1.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 30 ARTHUR ST UNLEY SA 5061

Title ref.: CT 5850/646 **Plan Parcel:** F13558 AL87 **Council:** CITY OF UNLEY

The subject site is located wholly within the **Established Neighbourhood Zone** and is a regular shaped allotment of some 607m² with a frontage of 14.63m and a length of 42.67m.

The site currently contains a single storey character dwelling likely constructed in the latter part of the 19th Century. To the rear of the dwelling is a recent dwelling addition with a large outbuilding adjacent the rear boundary providing off-street parking.

The site is abutted by two allotments, a similar residential allotment to the east and a small allotment to the north. This small allotment provides rights of way to 28 and 30 Arthur as well as 17 Ramage Street although it would appear only 28 Arthur Street utilises the access.



Figure 1 and 2 – Subject site as seen from Ramage Street

ITEM 2

DEVELOPMENT APPLICATION - 22036815 – 30 ARTHUR STREET, UNLEY SA 5061

Locality

The locality has been determined to be approximately 50m in each direction from the subject site giving consideration to the general pattern of development and likely impacts of the proposal. The locality is shown in Figure 3 below including the location of the single representor.

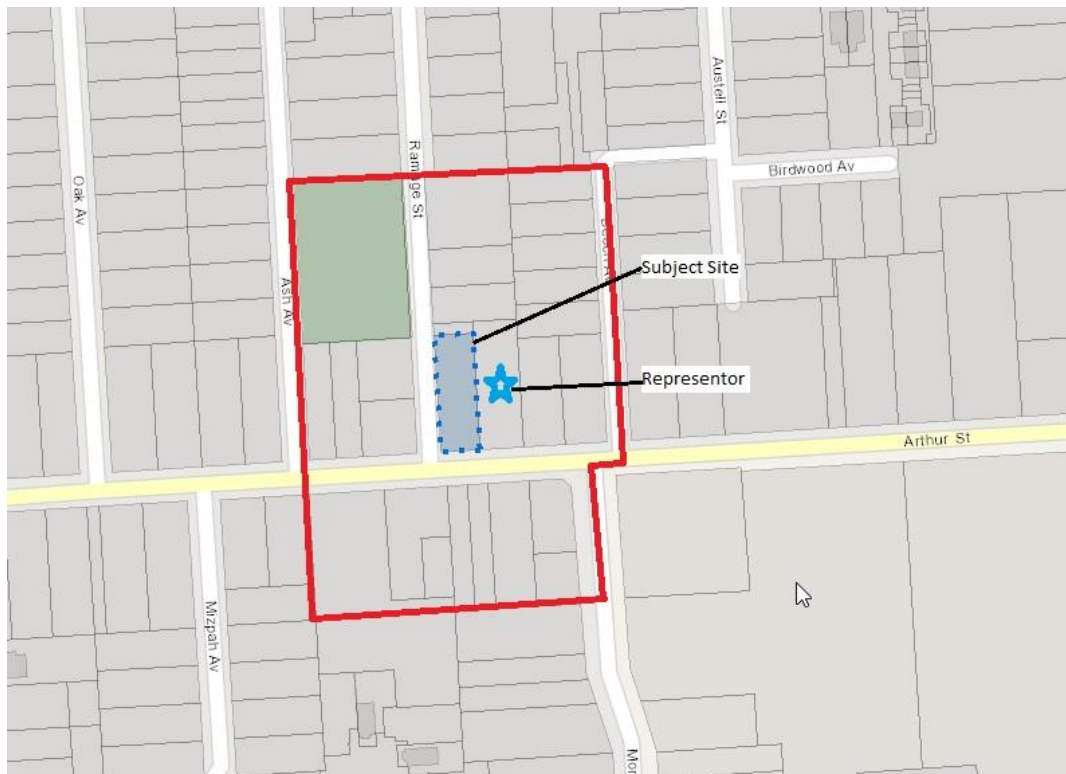


Figure 3 – Site, Locality and Representor plan

The locality is wholly contained within the **Established Neighbourhood Zone**. The locality is mixed in character and land uses with a variety of character dwellings of varying styles and eras making up the residential allotments. The locality also includes the Unley RSL hall, retirement units to the south, and an area of public open space to the west and a hall and office to the east.

The locality is well vegetated with numerous large trees, both on private land and in the public realm, predominantly found on the street verges.

The dwellings in the locality have a variety of subordinate structures and outbuildings with the subject site holding the largest residential outbuilding in the locality.

The wider locality follows the pattern of development in the locality with the Unley shopping precinct to the south east in the **Suburban Activity Centre Zone** and residential development in all other directions.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
- Outbuilding : Code Assessed - Performance Assessed
Demolition: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed

ITEM 2

DEVELOPMENT APPLICATION - 22036815 – 30 ARTHUR STREET, UNLEY SA 5061

- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**

Table 5 3 (i) – 2 (a) - the length of the proposed wall (or structure) exceeds 8m

- **LIST OF REPRESENTATIONS**

Representor Name/Address	Support/Support with Concerns/Oppose	Request to be heard
██████████ ██████████ ██████████	Oppose	Yes

- **SUMMARY**

33 Owners or occupiers of adjacent land were directly notified and a sign detailing the proposal was placed on the subject site for the duration of the notification period. One (1) representation was received. This representor opposes the proposal and seeks to be heard by the Panel. A copy of the representation can be found in Attachment 2.

The matters raised by the representor consisted of the following:

- Impair future development
- Excessive construction of proposed structure
- Privacy
- Noise interference and transfer of noise
- Design not in the characteristics of the council area
- Restricting allowance to plant trees and or vegetation

The applicant’s response can be found in Attachment 3. The representor provided a further response to the applicant’s response, and this can be found in Attachment 4. The representor reiterated their concerns and stated the following:

- The proposed new garage and 'studio' will have an increased land space of 20%, this seems to be an imposing structure on both boundaries.
- Having a skillion roof garage doesn't keep within the design character of the heritage of the council.
- Having windows on the boundary line is imposing and invasive, it will also limit the opportunity for any future developments that we may envisage on our property.
- Large structure height of ~3100mm on the boundary will limit natural light onto our property, block out the sun and limit the potential for vegetation growth i.e. trees or garden
- Having a 'Studio' on the boundary line with a thin wall will increase noise from the proposed structure into neighbouring dwellings

Following the representations, the applicant revised the plans removing the ground level windows on the rear boundary. These are the plans currently before the Panel.

ITEM 2

DEVELOPMENT APPLICATION - 22036815 – 30 ARTHUR STREET, UNLEY SA 5061

AGENCY REFERRALS

Not required

INTERNAL REFERRALS

Not required

RULES OF INTERPRETATION

The Planning and Design Code outlines zones, subzones, overlay and general provisions policy which provide Performance Outcomes (POs) and Desired Outcome (DOs).

In order to assist a relevant authority to interpret the Performance Outcomes, in some cases the policy includes a standard outcome which will generally meet the corresponding performance outcome (a Designated Performance Feature or DPF). A DPF provides a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome. A DPF does not need to necessarily be satisfied to meet the Performance Outcome and does not derogate from the discretion to determine that the outcome is met in another way, or from discretion to determine that a Performance Outcome is not met despite a DPF being achieved.

Part 1 of the Planning and Design Code outlines that if there is an inconsistency between provisions in the relevant policies for a particular development, the following rules will apply to the extent of any inconsistency between policies:

- the provisions of an overlay will prevail over all other policies applying in the particular case; and
- a subzone policy will prevail over a zone policy or a general development policy; and
- a zone policy will prevail over a general development policy.

PLANNING ASSESSMENT

The application has been assessed against the relevant policies of the **Planning & Design Code (the Code)**, which are contained in the following link:

[Planning and Design Code Extract](#)

Built Form

The subject site is within the **Established Neighbourhood Zone** where the **Desired Outcomes (DO)** are:

DO 1 - A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns.

DO 2 - Maintain the predominant streetscape character, having regard to key features such as roadside plantings, footpaths, front yards, and space between crossovers.

The **Established Neighbourhood Zone Performance Outcomes (PO)** state:

PO 3.1 - Building footprints are consistent with the character and pattern of the neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.”

PO 11.1 - Residential ancillary buildings and structures are sited and designed to not detract from the streetscape or appearance of buildings on the site or neighbouring properties.

PO 11.2 - Ancillary buildings and structures do not impede onsite functional requirements such as private open space provision, car parking requirements or result in overdevelopment of the site.

The following table details the relevant outcomes sought by **PO 11.1** and **PO 11.2** 's corresponding **Designated Performance Feature (DPF)** and how the proposal addresses them.

ITEM 2**DEVELOPMENT APPLICATION - 22036815 – 30 ARTHUR STREET, UNLEY SA 5061**

	DPF 11.1	Existing	Proposed
Floor Area	(b) - Not exceeding 60m ²	76m ²	78m ²
Secondary Street Setback	(c) (ii) - 900mm	0m	0m
Boundary Wall	(e) - Less than 8m	12m	14m (rear boundary) and 4.5m (side boundary)
	(f)- Less than 45% of boundary	86%	100% and 10.5%
Wall height	(h) - Not exceeding 3m	3m approx. max	3.1m
Roof Height	(i) - Not exceeding 5m	3m approx. max	3.1m
	DPF 11.2		
Private Open Space	60m ²	146m ²	130m ²

As shown above, the proposal does not meet some of the relevant outcomes in the **DPF** of **PO 11.1**. These variances include floor area, setbacks, wall length, and wall height.

The proposed structure is similar in bulk and scale as the existing structure on the site and will have a similar visual impact to the locality. The building is well separated from adjacent dwellings and allows sufficient space for light and ventilation. As such **PO 3.1** is satisfied.

The floor area is slightly greater than the existing by 1.6m² and as such will have no impact on the provision of private open space of soft landscaping on the site. The 17.6m² over the desired maximum is not considered detrimental to the site or locality.

The additional length on the rear boundary of 2m will have no appreciable impact as this boundary abuts an allotment used as access to the rear of the adjoining site at 28 Arthur Street. The 4.5m boundary wall on the side boundary is acceptable and below the maximum length sought by **DPF 11.1 (e)**. Being at the rear of the site its visual impact to the adjoining land will be minimal and will be screened by existing vegetation and other structures.

The additional wall height of 100mm over the desired maximum will have no adverse impact on the locality. With the proposed outbuilding having a virtually flat roof at a pitch of approximately 2 degrees the building is low scale and notably lower than other buildings in the locality including the dwelling on the subject site.

Given the above, the proposed outbuilding is considered to satisfy PO 11.1

The **Historic Area Overlay PO's** state:

PO 1.1 - All development is undertaken having consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.

PO 2.1 - The form and scale of new buildings and structures that are visible from the public realm are consistent with the prevailing historic characteristics of the historic area.

PO 2.2 - Development is consistent with the prevailing building and wall heights in the historic area.

ITEM 2

DEVELOPMENT APPLICATION - 22036815 – 30 ARTHUR STREET, UNLEY SA 5061

PO 4.1 - Ancillary development, including carports, outbuildings and garages, complements the historic character of the area and associated buildings.

PO 4.2 - Ancillary development, including carports, outbuildings and garages, is located behind the building line of the principal building(s) and does not dominate the building or its setting.

The proposed outbuilding is a form of development to be expected in the Established Neighbourhood zone and is not dissimilar to other outbuildings in the locality and wider locality. The form of the building is low scale being only 3.1m high and a similar footprint to the existing structure. The secondary street location of the building ensures historic character of the character dwelling on the site is not impacted. The low scale form also ensures that the historic character of the street and other buildings in the locality are also not impacted. The outbuilding will not be a dominant structure in the street or locality.

Given the above discussion, the proposed outbuilding satisfies the relevant **Historic Areas Overlay PO's**.

The representor raised numerous concerns regarding the proposal in their initial representation and the subsequent response to the applicant's response as noted earlier in this report.

The concerns regarding privacy due to the window locations have been resolved with the windows being replaced with two skylights.

Further, as discussed above the built form of the proposal is considered low scale and will not detract from the historic character of the locality and buildings.

The boundary development is a form of development that is acceptable in the zone and is not considered to unduly impact the adjoining allotments to any greater degree than is currently present.

The outbuilding is a domestic structure and the proposed use as a studio is unlikely to cause any noise not otherwise present and expected in a residential area. Notwithstanding this, the outbuilding and site will be subject to compliance with the Local Noise and Litter Control Act 2016.

Lastly, the building is on the western boundary of the subject site and will not cause any unreasonable overshadowing of the adjoining land. The adjoining land will have access to unfettered eastern and northern sunlight.

CONCLUSION

The statements made by the representor have been acknowledged and have been considered in the course of this assessment and summarised above.

Whilst the development does not directly satisfy some of the Designated Performance criteria as set out in the relevant Performance Outcomes, these discrepancies are not considered to be detrimental to the locality or the historic characteristics of the area.

Having considered all the relevant assessment provisions, the proposed outbuilding is considered to be not seriously at variance with the Planning and Design Code and is considered to satisfy the provisions for the following reasons

- The proposed development is considered to satisfy the relevant Performance Outcomes of the Established Neighbourhood Zone, Overlays and General Development Policies;
- The proposed outbuilding has been designed to respect and complement the streetscape context and will not unreasonably impact upon the adjacent properties

ITEM 2

DEVELOPMENT APPLICATION - 22036815 – 30 ARTHUR STREET, UNLEY SA 5061

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 22036815, by Xin Onn Lai is GRANTED Planning Consent subject to the following reasons/conditions/reserved matters:

CONDITIONS

Planning Consent

Condition 1

The approved development shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

Condition 2

The materials used on the external surfaces of the building and the pre-coloured steel finishes or paintwork must be maintained in good condition at all times to the satisfaction of Council.

Condition 3

All stormwater from the building and site shall be disposed of so as not to adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.

ADVISORY NOTES

Planning Consent

Advisory Note 1

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Advisory Note 2

Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Advisory Note 3

This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

Advisory Note 4

ITEM 2

DEVELOPMENT APPLICATION - 22036815 – 30 ARTHUR STREET, UNLEY SA 5061

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

Advisory Note 5

The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence or the erection of a new boundary fence, a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 1300 366 424 or refer to their web site at www.lsc.sa.gov.au.

Advisory Note 6

It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

Advisory Note 7

That any damage to the road reserve, including road, footpaths, public infrastructure, kerb and guttering, street trees and the like shall be repaired by Council at full cost to the applicant.

Advisory Note 8

The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.

OFFICER MAKING RECOMMENDATION

Name: Timothy Bourner

Title: Senior Planner

Date: 2 May 2023

ATTACHMENT 1

30 Arthur St Shed Layout and elevations

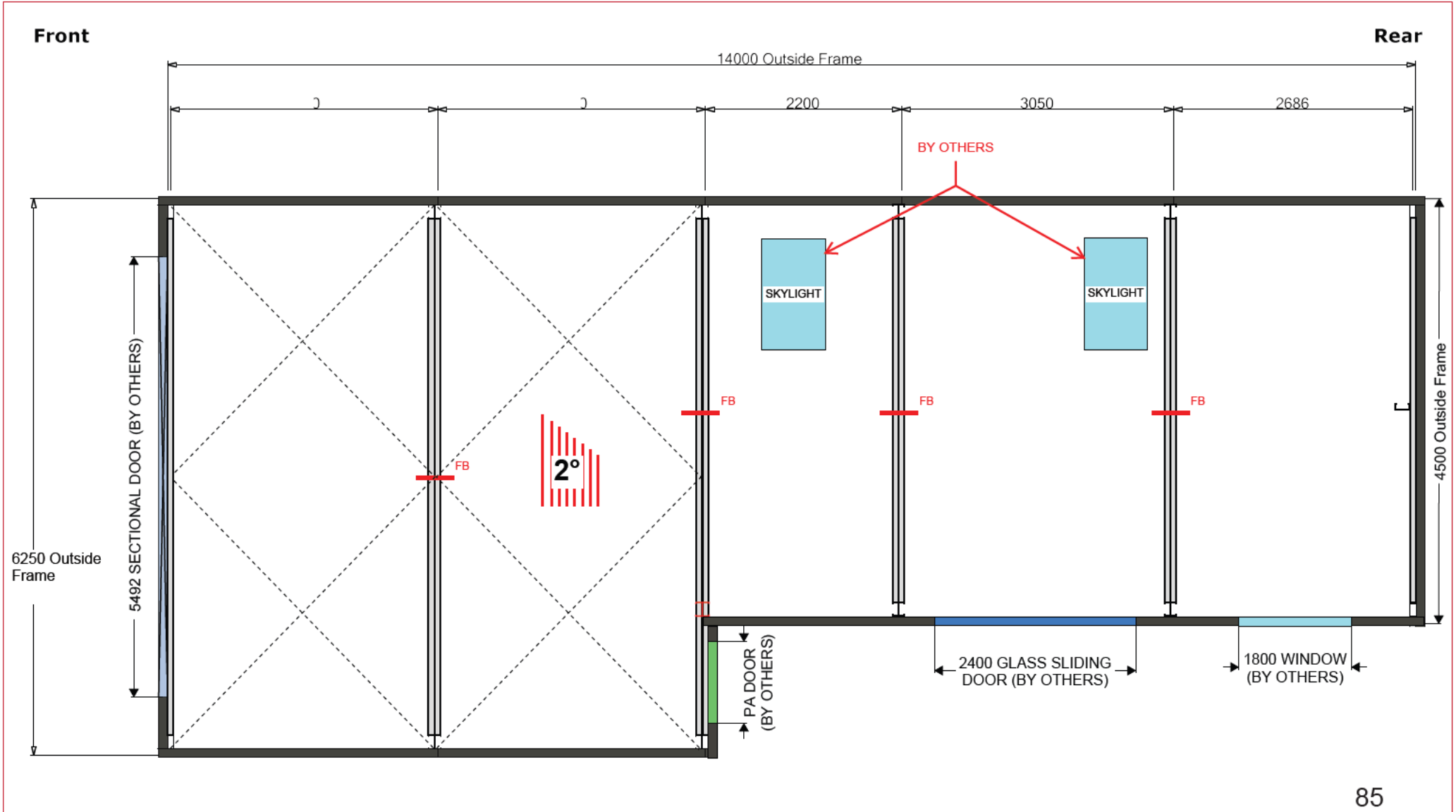




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28/04/23
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Site Plan

Job Reference ENG27873 Site Address 30 Arthur Street Design Number SQ258142
Sales Person [REDACTED] Client Name [REDACTED] Unley



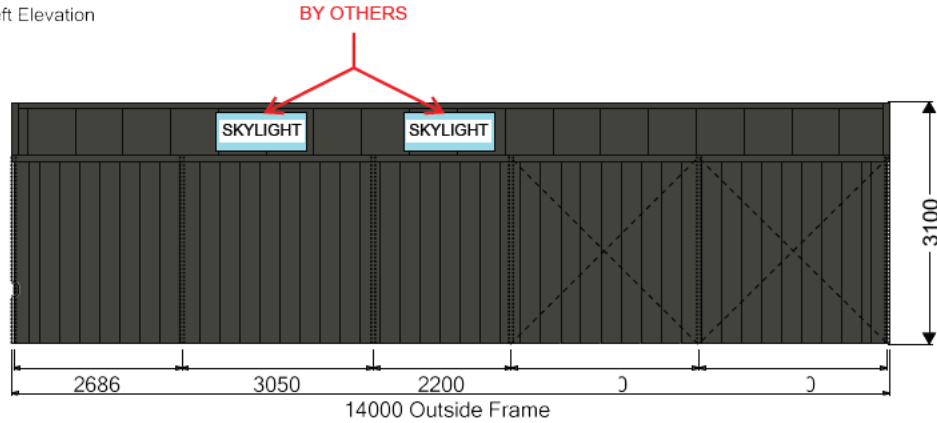


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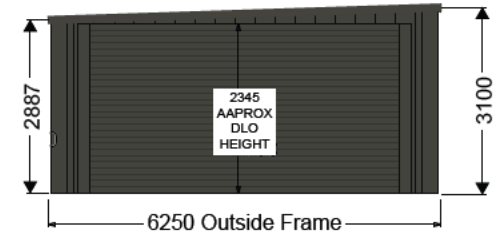
Elevations

Job Reference ENG27873 Site Address 30 Arthur Street
Sales Person [REDACTED] Unley Design Number SQ258142
Client Name [REDACTED]

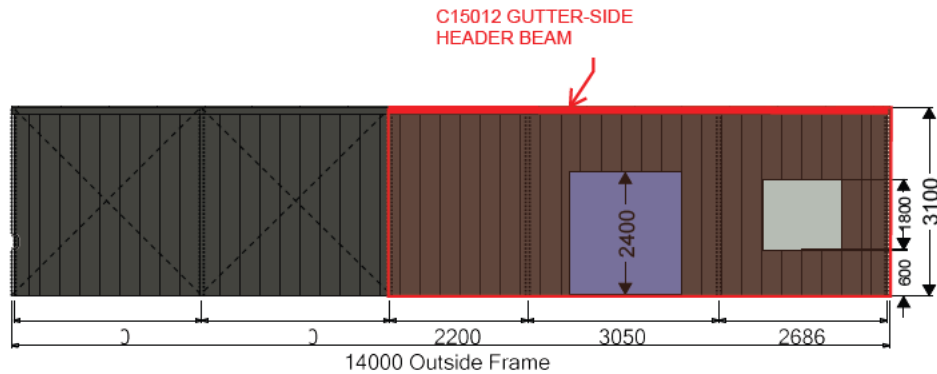
Left Elevation



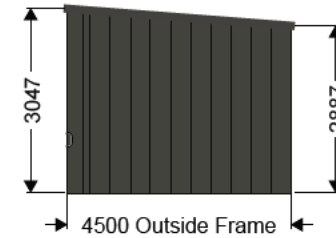
Front External Elevation



Right Elevation



Rear External Elevation





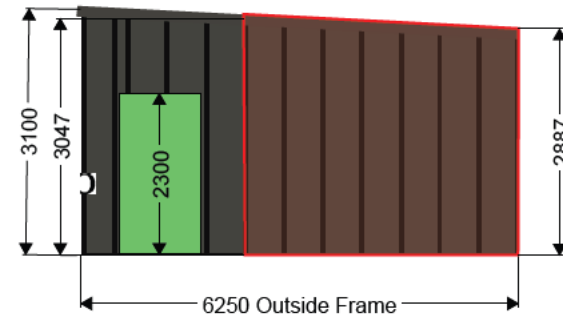
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28/04/23
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Elevations

Job Reference ENG27873
Sales Person [Redacted]
Client Name [Redacted]

Site Address 30 Arthur Street
Unley

Design Number SQ258142



ATTACHMENT 2

Details of Representations

Application Summary

Application ID	22036815
Proposal	1. Demolition of old 6m x10m old shed sitting at rear and street boundaries. 2. Erect new skillion shed structure 3. Single structure to include double carport (6m x 6m), studio (4.5m x 8m) and one bathroom 4. New shed/studio structure to be on rear and neighbour boundary. 5. Plan for pool after completion of shed and studio
Location	30 ARTHUR ST UNLEY SA 5061

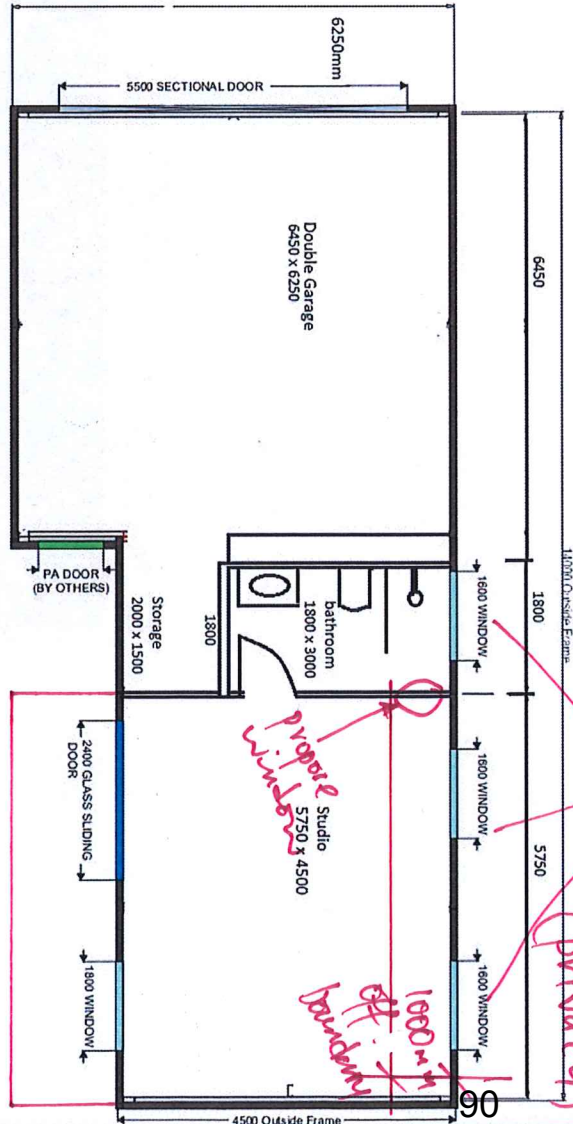
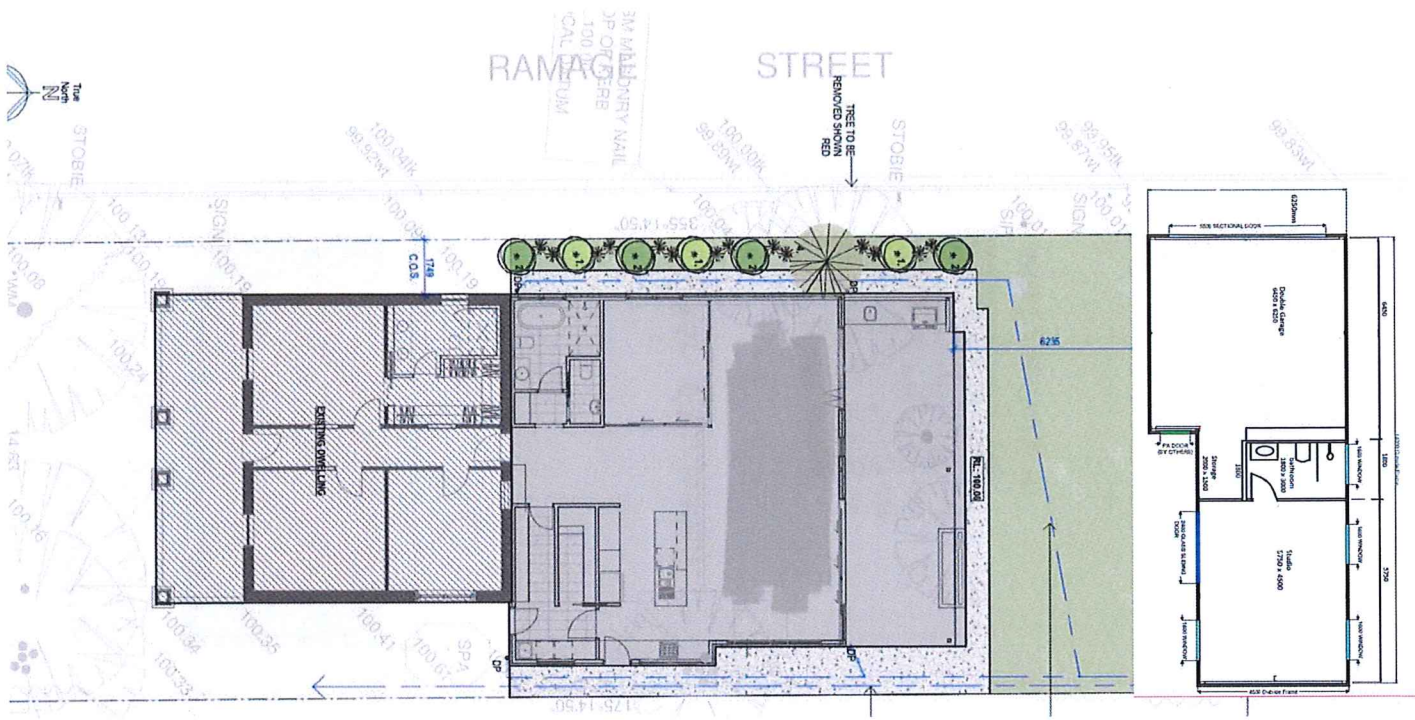
Representations

Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	05/01/2023 03:50 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	The planning should be refused on the basis of: % Impair future development by [REDACTED] % Excessive construction of proposed structure % Imposing on privacy to my area % Noise interference and transfer of noise into our adjoining property % Design not in the characteristics of the council area % Restricting allowance to plant trees and or vegetation on our property

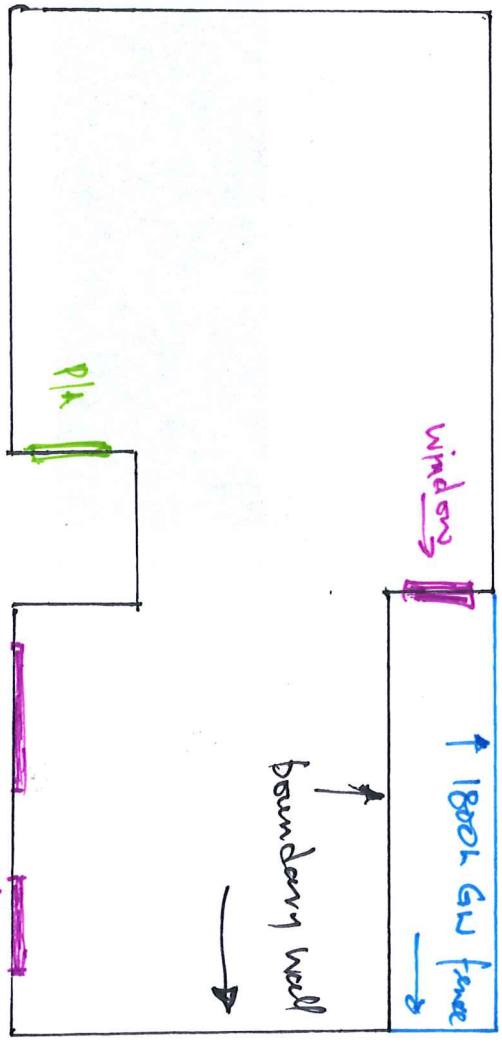
Attached Documents

20230105144933637-1163885.pdf



NB windows along this boundary (Privacy)

extend structure 1000mm south



1800 window

ATTACHMENT 3

Response to Representation:

Owner: X O Lai, 30 Arthur st Unley 5061

Summary:

New proposed shed will be a simple skillion structure is a significant improvement on old structure and will improve privacy to next property, all building works will comply with state regulations to minimise impact to the neighbours and environment. Rear windows will be highlight windows, with no direct view on standing height below 1900mm and not impinge on privacy.

1. "Impair future development by [REDACTED]"

- New Shed will be located within the property boundaries of 30 Arthur St only.

2. "Excessive construction of propose structure"

- New shed (approx. 73m2) will be similar in size to old shed (60m2), new shed height will be lower than surrounding structures.

3. "Imposing privacy to my area"

- windows are 1900 off ground level and will not impose on privacy, rather acting as highlight windows to capture northern aspect and natural light into indoor space.

- this improves building efficiency and reduce impact on the environment through unnecessary electricity usage

- One of the windows will be glazed privacy windows and won't allow any vision through, only light.

- Windows might not appear to be in scale as highlight windows on elevation page due to shed builder software display limitations.

- New shed will improve privacy to neighbouring property as rear boundary adjoins shared land, which acts as access to next property, will provide extra privacy and improve on current structure

4. "Noise interference and transfer of noise into adjoining property"

- All building works will comply with state regulations and noise management done by licensed builders. Noise interference will be kept minimal and mindful.

5. "Design not in characteristics of council area"

- Shed design is simple skillion structure similar to other skillion sheds in the council area

6. "Restricting allowance to plant trees / vegetation on out property"

- new Shed and all building works will be within the property boundaries of 30 Arthur St only, will have no impact of vegetation of tree/ vegetation planting on next property.

ATTACHMENT 4

From: [REDACTED]
To: [Timothy Bourner](#)
Subject: Re: Applicant Response to Representation - 22036815 - 30 Arthur Street Unley
Date: Wednesday, 1 February 2023 9:14:36 PM
Attachments: [image001.png](#)

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

Hi Timothy,

Thankyou for your email. I have read through the applicant's response and this still doesn't satisfy me, as such I'd still like to be heard by the Council Application Panel and have representation regarding any further developments on this application.

I've been a resident of the unley council for over 35 years, and feel strongly regarding maintaining the council's heritage and character of the older dwellings in the area. My parents have multiple properties in the Unley council and have resided in the same suburb for over 60 years, all their properties have been maintained in keeping with the heritage of the council. The contemporary extension that has been approved and installed to the rear of the applications property [30 Arthur St] does not keep with the heritage of the original dwelling.

- The proposed new garage and 'studio' will have an increased land space of 20%, this seems to be an imposing structure on both boundaries.
- Having a skillion roof garage doesn't keep within the design character of the heritage of the council.
- Having windows on the boundary line is imposing and invasive, it will also limit the opportunity for any future developments that we may envisage on our property.
- Large structure height of ~3100mmH on the boundary will limit natural light onto our property, block out the sun and limit the potential for vegetation growth IETrees or Garden
- Having a 'Studio' on the boundary line with a thin wall will increase noise from the proposed structure into neighbouring dwellings

Please keep me informed of any progress with the application or feedback from CAP.

Feel free to contact me on my mobile if you wish to discuss further.

