Council Assessment Panel
Agenda & Reports

19 May 2025

Our Vision

A City which values its heritage, cultural diversity, sense of place and natural environment.

A progressive City which is prosperous, sustainable and socially cohesive, with a strong community spirit.

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au
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City of Norwood Payneham & St Peters

14 May 2025

To all Members of the Council Assessment Panel:

- Mr Stephen Smith (Presiding Member)
- Mr Julian Rutt
- Cr Christel Mex
- Mr Paul Mickan (Deputy Member)
- Mr Mark Adcock
- Mr Ross Bateup
- Cr Kester Moorhouse (Deputy Member)

NOTICE OF MEETING

I wish to advise that pursuant to Clause 1.5 of the Meeting Procedures, the next Ordinary Meeting of the Norwood Payneham & St Peters Council Assessment Panel, will be held in the Council Chambers, Norwood Town Hall, 175 The Parade, Norwood, on:

Monday 19 May 2025 commencing at 6.30pm.

Please advise Tala Aslat on 8366 4530 or email taslat@npsp.sa.gov.au if you are unable to attend this meeting or will be late.

Yours faithfully

Geoff Parsons
ASSESSMENT MANAGER

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

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City of Norwood Payneham & St Peters

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VENUE Council Chambers, Norwood Town Hall

HOUR 6.30pm

PRESENT

Panel Members
Mr Stephen Smith
Mr Ross Bateup
Mr Julian Rutt
Mr Paul Mickan
Cr Kester Moorhouse

Staff
Geoff Parsons, Manager, Development & Regulatory Services
Kieran Fairbrother, Senior Urban Planner
Ned Feary, Senior Urban Planner
Tala Aslat, Administration Officer
Daniella Hadgis, Administration Officer

APOLOGIES
Mr Mark Adcock
Cr Christel Mex

ABSENT

1. COMMENCEMENT AND WELCOME

2. APOLOGIES

3. CONFIRMATION OF THE MINUTES OF THE MEETING OF THE COUNCIL ASSESSMENT PANEL HELD ON 17 MARCH 2025

4. DECLARATION OF INTERESTS

5. DEVELOPMENT APPLICATIONS – PDI ACT

5.1 DEVELOPMENT NUMBER ID ID25003913 – MR JOHN AND MS HALEY MILLER – 69 HIGH STREET KENSINGTON

DEVELOPMENT NO.:	25003913
APPLICANT:	John Miller and Haley Miller
ADDRESS:	69 HIGH ST KENSINGTON SA 5068
NATURE OF DEVELOPMENT:	Demolition of a dwelling (Local Heritage Place)
ZONING INFORMATION:	**Zones:** • Established Neighbourhood **Overlays:** • Airport Building Heights (Regulated) • Historic Area • Heritage Adjacency • Hazards (Flooding - General) • Local Heritage Place • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy **Technical Numeric Variations (TNVs):** • Minimum Site Area (Minimum site area is 400 sqm) • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	17 Feb 2025
RELEVANT AUTHORITY:	Assessment panel/Assessment manager at City of Norwood, Payneham and St. Peters
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2025.3 13/2/2025
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Kieran Fairbrother, Senior Urban Planner
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Structural Engineer, Imparta Engineers (third-party)

CONTENTS:

DETAILED DESCRIPTION OF PROPOSAL:

This application is for the demolition of a Local Heritage Place and ancillary structures, on the grounds that the building is structurally unsound and is unable to be redeemed. This application does not propose any replacement building; nor is it required to in order for the demolition proposal to be considered and determined.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 69 HIGH ST KENSINGTON SA 5068

Title ref.: CT 6120/310 **Plan Parcel:** F139023 AL43 **Council:** THE CITY OF NORWOOD PAYNEHAM AND ST PETERS

Shape:	regular
Frontage Width:	approximately 5.98 metres
Area:	approximately 173m^2
Topography:	relatively flat
Existing structures:	a single storey Victorian building with gable roof (LHP) built to the front boundary, and a later rear addition
Existing vegetation:	nil

Locality

The locality is considered to comprise the area extending 100m northwest and southeast of the subject land along High Street, and includes the first few properties with frontages to Bridge Street and Maesbury Street in both directions from High Street.

This locality is characterised predominantly by single-storey residential dwellings, with a significant proportion of those being State or Local Heritage Places or Representative Buildings (see **Attachment 3**). A couple of non-residential uses exist in the locality, most notably the preschool immediately next door and behind the subject land. Nonetheless, the locality enjoys a very high level of amenity and continues to exhibit a relatively intact part of Adelaide's history through its architecture and road network.

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**

Proposal involves the demolition of a Local Heritage Place

- **LIST OF REPRESENTATIONS**

Nine valid representations were received during the public notification period.

First Name	Surname	Address	Position	Wishes to be heard?
Peter	Duffy	43 High Street KENSINGTON	Opposed	Yes
Adam	Slater	46 Bridge Street KENSINGTON	Support, with concerns	Yes
Ethan	Knight	1/31 Dudley Road MARRYATVILLE	Support, with concerns	No
Joseph	Hamra	44 Stanley Street LEABROOK	Opposed	No
Matthew	Hardy	42 High Street KENSINGTON	Opposed	No
Susan	Parham	54 High Street KENSINGTON	Opposed	No
Rory	Lister	67A High Street KENSINGTON	Support, with concerns	Yes
Kensington Residents' Association		42 Regent Street KENSINGTON	Opposed	Yes
Sandy	Wilkinson	112 Osmond Terrace NORWOOD	Opposed	Yes

- **SUMMARY**

The representors' concerns can be summarised as follows:

- General opposition to the demolition of the Local Heritage Place and the loss of a mid-1840s building in Kensington;
- Concern that the building is not completely beyond salvation and reparation works could occur in lieu of demolition. This includes a suggestion that chemical resin injection underpinning could be used to salvage the building;
- Concerns that the neglect of a building over many years could lead to its eventual demolition;
- How security of the adjacent preschool site will be maintained during demolition;

Some representors also suggested that the current proposal should not be approved without a satisfactory replacement building also being proposed that would fit into this historic area. The Panel should note that a replacement building does not need to be proposed for this demolition application to be considered and determined.

INTERNAL REFERRALS

- Structural Engineer (Independent, third party – *Imparta Engineers*)

Imparta Engineers undertook their own assessment of the condition of the building and are of the view that it is highly likely that both the southwestern (front) and northwestern (side) walls would need to be wholly reconstructed to salvage this building. Any attempt to retain and realign these walls through underpinning and other structural remediation is likely to be unsuccessful; notwithstanding that whole dwelling underpinning may not be possible because of site constraints.

- Heritage Advisor

Council's Heritage Advisor was not asked to comment on the merits of the proposed demolition, because that relies on the expertise of a structural engineer. Instead, the Heritage Advisor was asked to comment on the effect that reconstructing the front and side walls would have on the heritage value of the building. They are of the view that once these walls are demolished the building no longer has any heritage value and should have its listing removed, even if these walls were to be reconstructed.

PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

Demolition

Performance Outcome 6.1 of the Local Heritage Place Overlay states:

> *Local Heritage Places are not demolished, destroyed or removed in total or in part unless:*
> *(a) The portion of the Local Heritage Place to be demolished, destroyed or removed is excluded from the extent of listing that is of heritage value*
> *or*
> *(b) The structural integrity or condition of the Local Heritage Place represents an unacceptable risk to public or private safety and is irredeemably beyond repair.*

This application seeks to demolish the whole of the Local Heritage Place and therefore criterion (a) in PO 6.1 is not applicable. Thus, the success or otherwise of the application rests on whether criterion (b) can be satisfied.

By way of background, on 10 February 2025 Council's Senior Building Officer and a consulting engineer attended the site out of concern that the building may pose a risk to public safety. As a result, the Council chose to cordon off the footpath area immediately in front of the building in case the front wall of the building collapsed. The footpath remains closed off in the area in front of the subject building.

In support of their application, the applicant provided a Structural Engineer's Report completed by *OB Engineering* (**Attachment 1**). A qualified structural engineer from *OB Engineering* attended the site on 8 February 2025 and undertook a visual inspection for the purposes of their report – no fixtures or fittings were removed as part of their inspection. *OB Engineering* also had consideration to two earlier structural engineering reports (dated 2012 and 2013).

In their report, *OB Engineering* said the following about the condition of the building:

- The building is founded on reactive clayey soils, which are subject to expansion and contraction due to moisture changes throughout the year. Conditions on both the subject land and on neighbouring land are conducive to facilitating significant moisture changes throughout the year.
- The building 'is of full masonry construction without articulation joints, likely built on strip footings', and is therefore vulnerable to differential movements and consequent cracking.
- Cracking was observed in many areas, both internally and externally, most of which could be classified as 'slight to severe' (between Category 2 and 4) in accordance with Table C1 of AS2870 *Residential slabs and footings*.
- Severe rotation of the southwest street-facing wall was observed. Using a digital spirit level, the rotation of the eastern end of this wall was measured to be 59mm/m (177mm total). 'The rotation of the wall is considered severe, and the wall may collapse at any time…'
- The gable end above this wall was not rotated to the same degree, which may be because of restraint provided by the roof structure.
- The northwestern side wall has also rotated and separated from some internal fixtures. Using a digital spirit level, the rotation was measured to be 34mm/m near to the front of the building and 26mm/m near to the rear of the building.
- Internal cracking was repaired 10 years ago, according to the building owner, and has redeveloped since, which indicates the northwestern side wall is actively rotating.

In conclusion, *OB Engineering* suggested that the rotation of the southern and western walls 'is beyond the point where underpinning will be effective'. They did intimate that partial demolition and reconstruction of the failed external walls might be an option but should be subject to an economic feasibility assessment – they did not comment on the feasibility of such works, only that they would be extensive and not economically feasible. Consequently, *OB Engineering* opined that the building should be demolished.

The Council engaged an independent structural engineer (*Imparta Engineers*) to undertake an inspection of the building and to assess its structural condition. More specifically, *Imparta Engineers* were asked to consider what, if any, reparation works might be available to redeem the building (consistent with the wording of Performance Outcome 6.1(b), above).

Imparta Engineers agreed with *OB Engineering* in respect of the soil profile of the land, the construction methodology of the building and consequently the likely explanation for the observed differential movement.

Imparta Engineers said the following about the condition of the building:

- Cracking was observed throughout the building similar to that of *OB Engineering*.
- The cracking to the front southwestern wall and the side northwestern wall was classified as being Category 4 or beyond (severe, 15 -25mm wide) per Table 1 of AS2870.
- The front southwestern wall was measured with a digital spirit level as being between 2.7^{o} and 3.3^{o} out of vertical alignment.
- The side northwestern wall was measured with a digital spirit level as being between 0.8^{o} and 2.8^{o} out of vertical alignment, increasing towards the front of the building.

With respect to potential reparation works, *Imparta Engineers* opined that local repair work (e.g. removing wall plaster, repairing cracked mortar and replacing cracked bricks) would be 'difficult and hazardous to undertake' and the extent and feasibility of such works is difficult to quantify based on a visual inspection alone – this might only be ascertainable once local repair works have commenced. Instead, *Imparta Engineers* suggested that local repair of the front and side walls of most concern is unlikely to be successful 'without reconstructing [these walls] to a large degree (if not fully)'.

Imparta Engineers consulted with specialist underpinning contractor during their assessment to determine the

feasibility of underpinning the dwelling and realigning the existing walls. This contractor held a view that if underpinning was to be attempted then the front and side walls would need to be reconstructed in full notwithstanding. Further, because of access issues around the dwelling, it may not be possible to completely underpin the building.

Imparta Engineers held the view that, on the balance of probabilities, retention of the existing building through the underpinning of the dwelling and the realignment of the front and side walls would be unsuccessful. Contrarily, they held the view that the most appropriate remedial option would be the full reconstruction of the front and side walls (see Figure 3 in **Attachment 7**). In such an event, these walls would likely need to be founded on new footings or deep underpins; and this would likely lead to different instability issues because of the different foundation conditions throughout the whole of the building. In such circumstances, underpinning of the whole dwelling may be necessary, but this may not be feasible due to site constraints.

Performance Outcome 6.1(b) (above) requires satisfaction of two elements:

1. That the structural integrity or condition of the building represents an unacceptable risk to public or private safety; and
2. That the structural integrity or condition of the building is such that it is irredeemably beyond repair.

The condition of the building has been established by both *OB Engineers* and *Imparta Engineers* as being structurally unsound, particularly in relation to the front southwestern wall and the side northwestern wall. This wall has significantly rotated out of vertical alignment and is separating from the gable roof structure, as evidenced in photos by both engineers. Council's Senior Building Officer and separate consulting engineer evidenced a concern that the front wall of the building may collapse by cordoning off the footpath in this area. Accordingly, the first part of Performance Outcome 6.1(b) has been satisfied because the building does evidently pose an unacceptable risk to public and private safety (although the house is currently uninhabited).

Thus, the question to be answered is whether the building is "irredeemably beyond repair". The word "irredeemable" was considered by the Environment, Resources and Development Court in *Klemich v City of Norwood Payneham & St Peters*[1] where, at [35], the Court said:

> Choice of this word is not considered to be ideal for the concept that I understand is sought to be achieved. Dictionary definitions include references to not redeemable, beyond redemption, incapable of being brought back or paid off; and redeemable being capable of being redeemed; and to redeem to include to make up for, to obtain the restoration of or to pay off, to bring the item back to original condition or its presence. Hence, in a planning sense, I find that it is intended to include the restoration, repair and rehabilitation of existing original building fabric of heritage value, but not to include its full replacement with new materials, nor necessarily include the term or works comprising 'rectification'.

This case involved the proposed demolition of a Local Heritage Place, and the question considered was whether the building was 'so structurally unsound as to be unsafe and irredeemable' – wording taken from the Development Plan in force at the time which is akin to the wording in Performance Outcome 6.1(b) of the Local Heritage Place Overlay (above).

In that case, the engineering evidence accepted by the Court indicated that significant portions of the original external walls, which were of particular heritage importance, would need to be removed to a height of 1 metre or up to 1.8 metres and wholly reconstructed and underset. On that basis, the Court concluded that the whole local heritage place was considered to be irredeemable. In other words, it was the Court's view that demolishing significant original external sections of the building and then reconstructing those sections with new materials does not constitute redemption of the building.

[1] [2002] SAERDC 10.

The engineering opinion provided for consideration of this application – by *OB Engineering* and *Imparta Engineers* – both suggest that the front southwestern wall and the side northwestern wall cannot be redeemed through local repair work. Instead, if any salvaging was to be attempted, it would require the demolition and reconstruction of these walls in their entirety, as well as the complete underpinning of the dwelling (which comes with its own uncertainties).

Once these two walls are demolished, the heritage value of the place will be significantly diminished (if not completely). Any replacement walls will not constitute original building fabric (no matter how convincing a replication attempt may be) and therefore will have no heritage value. Council's Heritage Advisor agrees with this view, stating that 'from a purely heritage perspective that means the building would no longer be the same Local Heritage Place, so the listing should be removed' (see **Attachment 7**).

Accordingly, consistent with the reasoning in *Klemich*, the Local Heritage Place is considered to be irredeemably beyond repair and its demolition is justified by virtue of satisfaction of Performance Outcome 6.1 of the Local Heritage Place Overlay.

Question of Seriously at Variance

Having considered the proposal against the relevant provisions of the Planning & Design Code (version 2025.3, dated 13/02/2025), the proposal is not considered to be seriously at variance with the provisions of the Planning & Design Code because:

- Demolition of a Local Heritage Place is anticipated in certain circumstances.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

2. Development Application Number 25003913, by John Miller and Haley Miller is granted Planning Consent subject to the following conditions:

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

ADVISORY NOTES
Planning Consent
Advisory Note 1
Consents issued for this Development Application will remain valid for the following periods of time:

1. Planning Consent is valid for 24 months following the date of issue, within which time Development Approval must be obtained;
2. Development Approval is valid for 24 months following the date of issue, within which time works must have substantially commenced on site;
3. Works must be substantially completed within 3 years of the date on which Development Approval is issued.

If an extension is required to any of the above-mentioned timeframes a request can be made for an extension of time by emailing the Planning Department at townhall@npsp.sa.gov.au. Whether or not an extension of time will be granted will be at the discretion of the relevant authority.

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
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 4
The Applicant is reminded of its responsibilities under the *Environment Protection Act 1993*, to not harm the environment. Specifically, paint, plaster, concrete, brick wastes and wash waters should not be discharged into the stormwater system, litter should be appropriately stored on site pending removal, excavation and site disturbance should be limited, entry/exit points to the site should be managed to prevent soil being carried off site by vehicles, sediment barriers should be used (particularly on sloping sites), and material stockpiles should all be placed on site and not on the footpath or public roads or reserves. Further information is available by contacting the EPA.

Advisory Note 5
The granting of this consent does not remove the need for the beneficiary to obtain all other consents which may be required by any other legislation.

The Applicant's attention is particularly drawn to the requirements of the *Fences Act 1975* regarding notification of any neighbours affected by new boundary development or boundary fencing. Further information is available in the 'Fences and the Law' booklet available through the Legal Services Commission.

Advisory Note 6
The Applicant is advised that construction noise is not allowed:

1. on any Sunday or public holiday; or
2. after 7pm or before 7am on any other day

Advisory Note 7
The Applicant is advised that any works undertaken on Council owned land (including but not limited to works relating to crossovers, driveways, footpaths, street trees and stormwater connections), or works that require the closure of the footpath and / or road to undertake works on the development site, will require the approval of the Council pursuant to the *Local Government Act 1999* prior to any works being undertaken. Further information may be obtained by contacting Council's Public Realm Compliance Officer on 8366 4513.

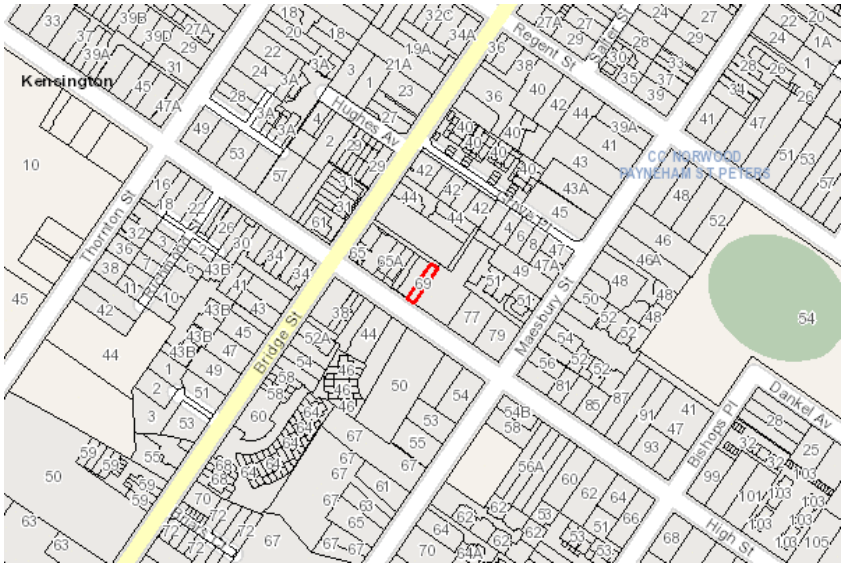
Advisory Note 8
The Applicant is advised that the condition of the footpath, kerbing, vehicular crossing point, street tree(s) and any other Council infrastructure located adjacent to the subject land will be inspected by the Council prior to the commencement of building work and at the completion of building work. Any damage to Council infrastructure that occurs during construction must be rectified as soon as practicable and in any event, no later than four (4) weeks after substantial completion of the building work. The Council reserves its right to recover all costs associated with remedying any damage that has not been repaired in a timely manner from the appropriate person.

Advisory Note 9
The Council has not surveyed the subject land and has, for the purpose of its assessment, assumed that all dimensions and other details provided by the Applicant are correct and accurate.

Advisory Note 10
If excavating, it is recommended you contact Before You Dig Australia (BYDA) (www.byda.com.au) to keep people safe and help protect underground infrastructure.

Address: **69 HIGH ST KENSINGTON SA 5068**

To view a detailed interactive property map in SAPPA click on the map below



Property Zoning Details

Zone

Established Neighbourhood

Overlay

Airport Building Heights (Regulated) *(All structures over 45 metres)*
Historic Area *(NPSP5)*
Heritage Adjacency
Hazards (Flooding - General)
Local Heritage Place *(5790)*
Prescribed Wells Area
Regulated and Significant Tree
Stormwater Management
Urban Tree Canopy

Local Variation (TNV)

Minimum Site Area *(Minimum site area is 400 sqm)*
Maximum Building Height (Levels) *(Maximum building height is 2 levels)*

Demolition - Code Assessed - Performance Assessed

Part 2 - Zones and Sub Zones

Established Neighbourhood Zone

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
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.

Table 5 - Procedural Matters (PM) - Notification

The following table identifies, pursuant to section 107(6) of the *Planning, Development and Infrastructure Act 2016*, classes of performance assessed development that are excluded from notification. The table also identifies any exemptions to the placement of notices when notification is required.

Interpretation

Notification tables exclude the classes of development listed in Column A from notification provided that they do not fall within a corresponding exclusion prescribed in Column B.

Where a development or an element of a development falls within more than one class of development listed in Column A, it will be excluded from notification if it is excluded (in its entirety) under any of those classes of development. It need not be excluded under all applicable classes of development.

Where a development involves multiple performance assessed elements, all performance assessed elements will require notification (regardless of whether one or more elements are excluded in the applicable notification table) unless every performance assessed element of the application is excluded in the applicable notification table, in which case the application will not require notification.

A relevant authority may determine that a variation to 1 or more corresponding exclusions prescribed in Column B is minor in nature and does not require notification.

Class of Development (Column A)	Exceptions (Column B)
1. Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.
2. All development undertaken by: (a) the South Australian Housing Trust either individually or jointly with other persons or bodies or (b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust.	Except development involving any of the following: 1. residential flat building(s) of 3 or more building levels 2. the demolition (or partial demolition) of a State or Local Heritage Place (other than an excluded building) 3. the demolition (or partial demolition) of a building in a Historic Area Overlay (other than an excluded building).
3. Any development involving any of the following (or of any combination of any of the following): (a) ancillary accommodation (b) dwelling (c) dwelling addition (d) residential flat building.	Except development that: 1. exceeds the maximum building height specified in Established Neighbourhood Zone DTS/DPF 4.1 or 2. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: (a) the length of the proposed wall (or structure) exceeds 8m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or (b) the height of the proposed wall (or post height) exceeds 3.2m measured from the lower of the natural or finished ground level (other than

	where the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).
4. Any development involving any of the following (or of any combination of any of the following): (a) consulting room (b) office (c) shop.	Except development that: 1. does not satisfy Established Neighbourhood Zone DTS/DPF 1.2 or 2. exceeds the maximum building height specified in Established Neighbourhood Zone DTS/DPF 4.1 or 3. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: (a) the length of the proposed wall (or structure) exceeds 8m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or (b) the height of the proposed wall (or post height) exceeds 3.2m measured from the lower of the natural or finished ground level (other than where the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).
5. Any development involving any of the following (or of any combination of any of the following): (a) air handling unit, air conditioning system or exhaust fan (b) carport (c) deck (d) fence (e) internal building works (f) land division (g) outbuilding (h) pergola (i) private bushfire shelter (j) recreation area (k) replacement building (l) retaining wall (m) shade sail (n) solar photovoltaic panels (roof mounted) (o) swimming pool or spa pool and associated swimming pool safety features (p) temporary accommodation in an area affected by bushfire (q) tree damaging activity (r) verandah (s) water tank.	None specified.
6. Any development involving any of the following (or of any combination of any of the following) within the Tunnel Protection Overlay: (a) storage of materials, equipment or vehicles	Except where not undertaken by the Crown, a Council or an essential infrastructure provider.

(whether temporary or permanent) over an area exceeding 100 square metres (b) temporary stockpiling of soil, gravel, rock or other natural material over an area exceeding 100 square metres (c) excavation or ground intruding activity at a depth greater than 2.5 metres below the regulated surface level.	
7. Demolition.	Except any of the following: 1. the demolition (or partial demolition) of a State or Local Heritage Place (other than an excluded building) 2. the demolition (or partial demolition) of a building in a Historic Area Overlay (other than an excluded building).
8. Railway line.	Except where located outside of a rail corridor or rail reserve.

Placement of Notices - Exemptions for Performance Assessed Development
None specified.

Placement of Notices - Exemptions for Restricted Development
None specified.

Part 3 - Overlays

Historic Area Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

	Desired Outcome
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.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All Development	
PO 1.1 All development is undertaken having consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.	DTS/DPF 1.1 None are applicable.
Demolition	
PO 7.1 Buildings and structures, or features thereof, that demonstrate	DTS/DPF 7.1 None are applicable.

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.	
PO 7.2 Partial demolition of a building where that portion to be demolished does not contribute to the historic character of the streetscape.	DTS/DPF 7.2 None are applicable.
PO 7.3 Buildings or elements of buildings that do not conform with the values described in the Historic Area Statement may be demolished.	DTS/DPF 7.3 None are applicable.
Ruins	
PO 8.1 Development conserves and complements features and ruins associated with former activities of significance.	DTS/DPF 8.1 None are applicable.

Historic Area Statements

Statement#	Statement
Historic Areas affecting City of Norwood, Payneham and St Peters	
NPSP5	**Kensington 1 Historic Area Statement (NPSP5)** 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. 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 an Historic Impact Statement can assist in determining potential additional attributes of an Historic Area where these are not stated in the below table.

Eras, themes and context	1838-1860; 1861-1880; 1881-1900; 1901-1915; 1916-1939. Residential urban village characterised by buildings, settings street patterns and natural features. Range of dwelling types.
Allotments, subdivision and built form patterns	Original historic pattern.
Architectural styles, detailing and built form features	Larger Victorian-style brick and stone buildings, Federation era brick and stone buildings and bungalow-styled buildings of the post-1918 period. Significant corner buildings contribute to the character.
Building height	Up to two storeys.

Statement#	Statement	
	Materials	Pise, stone or brick.
	Fencing	Generally low, reflecting the traditional period, style and form of the associated building.
	Setting, landscaping, streetscape and public realm features	The unique diagonal street pattern of Kensington is an important part of its character.
	Representative Buildings	Identified - refer to SA planning database.

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

Local Heritage Place Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

	Desired Outcome
DO 1	Development maintains the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Landscape Context and Streetscape Amenity	
PO 5.1 Individually heritage listed trees, parks, historic gardens and memorial avenues are retained unless: (a) trees / plantings are, or have the potential to be, a danger to life or property or (b) trees / plantings are significantly diseased and their life expectancy is short.	DTS/DPF 5.1 None are applicable.
Demolition	
PO 6.1	DTS/DPF 6.1

Local Heritage Places are not demolished, destroyed or removed in total or in part unless: (a) the portion of the Local Heritage Place to be demolished, destroyed or removed is excluded from the extent of listing that is of heritage value or (b) the structural integrity or condition of the Local Heritage Place represents an unacceptable risk to public or private safety and is irredeemably beyond repair.	None are applicable.
PO 6.2 The demolition, destruction or removal of a building, portion of a building or other feature or attribute is appropriate where it does not contribute to the heritage values of the Local Heritage Place.	DTS/DPF 6.2 None are applicable.
Conservation Works	
PO 7.1 Conservation works to the exterior of a Local Heritage Place (and other features identified in the extent of listing) match original materials to be repaired and utilise traditional work methods.	DTS/DPF 7.1 None are applicable.

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

HERITAGE SURVEY : KENSINGTON & NORWOOD

Item/Place:	House	Survey No.:	69highst
Address:	69 High Street, Kensington	C.T. No.:	1908-85
Present Status:	Character Item	Date:	June 1994

Description: An early single-storey Victorian building with gable roof. Notable for its simple design and intimate character. Appears to be in reasonable condition for its age, although it has been extensively rendered.

History: Appears to be 1850's-1860's.

Streetscape Contribution: The building forms part of an important concentration of early Victorian buildings and contributes to the early Victorian streetscape of High Street.

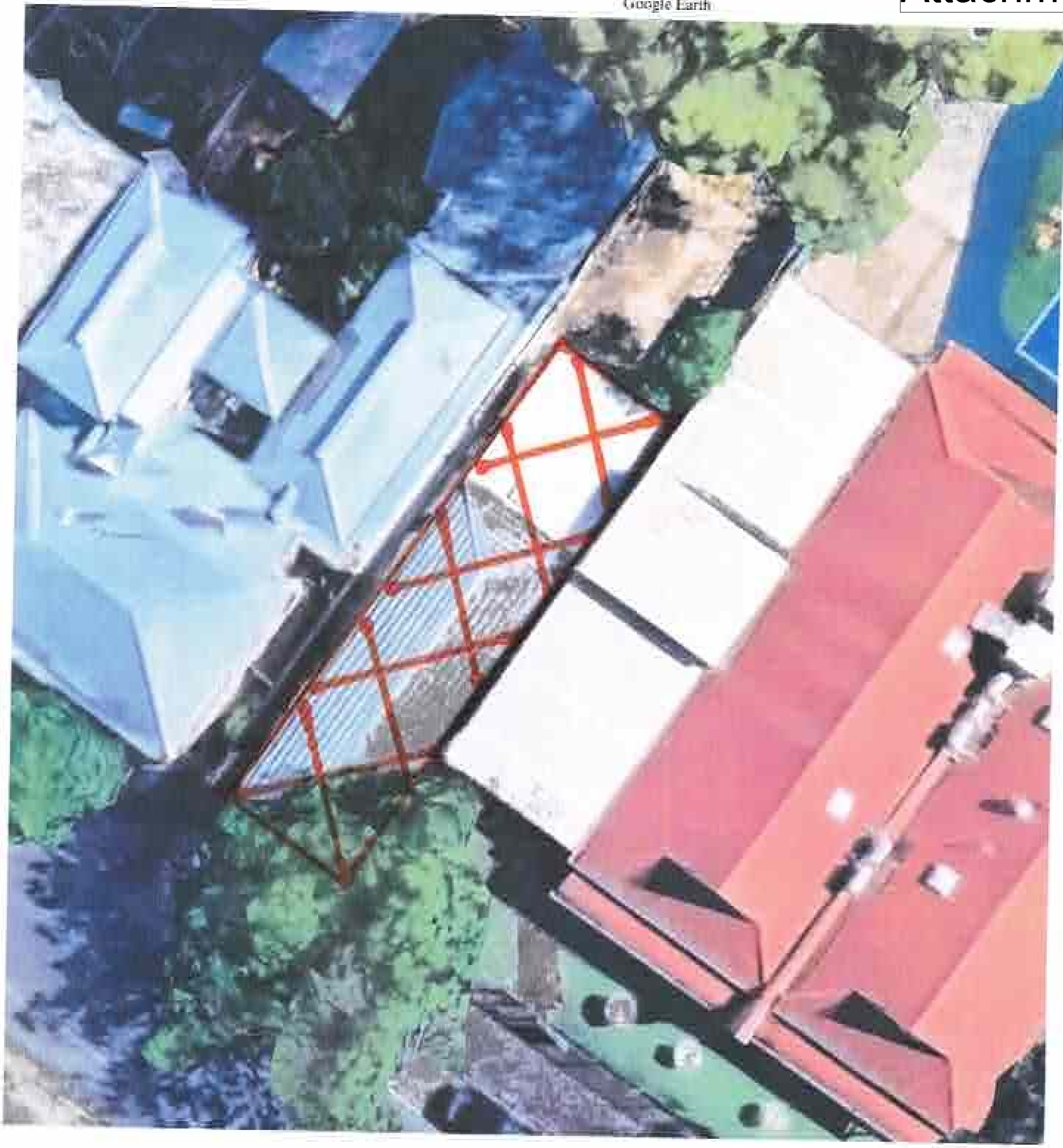
Significance: (Relevant Development Act Criteria (Section 23(4)): (a),(b)): This building is a good example of a simple early Victorian masonry residence. It is associated with the early 1850's-1860's settlement of Kensington (4a) and is indicative of the way of life of early settlers in Kensington at that time (4b). It contributes to the early Victorian character of High Street.

Development Implication: Retention and protection of the original form of the building, its setting and all associated original building fabric, as viewed from the road.

RECOMMENDATION: Local Heritage Place

References:

Attachment 1



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1A Tarton Road, Holden Hill SA 5088
ABN 69 661 191 304
ACN 661 191 304

Structural Engineer's Report

Client: John Miller

Attn: John Miller

Site Address: 69 High St, Kensington SA 5068

REF: OBCS0176

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ABN 69 661 191 304
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22nd February 2025

Dear John Miller,

RE: CRACKING IN EXISTING DWELLING - 69 High St, Kensington SA 5068

OB Engineering Group was engaged by John Miller owner of the above property to undertake assessment of cracking and building movement at 69 High St, Kensington SA 5068. This report aims to:

- Observe and document the existing damage.
- Record relevant site information.
- Present an expert opinion on the probable causes.
- Suggest appropriate remedial measures.

On the 8th of February 2024, a qualified Civil and Structural Engineer from our office visited the site to inspect the defects raised by the client. The ensuing report provides a comprehensive overview of our findings from the assessment, our discussion of the findings and recommendations for remedial works.

The inspection undertaken was visual only and no fixtures or fittings were removed as part of the inspection. Inspections were performed externally and internally.

We remain at your disposal to provide any further information or clarification you may require. Our team is committed to assisting you and addressing any queries you may have.

Yours sincerely,

OB ENGINEERING GROUP PTY LTD

Attachment 1

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Disclaimer

This report has been prepared solely for John Miller in accordance with the scope provided by the client and for the purpose(s) as outlined throughout this report.

OB Engineering Group Pty Ltd accepts no liability or responsibility for or in respect of any use or reliable upon this report and its supporting material by anyone other than the client.

Project Name:	69 High St, Kensington SA 5068
Client	John Miller
Project No:	OBCS0176
Date	22/02/2025
Revision	0
Prepared By: A.O, *B.Eng (Honours)*	**Reviewed By:** A.B, *B.Eng (Honours)*

CIVIL AND STRUCTURAL

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Site Information

The building located at 69 High St, Kensington SA 5068, consists of a single-storey building facing south west onto High Street. The building appears to have been built circa 1910 and is of a double brick construction, likely founded on strip footings and has a tiled roof. An extension of a cladded veneer construction and sheet roof was added to the northeastern end of the property at a later date. The extension is not included in the scope of this report. The current owner has leased the property to tenants since purchasing the property in early 2014. The front building line is situated on the front boundary, and there is a footpath directly in front. There is a childcare centre to the east of the building.

Figure 1: Aerial view of 69 High St, Kensington SA 5068

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The client proposes to undertake repairs to the building now that the tenants have moved out of the property. The client reported that all cracking to the building was repaired shortly after the property was purchased, in early 2014.

The client provided OB Engineering with two reports that were undertaken around the time of purchase of the property. On the 18th of November 2013, a structural report from Jim Wilson Consulting Engineers reported the following regarding the condition of the front wall of the building:

- The report references a report prepared by Mr Dennis Sandery (consulting engineer) on the 12th of August 2012 stating that the front wall was not unstable.
- The report indicated that at the date of inspection (11th of November, 2013), the movement at the top of the wall was approximately 40mm to 50mm based on measurement of crack widths at the top of the side walls.
- The report expressed that the wall was stable when inspected and is not in imminent danger of collapse.
- The report suggested that the wall be reconstructed as unusual loads such as earthquake loads may result in wall failure. The report goes on to say that remedial work would be promptly required if crack widths at the top of the wall continue to expand.

A report prepared by Dennis Sandery Consulting Engineers on the 12th of September 2012 after inspecting on the 23rd of July and 10th of September 2012 expressed the following information about the building:

- The front wall of the dwelling has rotated to a considerable degree and has separated structurally from both side walls of the dwelling.
- The front wall was not unstable at the time of inspection, however sudden forces such as earthquake actions may destabilise the wall, resulting in collapse.
- Recommends rebuilding the wall as it will eventually collapse. Suggests 400mm wide x 600mm deep concrete footings with 3N16 rods top and bottom and 1m ligatures @ 1m cts. At each end and at the centre of the footing beam, a pier 1200mm long is to be excavated to a depth of 1m below the underside of the footing to prevent future rotation of the wall. The piers are to be reinforced with 6N12 vertical rods extending up into the footing beam.
- Recommends the new stonework or brickwork is keyed into the two side walls.

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Inspection

The below notes and photographs were recorded during the site inspection. Photos have been provided to assist in explaining the extent and location of the damage and to provide insight into the cause of the damage and defects.

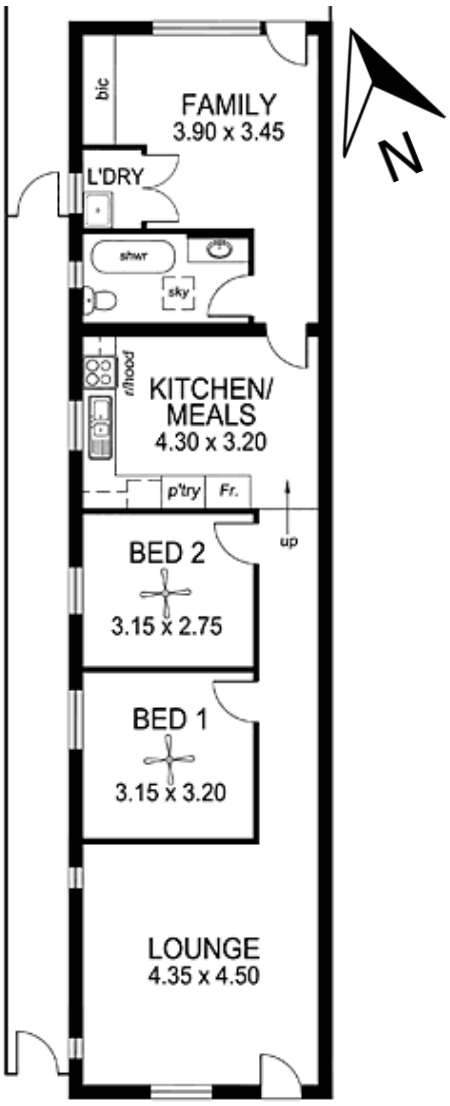

Figure 2: Floor Plan

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External Inspection

Eastern End

- 6-7mm diagonal cracking.
- 3-4m vertical cracking.
- Gutter was noted to be filled with debris.

Southern End (facing Street)

- 1-3mm horizontal cracking above entry door on eastern end.
- 8-10mm diagonal cracking above entry door to gable.
- 1-4mm horizontal cracking above entry door.
- 4 x 1-2mm vertical cracking above window.
- 1mm vertical cracking below window.
- 2-3mm horizontal cracking on western end of wall.

Western End

- Wall on southern end rotated 30mm/m to the west. Part of wall to the south of northern lounge room window rotated 34mm/m.
- Trench drain, near side entry gate was noted to be clogged.
- Fascia at southwestern corner of building rotted. Gutter was also noted to be clogged on southwestern corner of building.
- External wall rotated 26mm/m to the west near bed 1 window.
- External wall rotated 22mm/m to the west near bed 2 window.
- External wall rotated 6mm/m to the west, north of bathroom window.
- 1-2mm vertical cracking near window.
- <1mm vertical cracking to the north of southern lounge room window.
- 1-3mm diagonal cracking below northern lounge room window.
- Separation of fascia board to the south of bed 1 window.
- 4-6mm vertical cracking to the north of bed 2 window.
- 2mm diagonal cracking above kitchen window.
- 5mm vertical cracking to the south of kitchen window.
- Cracked render above water heater.

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Eastern End

6-7mm diagonal cracking and 3-4mm vertical cracking on eastern boundary wall (from childcare side).

Debris in gutter.

Southern End

Vertical cracking above entry door.

Horizontal cracking west of entry door.

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Horizontal and vertical cracking above southern living room window.

Vertical cracking below southern living room window.

Rotation of southern wall on eastern end.

Rotation of southern wall on western end.

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Western End

Significant leaning of front wall. Gutter filled with debris.

Damaged downpipe and clogged trench drain near side entry door.

Separation of fascia from wall near southwestern corner of building.

Cracking above western lounge room window.

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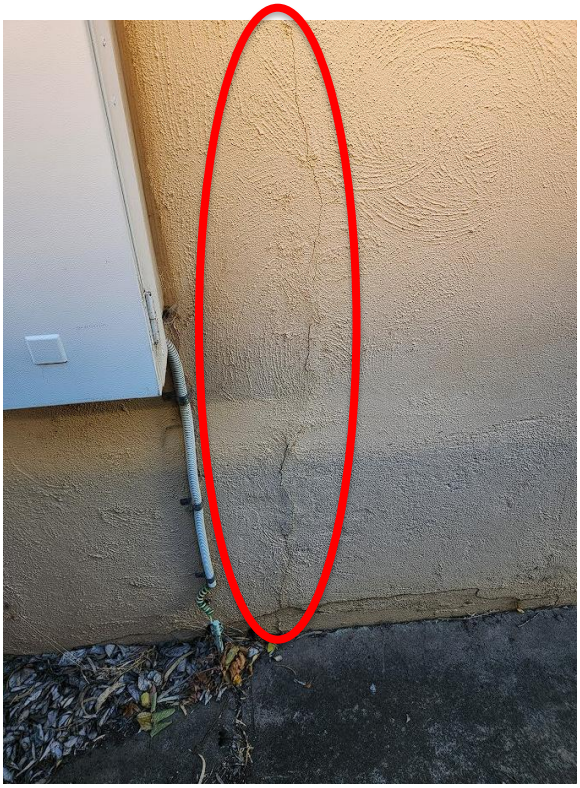

Hairline vertical cracking near meter box.

Holes in fascia board.

Diagonal cracking and debonded render near air conditioning unit.

Vertical cracking below northern lounge room window on western wall.

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Vertical cracking to the north of bed 2 window.

Diagonal cracking above kitchen window.

Vertical cracking to external wall near bathroom.

Cracking to render above water heater.

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Measurement of separation between render and southern wall.

Fall of western perimeter paving away from building.

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Internal Inspection

Bathroom

- 1mm vertical cracking in southwestern corner.
- Southern wall was leaning 10mm/m to the north. The wall appears to have been an external wall historically due to it being double brick.

Kitchen/Meals

- Western wall was leaning 25mm/m to the west to the south of the kitchen window.
- 8mm separation between kitchen benchtop and wall near kitchen window, indicating movement of the western wall to the west. Separation was noted to be 17mm near southwestern corner of room.
- Separation of cornice from wall near kitchen window.
- 10mm vertical cracking in southwestern corner. Bed 2 was visible through the cracking.
- 1mm horizontal cracking to ceiling at entry to kitchen from corridor.
- Plaster debonded from wall in northeastern corner of room.
- Separation of cornice from wall in northeastern corner of room.

Bed 2

- 4-25mm vertical cracking in northwestern corner of room.
- Northern part of wall was noted to be leaning to the west 22mm/m.
- 1-3mm diagonal and vertical cracking above window.
- 20-25mm separation between cornice and wall to the south of window.
- Southern part of wall was noted to be leaning to the west 36mm/m.
- 25mm diagonal cracking in southwestern corner of room.
- 13mm vertical cracking to bottom part of the wall in southwestern corner of room.
- Floor was noted to be out of level 9mm/m (lower on western end) on northern end.
- Floor was noted to be out of level 4mm/m (lower on western end) on southern end.

Bed 1

- 4-40mm vertical and diagonal cracking behind plaster.
- 25-30mm separation of cornice from wall.
- Hairline cracking around window.
- 25mm separation of cornice from wall on southern end.
- 10-25mm vertical cracking in southwestern corner of room.
- Southern wall was noted to be rotating 7mm/m to the north.
- Floor was noted to be out of level 12mm/m (lower on western end).
- <1mm vertical cracking in cornice in southeastern corner of room.
- 1mm vertical cracking above door.

Lounge Room

- 8-15mm vertical cracking in northwestern corner of room.
- 1-2mm diagonal cracking above northern window on western wall.

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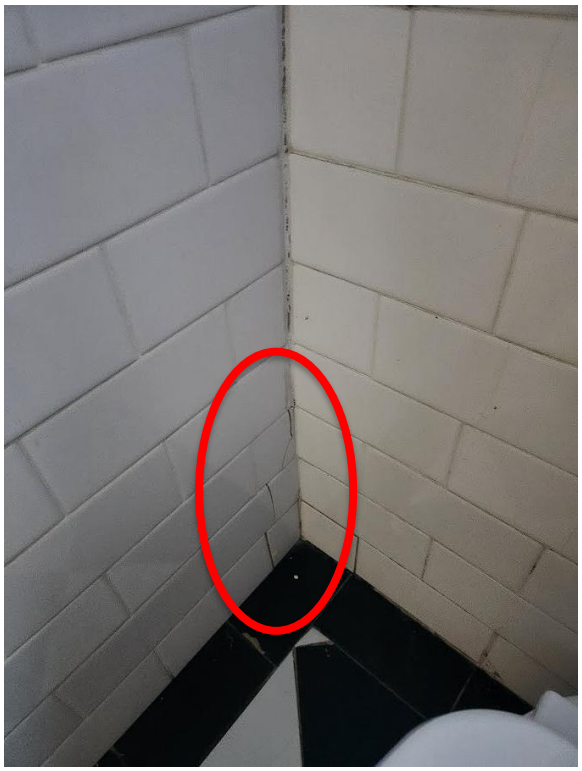
- 1mm vertical cracking to the south of northern window on western wall.
- Western wall was noted to be rotating 31mm/m to the west measured to the south of the northern window on the western wall
- 7mm separation of cornice from wall.
- 1mm diagonal cracking above southern window on western wall.
- Western wall was noted to be leaning 32mm/m on southern end.
- 1mm vertical cracking in southwestern corner of room.
- 20mm separation of cornice near southwestern corner of room.
- Western end of southern wall was leaning 45mm/m to the south.
- 10mm separation of cornice from wall above southern window.

Bathroom

Vertical cracking in southwestern corner of room.



Broken tiles in southwestern corner of room.

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Vertical cracking in northeastern corner of room.

Kitchen/Meals Room

Vertical cracking in northeastern corner of room.

Vertical cracking to northern wall of room.

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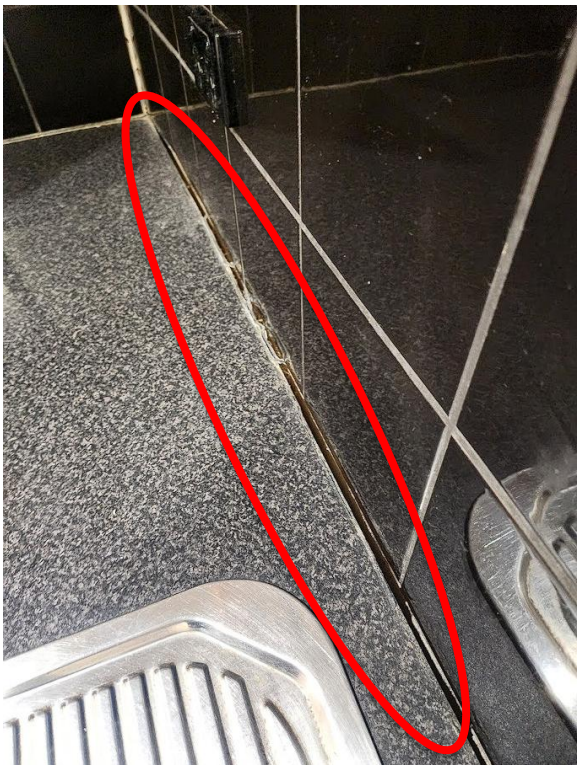
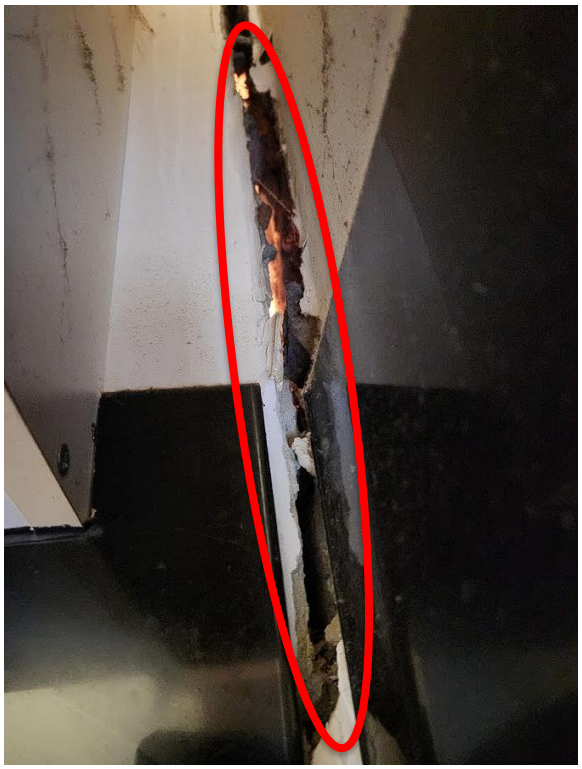


Separation of kitchen benchtop from western wall, indicating rotation of wall.

Separation in southwestern corner of room, indicating rotation of wall.

Vertical cracking in southwestern corner of room.



Vertical separation in southwestern corner of room.

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Separation of cornice from western wall, indicating rotation of wall.

Separation of cornice from western wall was less on northern end.

Bed 2

Vertical and diagonal cracking in southwestern corner of room.

Separation of cornice from western wall on southern end.

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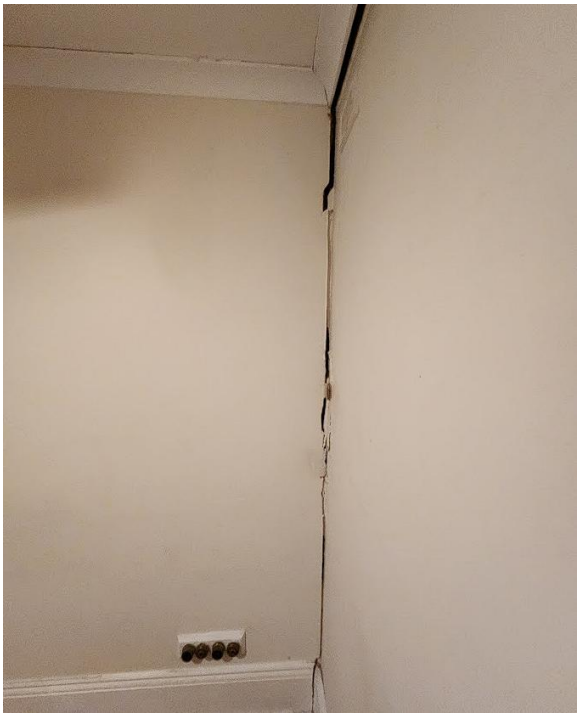
Vertical cracking in northwestern corner of room, indicating rotation of western external wall.

Bed 1



Vertical cracking in southwestern corner of room and separation of cornice from wall.

Separation of cornice from wall.

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Diagonal cracking to northwestern corner of room.

Vertical cracking above door.

Lounge Room

Vertical cracking and separation of cornice in southwestern corner of room.

Separation of cornice from southern wall.

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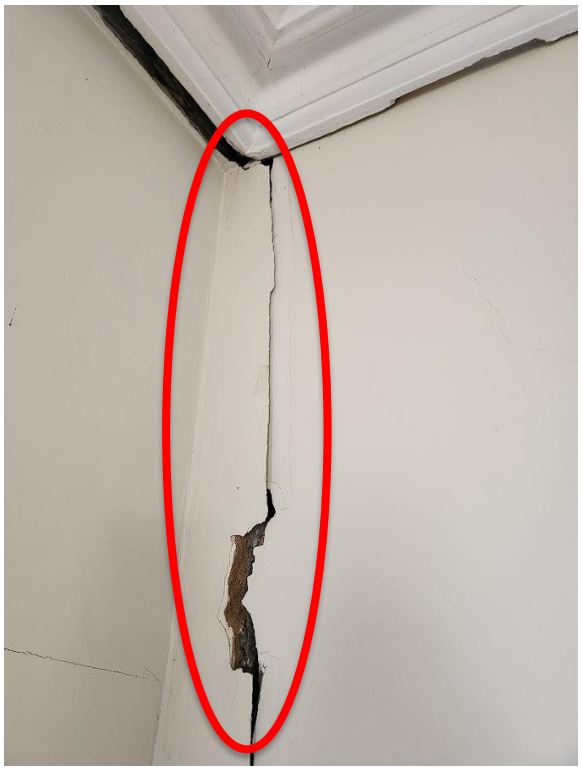
Diagonal cracking above southern window on western wall.

Separation of cornice from western wall.

Vertical cracking and debonded render above northern window on western wall.



Severe cracking in northeastern corner of room and separation of cornice from wall.

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Separation of cornice from northern wall.

Vertical and diagonal cracking on eastern wall of lounge room.

Water damaged in southeastern corner of room, above entry door.

Separation of cornice from southern wall.

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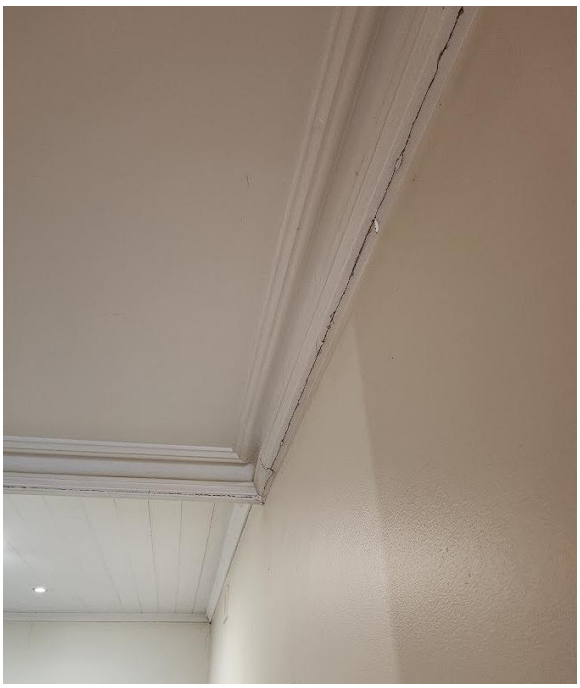
Diagonal cracking on eastern wall, near entry door.

Corridor



Horizontal cracking at bottom of cornice in northeastern corner of room.

Diagonal cracking above bed 2 door.

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Diagonal cracking above bed 1 door.

Horizontal cracking to ceiling between lounge room and corridor.

Horizontal cracking to cornice in southeastern corner of corridor.

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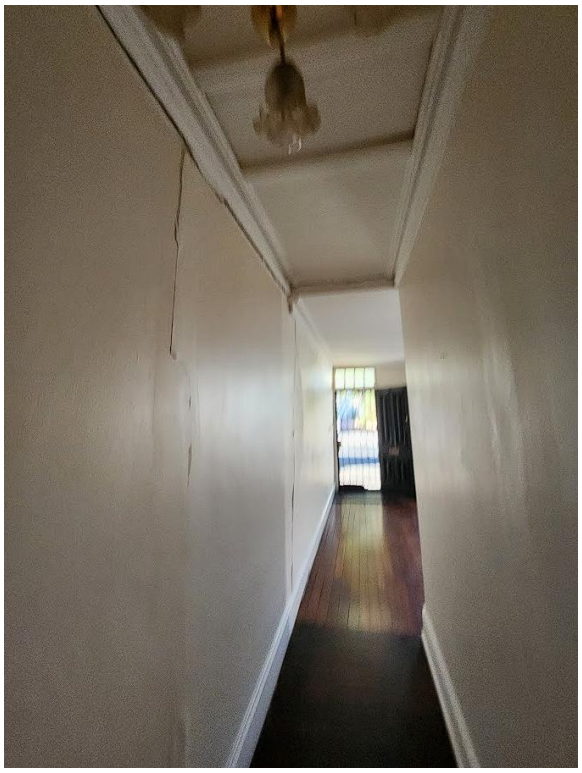
Horizontal cracking to cornice on eastern wall.



Vertical cracking to eastern corridor wall.

Discussion

According to Table C1 of AS2870, the observed cracking at 69 High St, Kensington SA 5068 are classified as slight to severe. Cracking is often a result of soil movement underneath the building's footings. Soil movement occurs due to the wetting and drying of the soils, especially around the building's perimeter. The main causes of soil drying are:

- Seasonal drying effects, particularly in summer, which can be exacerbated by inadequate or poorly constructed paving around the building edges.
- Drying effects caused by nearby trees.

On the other hand, the primary causes of soil wetting are:

- Leaking sewer pipes.
- Leaking water supply pipes.
- Inadequate roof stormwater management, which leads to excessive water infiltration into the soil, near the building footings.

The property at 69 High St, Kensington SA 5068, is located on highly reactive clayey soils generally classified as RB3: red-brown sandy clay soils with granular structure according to the Soil Association Map of The Adelaide Region published by Department of Mines and Energy in 1969. The soils that are characteristic of this area exhibit a natural tendency to undergo volume alterations in response to changes in moisture content. These soils expand when subjected to moisture and contract during dry periods. This inherent characteristic leads to movement of subsurface soils, and over time, may lead to bending and subsequent cracking of the footings over.

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The building at 69 High St, Kensington SA 5068 is of a full masonry construction without articulation joints, likely built on strip footings. Compared to modern raft slab footings, strip footings are relatively flexible, and due to the reactive nature of the soils in the area, this type of construction may be prone to cracking. The absence of articulation joints combined with the inherent flexibility of strip footings makes this structure particularly vulnerable to cracking, especially when founded on highly reactive soils. The perimeter paving around the dwelling was noted to exhibit adequate fall and width to allow stormwater to drain away from the footings of the building. The footpath at the front of the property was noted to be pavers with suitable fall away from the building.

The perimeter paving on the eastern (childcare) side of the building comprised pavers for approximately 600mm, then synthetic grass. Furthermore, there appeared to be inadequate fall away from the building to facilitate the discharge of stormwater away from the building footings, this may be resulting in movement of the footings and wall on the eastern end, resulting in the observed cracking. A water tap located within the childcare centre and adjacent to the eastern building wall was noted to discharge water directly onto the soil. The gutter on the southeastern end of the building was noted to be clogged with leaves during the inspection. Street view imagery from July 2017 confirms the gutter was filled with leaf debris from the nearby tree, which may lead to overflowing of the gutter and subsequent soaking of the ground adjacent to the building or entry of water into the building envelope under the roof tiles. Gutters shall be cleaned to ensure stormwater flows freely to the street water table. A large tree approximately 7m in height was noted near the southeastern end of the building. As mentioned previously, trees have a drying effect on the surrounding soils, causing soil within the influence zone of the tree (equal to the height of the tree) to settle.

Severe rotation in a southerly direction of up to 59mm/m was noted on the eastern end of the southern wall, facing the street, indicating that the top of the wall has displaced 177mm to the south. The causes of this rotation are numerous and may include:

- Presence of large street tree in close vicinity of the southern building wall.
- Inadequately sized footings resulting in settlement and rotation of the footings and wall over.
- Plumbing defects in vicinity of the wall.

The engineer's report dated to 18th November 2012 by Jim Wilson Consulting Engineers expresses that the top of the wall had moved to the south 40-50mm. This was measured to be 177mm with a digital spirit level during the inspection undertaken by OB Engineering in February 2025. It is not clear if the measurements of rotation by Jim Wilson Consulting Engineers was undertaken by a digital spirit level or other measurement instrument. It was noted that the gable end was not rotated to the same degree as the wall, and this may be due to the restraint provided by the roof structure at the top of the gable end. The rotation of the wall is considered severe, and the wall may collapse at any time, resulting in extensive damage to the building itself, to the footpath and is a safety risk to pedestrians using the footpath.

The inspection revealed that internal cracking classified as severe was localised to the western end of the building. The diagonal cracking, and separation of the western wall from the kitchen benchtop indicate that the western wall has rotated. This rotation was measured to be 34mm/m to the west in vicinity of the lounge room and 26mm/m to the west near the kitchen. Given that the cracking to the internal walls was repaired 10 years ago, as reported by the client, the redevelopment of the internal cracking localised to the western end of the building indicates that the western wall and footing is

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ACN 661 191 304

actively rotating. This is unlikely to be caused by inadequate drainage of stormwater away from the building footings, as the perimeter paving was noted to perform adequately, furthermore no leaks or plumbing issues were reported by the client. Therefore, the likely explanation for the rotation of the western wall is inadequately sized footings, resulting in the rotation of the footings and the wall over and diagonal cracking to the return walls.

Based on the damage categorisation of the structure (in accordance with AS2870) and the fact that the southern wall has rotated significantly, OB Engineering recommends that the client consider demolition of the southern and western external walls of the building. The western wall has rotated to a lesser extent, and the footings on the western end of the building have settled notably. However, the rotation of the wall and settlement of the footings is beyond the point where underpinning will be effective, hence this wall should also be demolished.

The decision to undertake a partial demolition and rebuild to the failed external walls or undertake a full rebuild of the property should be subject to an economic feasibility assessment. Should the cost to repair the building exceed the cost to demolish and rebuild a new structure, the latter option should be taken.

Recommendations

Due to the points stated above, it is our opinion that the remedial works to the building will be extensive. Extensive remedial works will be required to bring the footings, floors and walls to safe and structurally adequate condition. These remedial works are not economically feasible, and therefore it is our recommendation to demolish and rebuild the building. Note this will be subject to Council approval, and a development application including a demolition plan shall be lodged to Council prior to the works being undertaken. OB Engineering will be able to assist in the design of the new building.

Though the remedial works are extensive and likely to outweigh the cost of rebuilding, shall the client decide to retain the structure, contact OB Engineering for further recommendations on remediating the building, including specifications for the replacement of the southern and western building walls, and other defects identified during the site inspection.

CIVIL AND STRUCTURAL

0480 632 951
info@obengineering.com.au
1A Tarton Road, Holden Hill SA 5088
ABN 69 661 191 304
ACN 661 191 304

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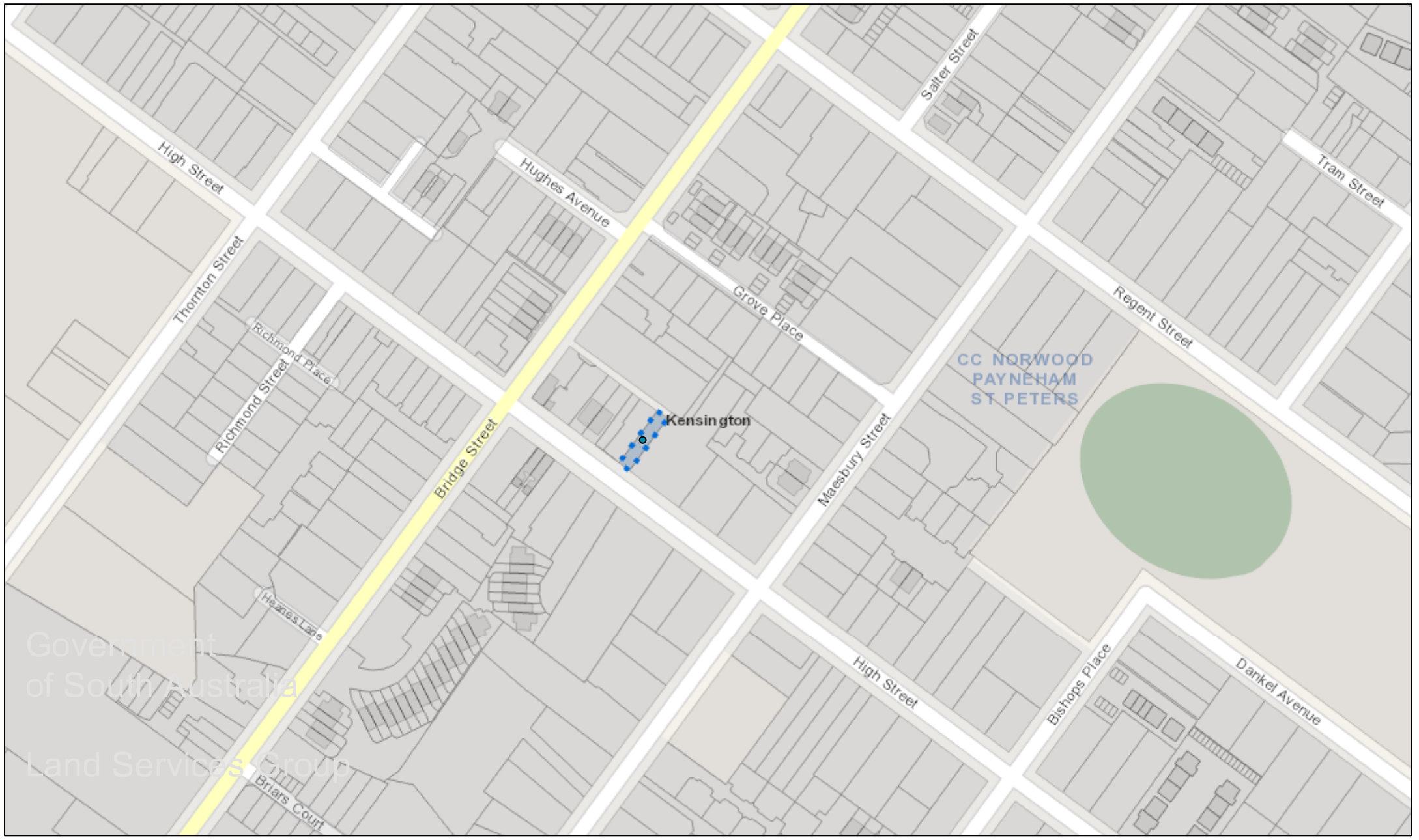
SAPPA Report

The SA Property and Planning Atlas is available on the Plan SA website: https://sappa.plan.sa.gov.au

Subject Land Map



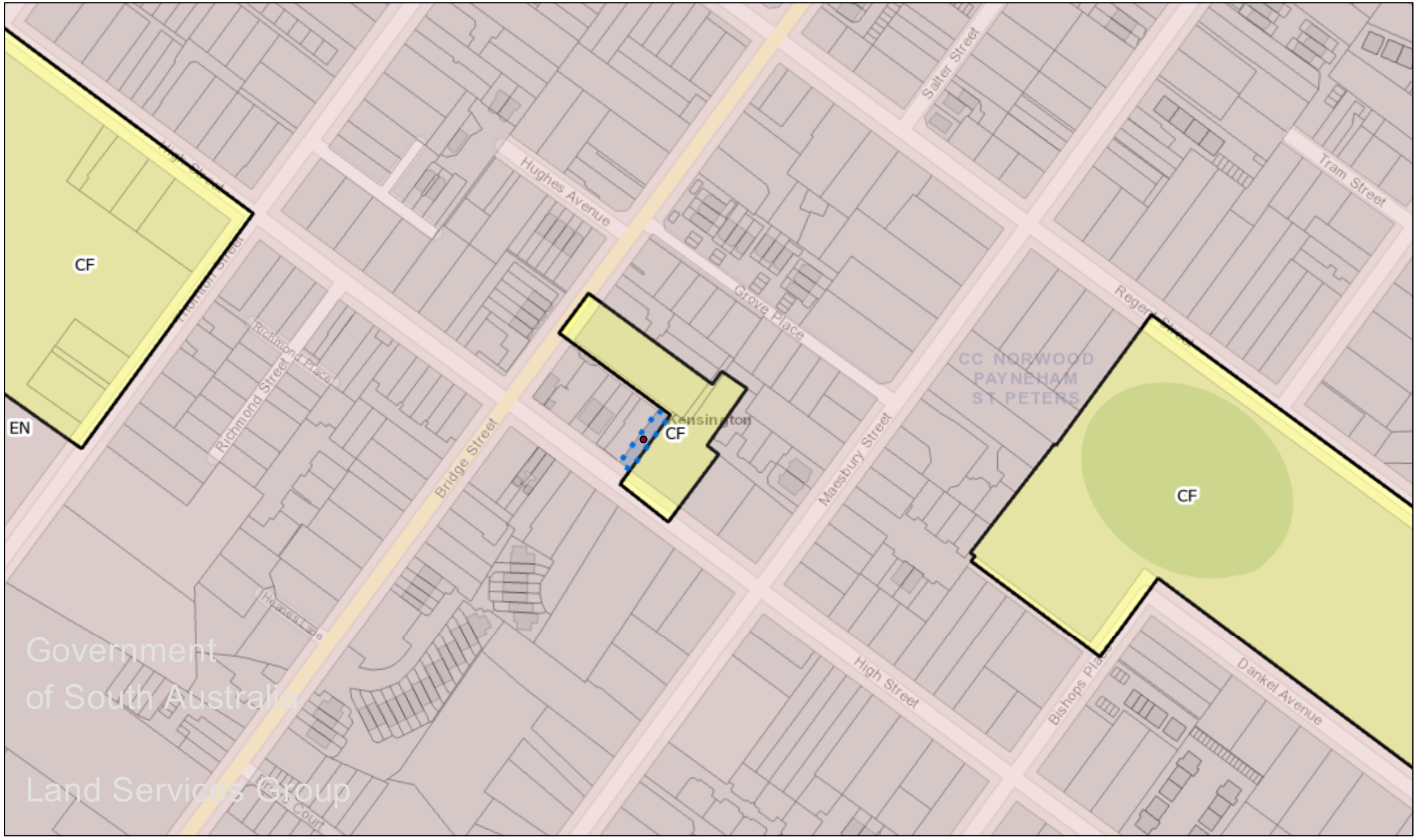
SAPPA Report

The SA Property and Planning Atlas is available on the Plan SA website: https://sappa.plan.sa.gov.au

Zoning Map

LEGEND:

EN - Established Neighbourhood
CF - Community Facilities



Attachment 3

SAPPA Report

The SA Property and Planning Atlas is available on the Plan SA website: https://sappa.plan.sa.gov.au

Historic Area Overlay Map (including LHP and SHP)

LEGEND:

- State Heritage Place
- Local Heritage Place
- Representative Building

Attachment 4

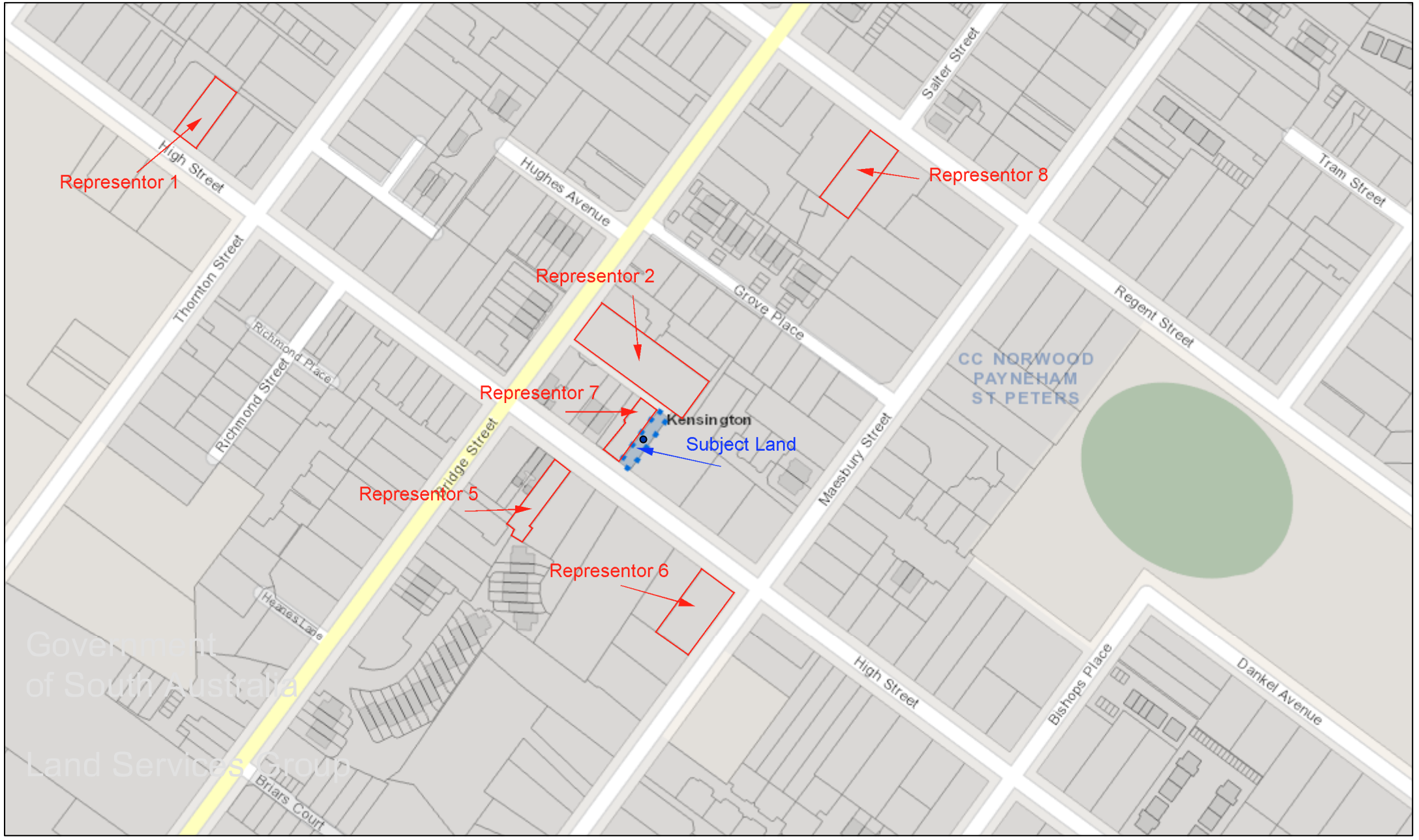
SAPPA Report

The SA Property and Planning Atlas is available on the Plan SA website: https://sappa.plan.sa.gov.au

Representation Map

Outside of Map Range:

Representor 3: 1/31 Dudley Rd, MARRYATVILLE
Representor 4: 44 Stanley St, LEABROOK
Representor 9: 112 Osmond Tce, NORWOOD



Disclaimer: The information provided above, is not represented to be accurate, current or complete at the time of printing this report. The Government of South Australia accepts no liability for the use of this data, or any reliance placed on it.

Details of Representations

Attachment 5

Application Summary

Application ID	25003913
Proposal	Demolition of a dwelling (Local Heritage Place)
Location	69 HIGH ST KENSINGTON SA 5068

Representations

Representor 1 - Peter Duffy

Name	Peter Duffy
Address	43 HIGH STREET KENSINGTON SA, 5068 Australia
Submission Date	24/03/2025 10:08 AM
Submission Source	Email
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

My wife and I are residents of High Street, in this Historical Conservation Zone within Council, and object strongly to the proposition that 69 High Street should be demolished. We have restored our ~1885 villa, number 43, with guidance from Council recommended Architect, David Brown over 2016/17 to much of its former glory. I can attest that it does not necessarily cost more to undertake a sensitive restoration to these beautiful old buildings that contribute significantly to the local amenity and add much value to our unique suburb. However, we know what it's like to live next to a property that was inappropriately demolished, most likely with the best of intentions, during the late 1980s. Incidentally, we are on very good terms, personally, with our neighbour! The colonial style home does not sit well between its older neighbours.....the home it replaced was built as a sister to our home, and to number 41, by the same builder over a three-year period. I have observed the steady deterioration of number 69 over the last 7-8 years and was not surprised to see the "footpath closed" signs appear. It is, however an important piece of the very heart of the commercial centre of the Kensington village, centred on the High Street/Bridge street intersection along with the Feltus building, the original Rising Sun building, the chemist and Doctor Borthwick's home. In fact, I would not be surprised its much older than the 1920 era as mooted on the application.....one of my neighbours suggested that Mother Mary McKillop used this small home as part of the school she established, St Josheph's Memorial School. Unquestionably the front wall has a tilt on it of some 3-4 degrees, to my eye, towards the street. This is a is text book "demonising" of a building that should have been better maintained by its owners and, whilst I am not claiming expert status , I believe could be rectified for less than 5% of the improved value of the property. A thorough investigation of the dry-stone foundation by excavation, after stabilising scaffolding was installed, may even reveal the front wall could be saved in its entirety. At worst, it could be rebuilt by a competent stone mason using much of the original material, therefore restoring its safety, longevity and natural street appeal. I implore the Council to reject the application for demolition of this "heritage listed property".

Attached Documents

Rep-PeterDuffy-10723939.pdf

14th March 2025

Submission to Norwood Payneham St Peters Council

69 High Street Kensington SA 5068

My wife and I are residents of High Street, in this Historical Conservation Zone within Council, and object strongly to the proposition that 69 High Street should be demolished.

We have restored our ~1885 villa, number 43, with guidance from Council recommended Architect, David Brown over 2016/17 to much of its former glory. I can attest that it does not necessarily cost more to undertake a sensitive restoration to these beautiful old buildings that contribute significantly to the local amenity and add much value to our unique suburb.

However, we know what it's like to live next to a property that was inappropriately demolished, most likely with the best of intentions, during the late 1980s. Incidentally, we are on very good terms, personally, with our neighbour!

The colonial style home does not sit well between its older neighbours……the home it replaced was built as a sister to our home, and to number 41, by the same builder over a three-year period.

I have observed the steady deterioration of number 69 over the last 7-8 years and was not surprised to see the "footpath closed" signs appear.

It is, however an important piece of the very heart of the commercial centre of the Kensington village, centred on the High Street/Bridge street intersection along with the Feltus building, the original Rising Sun building, the chemist and Doctor Borthwick's home.

In fact, I would not be surprised its much older than the 1920 era as mooted on the application……one of my neighbours suggested that Mother Mary McKillop used this small home as part of the school she established, St Josheph's Memorial School.

Unquestionably the front wall has a tilt on it of some 3-4 degrees, to my eye, towards the street.

This is a is text book "demonising" of a building that should have been better maintained by its owners and, whilst I am not claiming expert status , I believe could be rectified for less than 5% of the improved value of the property.

A thorough investigation of the dry-stone foundation by excavation, after stabilising scaffolding was installed, may even reveal the front wall could be saved in its entirety.

At worst, it could be rebuilt by a competent stone mason using much of the original material, therefore restoring its safety, longevity and natural street appeal.

I implore the Council to reject the application for demolition of this “heritage listed property”.

Peter Duffy

43 High Street

Kensington SA 5068

Representations

Attachment 5

Representor 2 - Adam Slater

Name	Adam Slater
Address	46 Bridge Street KENSINGTON SA, 5086 Australia
Submission Date	04/03/2025 01:33 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 support the development with some concerns

Reasons

As Principal of the adjoining property which is the St Joseph's Memorial Preschool, OSHC and school for young children (aged 4-7), my concern is what level of fencing will replace the existing wall once it is demolished to ensure the students are safe and secure. We have a fence in place that covers approximately half of the connected properties, yet if the house was demolished we will have an open space and we need to better understand how the demolition is to take place and what protection measures are to be implemented (hoardings, not just temp fence, and exclusion zones), and then once the building is down what fence is going to be put up in the interim (I'm recommending the same height as our other divisional fences). We would like to know the details of the contractor undertaking the work (if known or at least before they start) asking for relevant licence, insurance details, SWEMS as it is better to be forewarned. Our main concerns are; how will the site be secured during the works, and what will the new fenceline/boundary be to ensure the safety of our students?

Attached Documents

Representation-on-Application-Version-5-1478897.pdf

Attachment 5

REPRESENTATION ON APPLICATION

Planning, Development and Infrastructure Act 2016

Applicant:	**John Miller & Hayley Miller**
Development Number:	25003913
Nature of Development:	Demolition of property *[development description of performance assessed elements or aspects of outline consent application]*
Zone/Sub-zone/Overlay:	Zone *[zone/sub-zone/overlay of subject land]*
Subject Land:	69 High Street Kensington SA 5068
Contact Officer:	City of Norwood, Payneham and St. Peters
Phone Number:	0883664530
Close Date:	25/03/2025

My name*: Adam Slater	My phone number:
My postal address*: 46 Bridge St, Kensington	My email:

* *Indicates mandatory information*

My position is:

- ☐ I support the development
- ☒ I support the development with some concerns (detail below)
- ☐ I oppose the development

The specific reasons I believe that consent should be granted/refused are:

As Principal of the adjoining property which is the St Joseph's Memorial Preschool, OSHC and school for young children (aged 4-7), my concern is what level of fencing will replace the existing wall once it is demolished to ensure the students are safe and secure.

[attach additional pages as needed]

Attachment 5

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why consent should be granted or refused; and
- comment only on the performance-based elements (or aspects) of the proposal, which does not include the:
  - Click here to enter text. [*list any accepted or deemed-to-satisfy elements of the development]*.

I:	☒ wish to be heard in support of my submission*
	☐ do not wish to be heard in support of my submission
By:	☒ appearing personally
	☐ being represented by the following person: Click here to enter text.

**You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature:  Date: 4/3/2025

Return Address: 46 Bridge St, Kensington *[relevant authority postal address]* or

Email: *[relevant authority email address]* or

Complete online submission: plan.sa.gov.au/have_your_say/notified_developments

Representations

Attachment 5

Representor 3 - Ethan Knight

Name	Ethan Knight
Address	1/31 Dudley RD MARRYATVILLE SA, 5068 Australia
Submission Date	06/03/2025 04:45 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 support the development with some concerns

Reasons
As long as new development respects the character of the surrounding buildings, it is obvious the current dwelling is beyond remediation and needs to be demolished.

Attached Documents

Representations

Attachment 5

Representor 4 - Joseph Hamra

Name	Joseph Hamra
Address	44 STANLEY STREET LEABROOK SA, 5068 Australia
Submission Date	13/03/2025 05:18 PM
Submission Source	Email
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 See attached submission	

Attached Documents

RepresentationFromJosephHamra-10644205.pdf

Attachment 5

REPRESENTATION ON APPLICATION

Planning, Development and Infrastructure Act 2016

Applicant:	John miller *[applicant name]*
Development Number:	25003913 *[development application number]*
Nature of Development:	demolition *[development description of performance assessed elements or aspects of outline consent application]*
Zone/Sub-zone/Overlay:	Click here to enter text. *[zone/sub-zone/overlay of subject land]*
Subject Land:	69 HIGH ST KENSINGTON SA 5068 *[street number, street name, suburb, postcode]* *[lot number, plan number, certificate of title number, volume & folio]*
Contact Officer:	Assessment Panel/Assessment Manager at City of Norwood, Payneham and St. Peters *[relevant authority name]*
Phone Number:	0883664530 *[authority phone]*
Close Date:	Tuesday 25 March 2025 at 11:59 pm Australia/Adelaide *[closing date for submissions]*

My name*: Joseph Peter Hamra	My phone number: Click here to enter text.
My postal address*: 44 Stanley Street Leabrook SA 5068	My email: Click here to enter text.

** Indicates mandatory information*

My position is:

- ☐ I support the development
- ☐ I support the development with some concerns (detail below)
- ☒ I oppose the development

Government of South Australia
Department for Trade and Investment

The specific reasons I believe that consent should be refused are:

I have limited knowledge of the property mentioned in the application and the only mention of any action or result of any action is the word "demolition". There are no details of any plans beyond that one action. The application is therefore very very simple and despite this there appear to be some fairly clear contradictions in the application to the nature of heritage listings and the intention of that register.

The property in question is a Heritage listed building. I understand the purpose of Heritage listings includes the retainment of the feeling of a locality. Without including the details of any plans or actions for the current property after the demolition, there is no way to confirm the retainment of the feeling of the location, especially given the absence of any mention of a partial nature to the demolition. The property has structural challenges, including the face of the building leaning towards the street side. This leaning appears to be managed and the building has stood in its current form for a very long time now. As a result public safety does not appear to be an issue, although there are some limitations put in place to direct pedestrians around the property without walking adjacent to it, suggesting possible structural problems. Given the lack of details describing any problems, there is no way to know exactly what might cause a definite need to remove the current structure. i can only guess that previous engineering works have been sufficiently successful to give the property many years of useful existence, and further engineering works might be successful in returning the property to full safety. It might be decided that the property in question is a fairly small property, and it's disappearance and the property's total transformation might not have a significant impact on the locality in question, however the nature of the heritage listing seems to be similar to all other properties in the vicinity, meaning that a decision and acceptance of the application to demolish that property would be tantamount to accepting the demolition of practically all properties within relatively close range. As such, with no other information regarding the alteration to the property beyond the desire to demolish it, the application in question appears to fly completely in the face of all purposes attributed to the listing of Heritage properties. I am a regular visor to the area, walking through at least once a week, and the location of the property in question, along with my direction of travel as I walk through, means that almost any change that takes place in that property will be seen and have a significant impact on my view of the locality. i believe there is a significant value in the older buildings of that area and they appear to retain a connection with the locations history, possibly back to the original village that stood in the area before the merging of the suburbs. This means that there is significant value in retaining the current structure which is the subject of the application. I'm a bit surprised there is the need for public submissions given the heritage listing and the many years of this property's current configuration. if the property were deemed unsafe there are a variety of strategies that might be employed to satisfy the intention of the heritage label.

[attach additional pages as needed]

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why consent should be granted or refused; and
- comment only on the performance-based elements (or aspects) of the proposal, which does not include the:
  - Click here to enter text. [*list any accepted or deemed-to-satisfy elements of the development]*.

I:	☐	wish to be heard in support of my submission*
	☒	do not wish to be heard in support of my submission
By:	☐	appearing personally

☐ being represented by the following person: Click here to enter text.

**You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature: Date: 12/03/2025

Return Address: Click here to enter text. *[relevant authority postal address]* or

Email: Click here to enter text. *[relevant authority email address]* or

Complete online submission: plan.sa.gov.au/have_your_say/notified_developments

Representations

Attachment 5

Representor 5 - Matthew Hardy

Name	Matthew Hardy
Address	42 High Street KENSINGTON SA, 5068 Australia
Submission Date	25/03/2025 07:27 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 See attached letter	

Attached Documents

Objection-to-69-High-Street-demolition-240325-1485448.pdf

Dr Matthew Hardy, MVO
30 Aberdeen Road, First Floor
LONDON N5 2UH
UK

24 March 2025

Assessment Panel/Assessment Manager
City of Norwood, Payneham and St. Peters
175 The Parade,
NORWOOD SA 5067
AUSTRALIA

Dear Sir/Madam,

Application ID: 25003913
Proposed Development: Demolition of a dwelling (Local Heritage Place)
Notified Elements: Demolition
Subject Land: 69 HIGH ST KENSINGTON SA 5068

I write as the owner of 54/54A High Street, as a registered architect, an architectural historian, and senior lecturer in architecture & urbanism, to object to this proposal.

Demolition of a contributory item in a conservation zone should not be permitted on any grounds, and never without a proposal for replacement.

The applicant has presented a mainstream strucural engineer's report concluding that the building's northwest and southwest walls should be demolished and rebuilt. The report shows inter alia that the building has been very poorly maintained in the last 13 years and that guttering and drainage is blocked and very likely contributed to the problems now visible. While thorough and professional, the report shows little understanding of the specific realities of traditional buildings, which were designed and built using lime-based mortars to allow some movement over time, including minor cracking, which was not considered serious due to the ability of lime mortars to 'heal' over time, an important property that extensive recent research has revealed. At some point in its history, the house has been crudely rendered in hard cement render, which has reduced its ability to move over time and made any movement very visible and alarming. Most of the cracks shown in the report are minor, but made very visible by the hard cement mortar.

In terms of the leaning walls, the building facade could simply be propped and re-aligned and grouted back to the side walls as has been done many times in the past for historic buildings. This should clearly be done urgently, at the cost of the owner, to prevent any collapse or danger to the public.

Most importantly, the applicants have not included a proposal for replacement. "Creative neglect" is a problem with heritage around the world and building owners must never be allowed to profit from it by allowing deterioration with a view to demolition of contributory items.

Finally, as President of the Kensington Residents Association in the late 1980s, we were instrumental in convincing the then City Kensington & Norwood to create the Kensington Local Heritage Area. As an association we drafted the conservation rules that were then put in place by the Council. These were intended to be flexible and permit changes as required to keep places in use, as the Australia ICOMOS Burra Charter requires. The rules we drew up also recognised the valid contributions of all periods in Kensington's history, from its foundation in the late 1830s to the present day. Though small, this house has an important role to play in a section of the street that has lost many of its contributory items over time. The engineer's report also claims that the building dates from the 1920s, whereas the true date is more likely to be the 1880s, when much infill development was carried out in Kensington, and stone facades like this were the fashion. It is my view as a registered architect, architectural historian, and senior lecturer in architecture & urbanism, that this building can readily be repaired and brought back into use, and that the local heritage designation makes this an urgent requirement. This application must therefore be refused.

Yours faithfully,

Matthew Hardy.

Representations

Attachment 5

Representor 6 - Susan Parham

Name	Susan Parham
Address	54 High St KENSINGTON SA, 5068 Australia
Submission Date	25/03/2025 08:26 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 Please see uploaded file	

Attached Documents

Objection-to-the-proposed-demolition-of-69-High-Street2-1485462.pdf

Attachment 5

I wish to object to the proposed demolition of 69 High Street, Kensington. I understand that any demolition in Historic Areas will be assessed against:

- The building's existing heritage values
- The structural condition of the building and risk to safety.

The building quite clearly makes a significant contribution to existing heritage values as outlined in the heritage related policy for this area of Kensington. In relation to context and streetscape amenity, PO 6.2 states that "Development maintains the valued landscape patterns and characteristics that contribute to the historic area". Demolition should be avoided due to the house's heritage value to the character of this historic area including its location on a main diagonal access street, its heritage architectural qualities, its historic siting on the street alignment, and contribution to enhancing the heritage streetscape character of a low rise, human scaled, outdoor room.

Demolition within Historic Areas will be assessed against a building's historic characteristics and whether the proposal is reasonable. The proposed demolition does not seem to be necessary in structural terms from the information provided. It has not been demonstrated that the structural integrity or safe condition of the original building is beyond reasonable repair. PO 7.1 states that in these circumstances "buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished". An earlier engineer's report from 2012 cited in the application raised some issues for repair and the question arises as to why these remedial works were not undertaken. Heritage policy in planning covers a situation in which a building has been allowed to deteriorate in order to argue for demolition and consent should be refused in these circumstances.

In summary, the building clearly has historic characteristics and also contributes to enhancing character of the local heritage area more widely. Desired Outcome according to the council's policy (DO 1) is that "Development maintains the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse." not that historic buildings are demolished. The proposal is particularly unreasonable because no proposal is being made to develop a new building which would meet the requirements of the policy in the historic overlay. Consent to demolish this valued local heritage building should be refused.

Representations

Attachment 5

Representor 7 - Rory Kennett Lister

Name	Rory Kennett Lister
Address	67A High St KENSINGTON SA, 5068 Australia
Submission Date	25/03/2025 01:41 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 support the development with some concerns

Reasons

We live next door to the proposed development. Though we understand that the building may need to be demolished, we are concerned about what might be allowed to be erected on the land. If it is to be demolished, we want to ensure that it is supervised and done properly, accounting for any potential asbestos in the building, as well as dust, and any other contaminants. We have young children, and are concerned for their welfare. In the event of a sale, we will strongly oppose any attempt to rezone the land. The neighbouring school may want this land to expand their footprint, but it should be preserved for residential use to ensure the character of the street remains, to keep traffic lower, and prevent further noise. If a new residence is to be built, we have strong concerns about the nature of the design. The character of many suburbs around Adelaide are being ruined by new homes with design choices unsympathetic to the area. Kensington has such a rich history, and such fantastic historic buildings. Any new home should be architecturally designed and vetted by a third party with an understanding of the local character. It should be sympathetic to the houses around it. Finally, as this application progresses, we request that we are kept up to date, and continue to have the opportunity to make submissions about any plans as they develop. Thank you

Attached Documents

Representations

Attachment 5

Representor 8 - Kensington Residents Association

Name	Kensington Residents Association
Address	42 REGENT STREET KENSINGTON SA, 5068 Australia
Submission Date	25/03/2025 04:20 PM
Submission Source	Email
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 Please find attached Submission	

Attached Documents

Submission-KensingtonResidentsAssociation-10745127.pdf

Ph: 8331 9654
Email: contact@kra.org.au
Website: **www.kra.org.au**

Serving the community since 1977

Mr Mario Barone,
Chief Executive,
City of Norwood, Payneham & St Peters,
175 The Parade,
Norwood, 5067.

The Secretary,
Kensington Residents' Association Inc.,
Mr A Dyson,
42, Regent Street,
Kensington, 5068.
25th March 2025.

Re: **Development Application ID: 25003913**

Attention: **NP&SP Assessment Panel**

Dear Sir,

Our Association is very strongly opposed to the proposed demolition of the Local Heritage listed building at 69 High Street, Kensington.

The building was assessed as suitable for Local Heritage listing in June 1994. The heritage survey for the property described it as:

> *"An early single-storey Victorian building with gable roof. Notable for its simple design and intimate character. Appears to be in reasonable condition for its age, although it has been extensively rendered."*

In assessing its age, it suggested the building was constructed in:

> *"1850's – 1860's".*

Its significance was described as:

> *"Relevant Development Act Criteria (Section 23(4)); (a), (b)); This building is a good example of a simple early Victorian masonry residence. It is associated with the early 1850's-1860's settlement of Kensington (4a) and is indicative of the way of life of early settlers in Kensington at that time (4b). It contributes to the early Victorian character of High Street."*

In terms of development implications, it stated:

> *"Retention and protection of the original form of the building, its setting and all associated original building fabric, as viewed from the road."*

Subsequently, Council's former heritage adviser, Denise Schumann stated in the *Kensington Village Historical Walk* brochure compiled in 2007 when referring to this building:

> *"the building next door (to No 67) was a schoolroom built by John Roberts dating from the 1840's"*

Kensington has very few remaining 1850's and 1860's buildings and even less from the 1840's. To preserve the integrity of the Kensington Historic Conservation Zone, or as it is now known, the heritage overlay under the Planning Code, all such important heritage buildings from this early colonial period must be preserved.

The loss of this building would have a negative impact on the heart of Kensington Village. By the 1850's the intersection of High and Bridge Streets *had become the bustling centre of village life*. Today we have three significant heritage buildings on this intersection. The first street tramway

system in Australia was a horse drawn tram that ran from Kensington to Adelaide. It travelled up Regent Street to its depot and back down High Street towards the city.

Within the vicinity of 69 High Street, we have not only the three buildings mentioned above but also Dalton's Chemist at No 67 and across the road leading up to Maesbury Street: Terence Feltus Architects; the doctors house and surgery at 50 High Street (Cypress House); and the cottage and chemist shop at 54 High Street. The loss of any of these heritage building would have an adverse impact upon the overall heritage integrity of this area.

Unfortunately, the building has been allowed to deteriorate in recent years and the front wall does bulge out. However, we have been advised by an expert in heritage restoration that Urathane Solutions Pty Ltd can undertake *"Chemical Resin Injection Underpinning"* using their highly effective and patented technology that has been proved to be effective. After successful underpinning, the walls are straightened to return them to the vertical.

Urathane Solutions have conducted an exterior inspection of the building and advised that the building is repairable. They have provided an indicative costing for this work of about $50K. If this work is carried out the building would no longer be a potential safety risk to the public

In the Planning Code, demolition of a listed building is only permitted if its classed as unsafe or proved to be a poor representation of heritage character or irredeemably beyond repair. Underpinning and straightening of the walls of 69 High Street would return the building to a stable and safe building. Finally, although the front wall has been inappropriately rendered and the front windows have been replaced, the removal of the render and replacement of the windows are both relatively straight forward and would restore the building's original heritage characteristics.

Sensitive restoration of heritage properties increases their value and in turn the overall values of properties in the area. In the 1970's and 1980's Kensington was a run down and neglected area. Only through the protection of Kensington's heritage and the steady restoration of properties has the character of Kensington changed and it has become a very desirable place to live.

There have been other examples of unsuccessful attempts to demolish local heritage listed buildings in Kensington over the years. For example, the 1840's cottage at 63 Maesbury Street was in a very poor state of repair having been neglected, occupied by squatters and other vandals and was in much worse condition than 69 High Street. Eventually it was successfully restored by new owners. The precedent has been set for the preservation and restoration of neglected and run down heritage buildings.

We request that a representative of our Association is given the opportunity to speak when this application is considered by the Assessment Panel.

Kensington's In conclusion, our Association urges the panel to refuse this application to demolish one of important heritage buildings.

Yours faithfully,

Roger Bryson
President

Andrew Dyson
Secretary

Representations

Attachment 5

Representor 9 - Sandy Wilkinson

Name	Sandy Wilkinson
Address	112 Osmond Terrace NORWOOD SA, 5067 Australia
Submission Date	25/03/2025 05:22 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 Objection to demolition of Local Heritage Item Please Refer to submission.	

Attached Documents

2025.03.25-69-High-Street-Kensington-AO-Submssion-1485686.pdf

Attachment 5

25 March 2025

Assessment Manager
City of Norwood Payneham & St Peters
Town Hall
175 The Parade Norwood SA 5067

per email: gparsons@npsp.sa.gov.au

Planning + Heritage Submission
on behalf of Kensington Residents Association

Application ID 25003913

Proposed demolition of a dwelling (Local Heritage Place)

ALEXANDER WILKINSON

design + planning
by design

112 Osmond Terrace
Norwood, SA, 5067

Mobile 0407 493 192

sandy@alexanderwilkinson.com.au
www.alexanderwilkinson.com.au

Introduction

I have been asked by the Kensington Residents Association to provide my opinion as a heritage consultant with respect to the proposed demolition of this Local Heritage Item in High Street Kensington.

Background/History

The subject property at 69 High Street, Kensington is a Local Heritage item within the Kensington Historic Area Overlay.

I am advised by Denise Schumann, Council's former Historian, that this property is a very early1840's-1850's former School House.
From my observation, is it likely constructed of stone with red brick parapet detailing and quoins, similar to the Chemist Building next door seen in the photo above.

It is a particularly important historic building in Kensington because it is one of the very first buildings to have been built by John Roberts in the village of Kensington, a School House to educate the first generation of children who settled into the village, likely as early as the 1840's. Kensington was established in 1838.

Thus, whilst its appearance from the street is modest, its historical importance is paramount to the history of the area.

Part 11 – Heritage Places

Local Heritage Places

Norwood Payneham and St Peters

Property Address	Description and/or Extent of Listed Place	Section 67(1) Criteria	Heritage NR
69 High Street KENSINGTON	Victorian Dwelling	a b	5790

Current Condition/Alterations

The building has been modified cosmetically over its 180+ year life.
Importantly the building was Local Heritage listed as a dwelling, which was its use at the time of listing, as it currently is seen today.

The walls have been rendered in past decades and the building appears to have been 'renovated' in the 1980's or thereabouts.
The gothic style lancet windows and security grills on the front window and door would have been added at this time.
The roof of this very early building would originally have been timber shakes, per the ones visible in the archival photo of the chemist shop of the same era, that were inevitably covered over with corrugated iron, and then the corrugated iron subsequently covered over with the 'Alutile' aluminium tiles which were popular in the 1960's/70's.

The original front window would have also been a casement window like on the front of the Chemist next door at 67. The original casement windows can still be seen down the side of the building. Very early Adelaide buildings had casement windows before sash windows became the predominant window type.


View down side


Original casement windows

Archival photo of CHEMIST DRUGGIST at 67 with timber shakes and casement windows

Photo* of CHEMIST building being restored and partially rebuilt in 2005,

*which I took when I was working on the restoration & additions to 1/65 High Street on the corner of Bridge Street.

CHEMIST building adjacent the subject site as it stands fully restored today in 2025.

Demolition

It is proposed to demolish the whole of the building.

Demolition	
PO 6.1 Local Heritage Places are not demolished, destroyed or removed in total or in part unless: (a) the portion of the Local Heritage Place to be demolished, destroyed or removed is excluded from the extent of listing that is of heritage value or (b) the structural integrity or condition of the Local Heritage Place represents an unacceptable risk to public or private safety and is irredeemably beyond repair.	DTS/DPF 6.1 None are applicable.

It would appear that since 2005 the front façade has rotated outwards.
The lean is significant, but not irredeemably beyond repair.

I sought opinion from a company that I know that undertakes chemical underpinning, and wall straightening, **urathane solutions**.

I have appended their email to me, which indicates a cost of about $50K to structurally underpin and straighten the wall to plumb including taking out the kink and a further $30-$50K to undertake associated roof and plasterwork.

To satisfy this provision for demolition of a Local Heritage Place requires that a Local Heritage Place represent an unacceptable risk to public or private safety **and** is irredeemably beyond repair.
Whilst the current state of the wall clearly presents as a potential risk to public safety due to the lean over the footpath, the question as to whether or not the structural integrity of the Local Heritage place is 'irredeemable' is based on assumption that works are undertaken to make the wall safe and so no longer present a risk to public safety.

Therefore, the initial $50K is the expenditure that is required in order to make this wall safe for the purposes of consideration of PO 6.1(b).
Naturally if one was going down a path of restoring the wall it would make sense to undertake the further associated works.
However, it would not be a requirement, for example, to remove the cement render to expose and repoint the stone and brick quoins and parapet, however this would be highly desirable and a logical course of action, as was done in 2005 at 67.

This cottage at 34 Elizabeth Street, Norwood, an 1856 Local Heritage Item, was the recent subject of a demolition application which was refused. It is now being restored.

The S. HEANES boot shop had also been the subject of a demolition attempt many years ago I recall. It too has since been successfully restored with a modern addition done to the rear. It shares a similar parapet detail to 69 High Street with the acroteria details at the base of the pediment.

Conclusion

The subject property, whilst a modest building in need of significant repair, is a very important part of Kensington's history, being one of its earliest buildings and the only original School House dating to the 1840's.

The building could be restored based on the information provided by urethane solutions, The cost of this exercise must be considered relative to the considerable cost of demolition and construction of an entirely new building, which would be considerably more expensive.

I wish to speak at the Council Assessment Panel.

If you have any questions or queries, please feel free to contact me.

Yours Faithfully

ALEXANDER WILKINSON
B.A(Planning)B.Arch.hons(Conservation) M.ICOMOS MPIA

ALEXANDER WILKINSON DESIGN PTY LTD

ACCREDITED
PROFESSIONAL

Planning, Development and Infrastructure Act 2016

Appendix 1: email from Urathane Solutions

Re: 69 High Street, Kensington

TK

Trent Kuchel <trent@urathanesolutions.com.au>

Yesterday at 9:55 pm

To: Sandy Wilkinson; contact@kra.org.au; Denise Schumann; Michael Pilkington

Thank you for the opportunity to have a look at 69 High St.

As discussed, I attended site to inspect externally on 17 March. I am confident the footing settlement and resulting rotation forward can be rectified. Interestingly, the gable appears to be held back towards to the top, resulting in quite a kink in the wall when viewed from side. Correcting this would not be as straight forward as stabilising and realigning the footings. By removing previous repairs to the façade (where cracks have been filled) and using several props and bracing, we expect to be able to achieve significant recovery towards plumb. We would likely need significantly modify the roof structure to achieve this and then secure once complete.

In estimating the cost to repair, we have made several assumptions. Please appreciate we would need to inspect internally, including the roof space, to understand what alterations have been made over the years and what is required to repair.

ESTIMATES

- Stabilise existing footing of front room and realign, tie façade back to external walls - $45-55K
- Make good roof structure following works $10-20K
- Making good ceiling and plaster internal walls - $8-18K
- Re-render façade $7-10K
- Carpentry – Estimating this is difficult with external inspection only. Depending on how these items have been adjusted overtime to and how much lift and rotation is achieved, the existing timber framed window, front door and internal doors may need new frames.

Hopefully, this is of assistance in your submission. Please do not hesitate to contact me with any queries.

Kind Regards

TRENT KUCHEL

P 1300 924 420
E trent@urathanesolutions.com.au

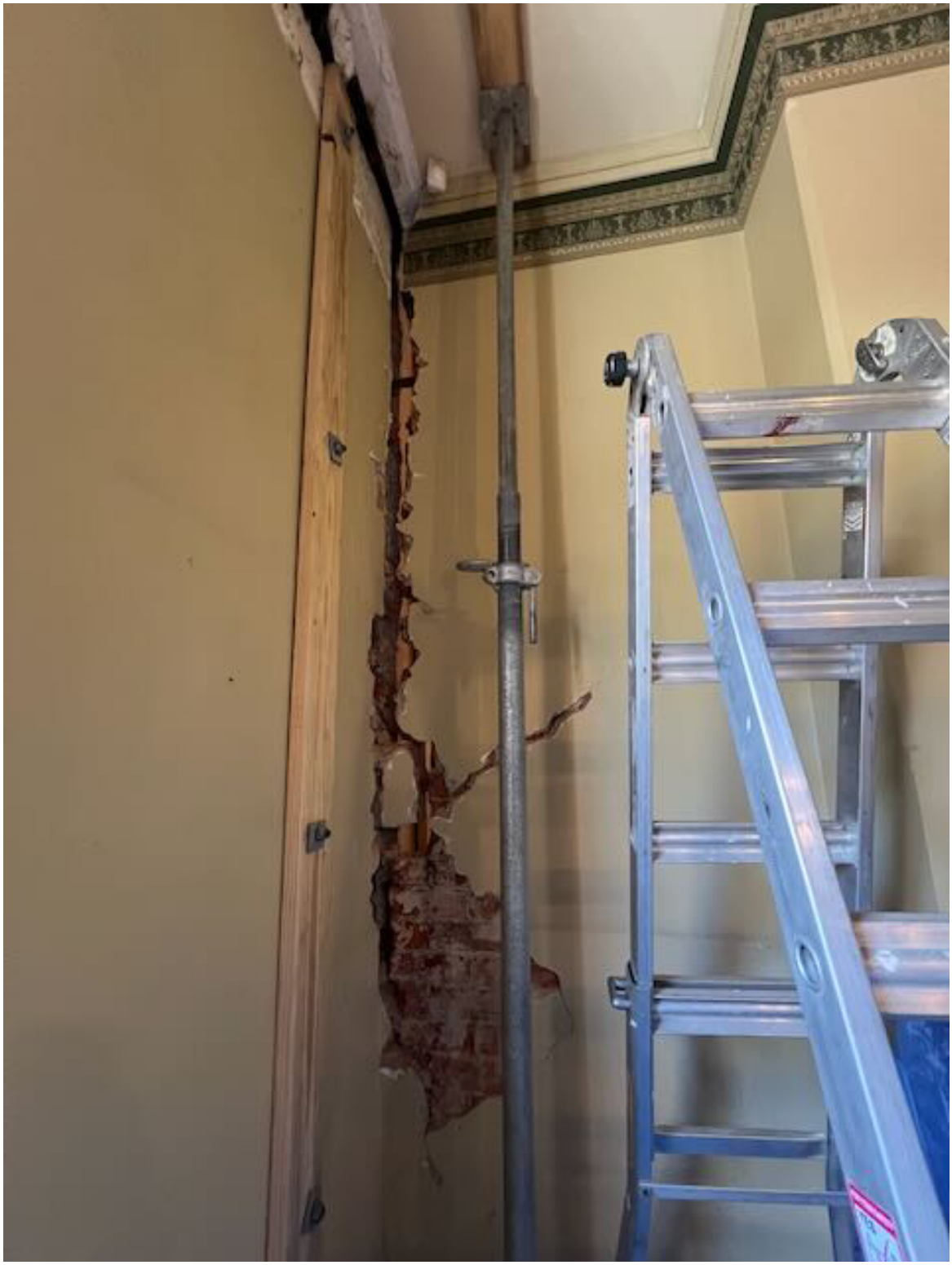
SOUTH AUSTRALIA 22 King William St, Kent Town SA 5067
VICTORIA Level 3, 480 Collins St, Melbourne VIC 3000

urathanesolutions.com.au

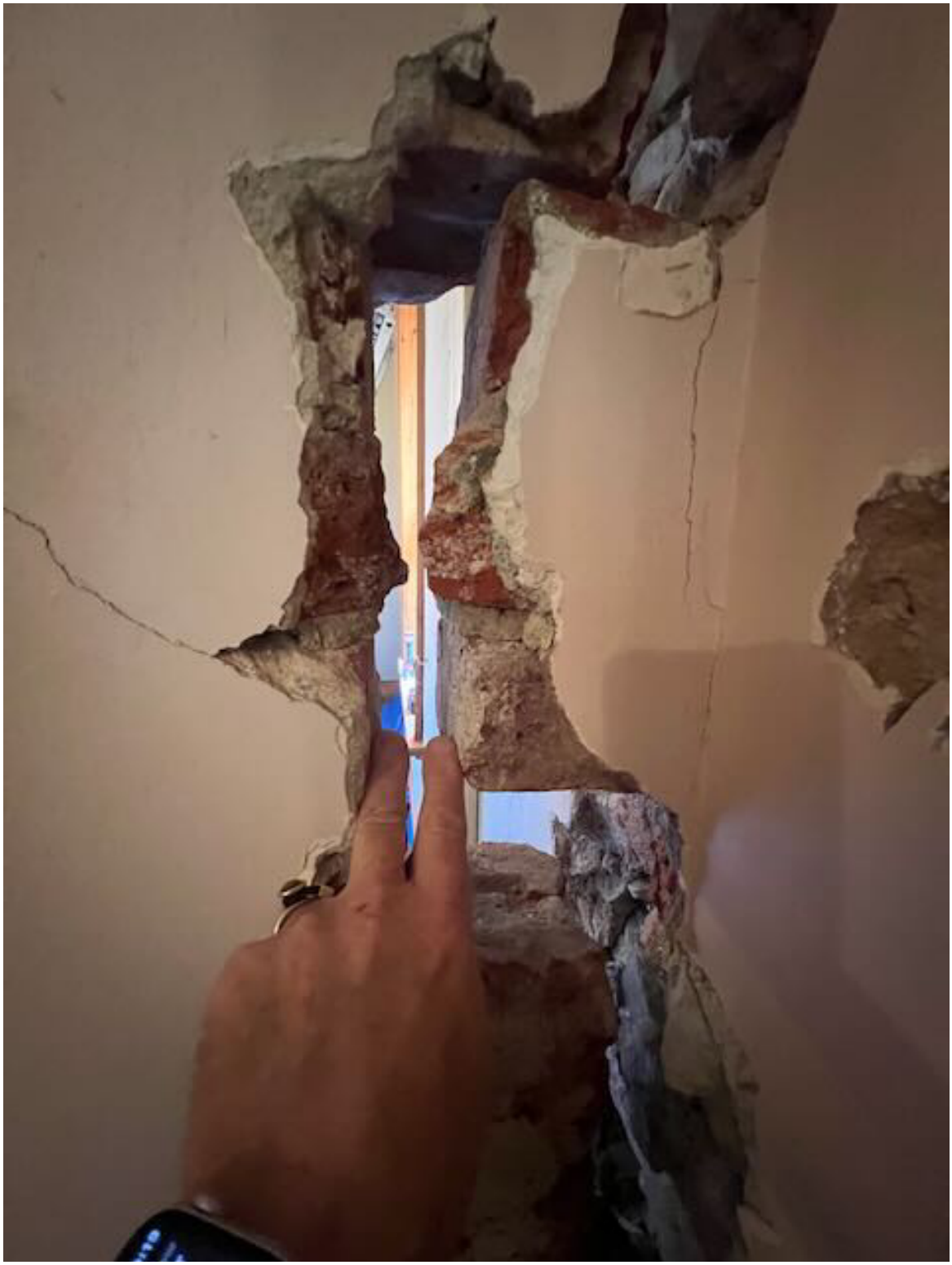
Appendix 2: photos I took of Urathane Solutions straightening wall in Kensington Park.

Urathane Solutions undersetting and straightening wall

Crack raked out in front room in preparation for side wall being pushed back to plumb.



Crack raked out in second room in preparation for side wall being pushed back to plumb.



Crack raked out in preparation for side wall being pushed back to plumb.

Side wall underpinned, straightened and plumbed for about $20K by 'urathane solutions'

The owner of 69 High St, Kensington, SA 5068 acknowledges the current heritage listing as per the 1994 Heritage Survey.

The owner of 69 High St has applied to demolish a dwelling via the PlanSA portal. The application has been made under the Planning and Design Code regarding Demolition of Local Heritage Places. The owner has applied for demolition under part 6.1 (b).

PO 6.1

Local Heritage Places are not demolished, destroyed or removed in total or in part unless:

(a) the portion of the Local Heritage Place to be demolished, destroyed or removed is excluded from the extent of listing that is of heritage value or

(b) the structural integrity or condition of the Local Heritage Place represents an unacceptable risk to public or private safety and is irredeemably beyond repair.

The demolition application was lodged asap once I was made aware that ***"the wall may collapse at any time"***, resulting in extensive damage to the building itself, to the footpath and is a safety risk to pedestrians using the footpath.

Structural engineers have recommended demolition to mitigate unacceptable risks to public safety.

The owner of High St has sought guidance and advice from the council's Building Officer, Structural Engineer and Heritage Advisor at every step of the process. On the 10th Feb 2025, the council engineer and builder had discussions with the structural engineering consultant and the footpath and car parks in front of the property were closed off by Council on or before Tuesday 11th Feb 2025.

OB Engineering Group was engaged to

- Observe and document the existing damage.
- Record relevant site information.
- Present an expert opinion on the probable causes.
- Suggest appropriate remedial measures.

On the 8th of February 2024, a qualified Civil and Structural Engineer visited the site to inspect the defects raised by the client. The ensuing report provided a comprehensive review. The full Engineering report was received on 24th Feb 2025 and was immediately sent to council.

The footpath has remained closed out of public safety concerns.

The report has recommended demolitions and we agree that demolition is the best way forward, given the compromised structural integrity of the building and the timelines and risk of failure of alternative actions.

Time pressures regarding public safety concerns has dictated the appropriateness of the Demolition application, especially when considering public safety with a Primary School next door with high volume drop off and pick up traffic.

We would also like to thank all respondents for your interest and for expressing your points of view regarding the development proposal.

The owner would like to make everyone aware that structural engineering advice and inspection was obtained in 2014 after purchase of the property, at which time a renovation and structural remedial works were performed to address known concerns at this time. All historical engineering reports (pre and post purchase) were provided to engineers and council.

The owners are gutted and would also like notify to all Representors that

- the property is the anchor asset for our SMSF retirement fund,
- the property has an almost 100% occupancy rate over the past 10 year until the present tenant terminated the lease and vacated on 5th February 2025
- the vast majority of all visible damage occurred in the preceding 18 months during which time we had no communication with the tenant (who was always great at notifying us of issues and kept the rent current). We called in engineers immediately
- the insurance company has deemed this as an unlisted event (ie not covered) under our landlords insurance policy.

We would like to thank all adjoining neighbours (Respondents 2 and 7) for your support and understanding for the urgent need for the Development. As direct neighbours, we would like to inform you that we plan to engage professionals to perform the works, and we will ensure collaboration regarding securing the entire site during works with safety for the School, neighbours and public front of mind.

We would like to thank Respondent 3 for your support and understanding of the need for the approval of the development proposal.

With respect to genuine concerns regarding “confirming the retainment of the feeling of the location”, please understand that any potential future planning applications after demolition will require appropriate planning approvals. The rigorous planning application process will of course include full consideration of all Historic Area Overlay guidelines and planning requirements to be assessed by Council with full public consultation.

The public consultation process will enable everyone the opportunity to contribute to the goals of retaining of the feeling of the location. I strongly believe that such additional planning deliberations should not delay mitigating present unacceptable risks to the public.

We are very disappointed with Representor 1 claim that this is textbook “demonising”. We vehemently rebut these ill-founded accusations, and would like to draw the Representors attention to the extensive investments made to prepare the property for rental.

The owners are gutted and believe this to be a “straw that broke the camels” back scenario, resulting in simultaneous failures of the western wall and southern wall. Inadequate foundations and poor soils conditions further exasperate any potential risky remedial work – as evident with the past remediations of the southern wall that have failed.

We are deeply alarmed and concerned with some representations made by Representors 8 & 9. We believe that you may be unaware of the extent of the damage given you have only focused on the southern wall, and we also believe you may be unaware of all the structural engineering advice and inspections (past and current), and the efforts to maintain the property that were performed based on past said advice.

Given all our advice to date, we understand that there is a risk of failure of any remediation attempts, thus we felt it necessary to engage Engineers to document a response to your representations. I have forwarded a letter to Council from OB Engineering responding to your claims around Urethane Solutions remedial actions, as I felt unqualified to respond to personally. The letter is supportive of demolition and states

- “While chemical underpinning and straightening via urethane injection may be suitable in less severe cases, the extent of the movement that has occurred to the front wall at 69 High Street is beyond the effective limits of such methods”,
- and “Considering the age of the building and its unreinforced masonry construction, attempting to realign the wall also poses a high risk of failure and further damage”

As owners, given how unstable the building currently is, we stand by our current course of action and continue to seek approval of the Development application to avoid any further delays in mitigating present unacceptable risks to the public.

18 April 2025

City of Norwood, Payneham & St Peters
175 The Parade
Norwood, 5067

Re: Response to Representations for Proposed Demolition - 69 High Street, Kensington SA 5068

Dear Chair and Members of the Assessment Panel,

OB Engineering Group Pty Ltd has been engaged by Mr John Miller, the owner of the property and dwelling located at 69 High Street, Kensington. Our professional response is based on expert structural assessment evidence, undertaken in accordance with relevant Australian Standards (AS2870) and the National Construction Code (NCC). This response specifically addresses structural engineering considerations raised. We acknowledge the representations and submissions regarding the proposed demolition and structural integrity of the property located at 69 High Street, Kensington.

We acknowledge that the client provided OB Engineering with two previous structural reports dating from 2012 and 2013, undertaken by Jim Wilson Consulting Engineers and Dennis Sandery Consulting Engineers respectively. Both reports, conducted approximately 13 years ago, identified considerable rotation and movement of the front wall, facing High Street. Specifically, the 2013 report by Mr. Jim Wilson Consulting Engineers recommended prompt reconstruction of the wall if further cracking occurred, citing *concerns over stability under unusual loads such as earthquakes.* Similarly, the 2012 report by Mr. Dennis Sandery recommended extensive foundational reinforcement and rebuilding due to severe rotation and potential instability.

Our comprehensive structural assessment (Report Ref: OBCS0176, dated 22 February 2025) clearly identifies severe structural rotation and displacement of the southern and western external walls. The southern wall facing High Street has rotated significantly outwards, measuring up to 59mm/m, resulting in an approximate horizontal displacement of 177mm at the top of the wall. This degree of rotation indicates there has been significant movement in the footings of the building to such an extent that rectification through realignment is not possible without the full reconstruction of the wall and footings.

Internal wall cracking has also been classified as severe per the guidelines stipulated in AS2870. This internal cracking is predominantly attributed to the rotation of the western wall, measured at 34mm/m near the lounge room and 26mm/m to the north near the kitchen. The client has advised that this cracking has been repaired historically, but the cracking consistently reappears, indicating that the movement and rotation of the western wall is active.

While representations to the public notification mention the successful use of urethane chemical underpinning for straightening walls at other locations, such methods may only be suitable for moderate rotation/settlement cases. However, given the severity of rotation and the level of structural defects observed at 69 High Street, urethane injection would likely only stabilise the wall in its current position and would not be sufficient to restore the front wall to a plumb alignment or restore the structural integrity of the wall. Additionally, significant internal structural remediation and rebuilding

would be necessary following underpinning to address the resultant misalignment and damage, greatly increasing overall costs and complexity of the project. Considering the age of the building and its unreinforced masonry construction, attempting to realign the wall also poses a high risk of failure and further damage. Given the extent of the works required, the overall cost of such repairs would not be economically viable for the client.

The severity of cracking, wall separation, and displacement substantially surpasses typical minor cracking expected from buildings of this age. Such movements, although permissible for minor adjustments and settlements, are categorically different from the structural failures noted in our original report on the building (OBCS0176). The structural condition as assessed poses a significant and immediate safety risk to the public and property occupants. The ongoing structural movement indicates instability, and remedial actions such as mere propping or grouting do not permanently mitigate the underlying structural inadequacies or safety hazards identified in our professional assessment.

Based on the severity of structural rotation, internal and external cracking, and associated safety risks as identified in our report, it remains our professional engineering recommendation that the demolition and reconstruction of the entire building is the most appropriate and economically feasible course of action. While chemical underpinning and straightening via urethane injection may be suitable in less severe cases, the extent of the movement that has occurred to the front wall at 69 High Street is beyond the effective limits of such methods. As mentioned by Urathane Solutions, chemical underpinning of the wall will require significant structural modifications including substantial alterations to the roof structure with no guarantee of returning the wall to a stable and plumb condition.

For any further clarification or additional details required, please contact our office.

Yours sincerely,
OB Engineering Group Pty Ltd

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Our ref: 1180225JAC(1)

15 April 2025

City Of Norwood Payneham & St Peters
175 The Parade
NORWOOD SA 5067

Attention: **Mr Kieran Fairbrother**

Dear Sir

Site: **69 High Street KENSINGTON SA 5068**
Applicant: **John Miller**
Reference: **25003913**
Subject: **Structural assessment in relation to demolition application**

In accordance with your instructions, our Mr James Cibich attended the above site in company with the applicant, Mr John Miller, on 3 March 2025. You requested we report on the structural condition of the dwelling as part of an assessment for a demolition application. We are pleased to present our findings and opinions.

BUILDING & SITE DESCRIPTION

The single storey building is of masonry construction with timber floors and a tiled roof. The footings are expected to be either bluestone slabs or shallow / under-reinforced concrete strips. The roof is expected to be conventionally timber framed. The wet area has a concrete slab floor.

The building comprises two dwellings. The front dwelling includes two bedrooms, a front lounge, a kitchen / meals area and a bathroom. The rear dwelling was not presented for our inspection (as it is not in the area of concern for the applicant). The front elevation is positioned on the property boundary and directly adjacent to the Council footpath.

The building faces south-west onto High Street. For the purposes of this report, we refer to the building as facing south onto High Street.

The dwelling is surrounded by adjacent properties, including a primary school to the east and a laneway to the north (rear). The roof downpipes terminate beneath ground level and, assumedly, discharge into sub-surface stormwater pipework. There is tree in the High Street verge in front of the building.

An aerial image of the dwelling from the SA Property and Planning Atlas (SAPPA) is provided as Figure 1.

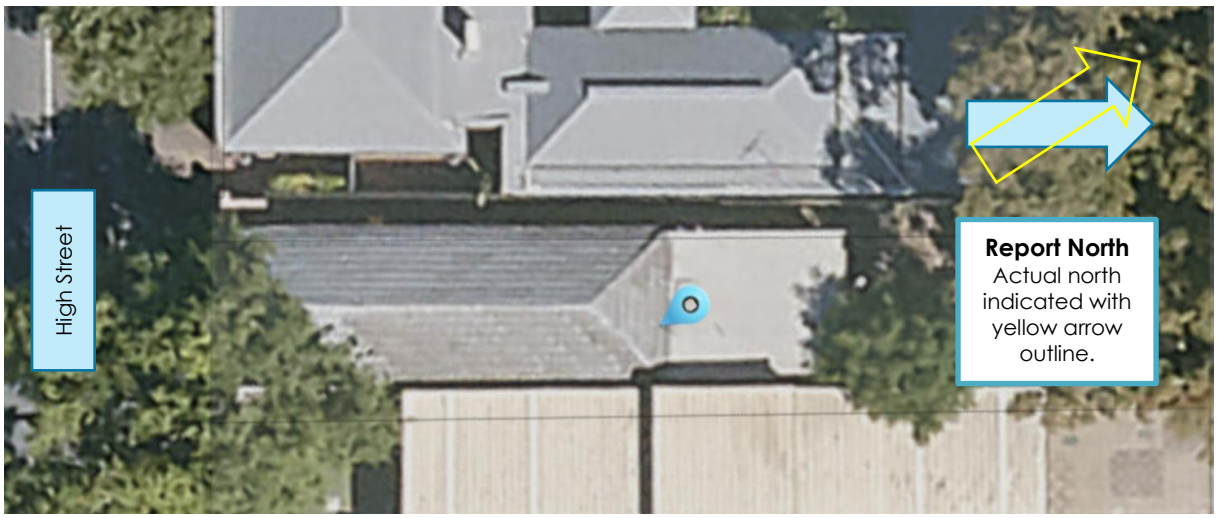

Figure 1 – Aerial image of site from the SAPPA

BUILDING CONDITION

In the following, references to 'damage categories' are to those defined by Table C1 in Appendix C of AS 2870 *Residential Slabs and Footings*. We acknowledge that the Standard has regard mostly to dwellings with modern footings constructed in accordance with the Standard and that it cannot necessary be applied to a more historic building (such as the dwelling at this site). However, in our opinion, it is the most appropriate objective reference for categorising damage in dwellings suffering from differential footing movement.

Due to the number of instances of damage identified, we have not included each in our written report. We have included the most significant items for your consideration in the photographic catalogue below. We note that it is difficult to capture the building's condition in photographs. Should a full appreciation of the condition to this dwelling be required, an inspection may be required.

Evidence of previous footing movements (such as crack repairs) as well as evidence of recent movements were observed throughout the interior and around the exterior. We have included a copy of our site notes, which shows the instances of internal damage marked up on a floor plan of the building, as Figure 2 below. Should a more comprehensive catalogue of cracking be required, we would be pleased to provide it upon receipt of your further instructions.

The most severe cracking, and that which we understand causes the applicant concern, was observed to the front lounge and along the western elevation (including the wall/ceiling junctions and the intersections between the western wall and internal return walls).

The southern (front) and western elevations' verticality was measured at various locations using a digital spirit level. The southern elevation was measured to be between 2.7° and 3.3° out of vertical alignment relatively consistently across its width. The western elevation was measured to be between 0.8° and 2.8° out of vertical alignment, with the severity of misalignment increasing from the rear to the front.

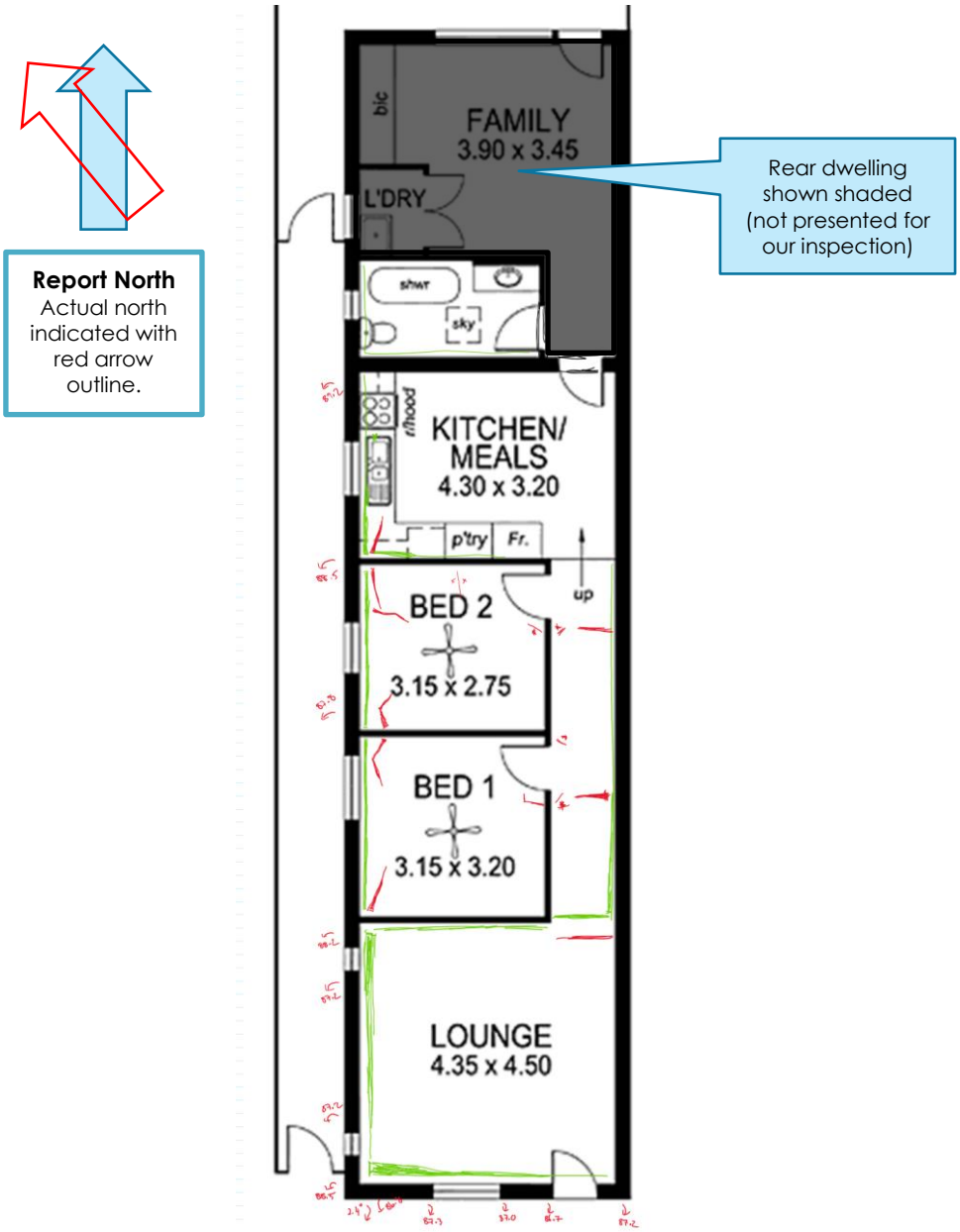

*Figure 2 – **Red** is damage to walls, **green** is damage to ceilings & cornices, numbers and arrows externally indicate measured rotations*

The severity of the currently observable damage within the building interior varied. Damage in the area of the applicant's concern was Damage Category 3 or beyond (cracks equal to or greater than 5mm in width). Damage Categories 0 – 2 are described by Table C1 as "Negligible", "Very Slight" and "Slight" respectively. In contrast, Damage Categories 3 and 4 are described as "Moderate" and "Severe" respectively. Damage Category 4 is described in Table C1 as:

> *Extensive repair work involving breaking out and replacing sections of walls, especially over doors and windows. Window frames and doors distort. Walls lean or bulge noticeably…*

The instances of previous repair to the masonry and/or plaster finish around some cracks indicates the currently observable cracking is only a portion of the movement that has occurred. Consequently, the damage descriptions in Table C1 should be interpreted with an understanding of the history of movement that has occurred.

Examples of the crack and footing movement observed throughout the dwelling are shown in the following photographs.

Photo 1 – General view of northern elevation showing lean towards Council footpath and cracking towards top of gable

Photo 2 – Cracking in front gable, top of gable leans back towards the applicant's property (oppisite to base of wall) creating a "bow" in the wall

Photo 3 – Side view of top of gable attempting to capture horizontal bow in wall

Photo 4 – Cracking at eastern end of front elevation

Photo 5 – Railway section positioned against front elevation and assumedly tied through dwelling is indicative of past attempts to stabilise dwelling's front

Photo 6 – Tapered separation between railway section and front elevation indicitive of worsening in external wall rotation over time

Photo 7 – Spirit level placed against front elevation showing lean towards footpath

Photo 8 – Close up of spirit level gauge in position shown in Photo 7

Photo 9 – Spirit level placed against southern end of western elevation showing outward lean towards the adjacent property

Photo 10 – Spirit level placed against front elevation and over gable cracking at ceiling level – gap between top of level and wall indicative of inwardly directed rotation of wall above ceiling level and "bow" in wall (refer Photo 3)

Photo 11 – Separation between western elevation and fascia

Photo 12 – Example of cracking and previous repair to cracking to western elevation (dislodged render on LHS makes cracking appear more severe)

Photo 13 – Bubbling / blistering of lower paint finish along western elevation indicative of rising damp

Photo 14 – General view of front lounge room's western elevation

Photo 15 – Gap between front elevation and cornice as well as previous filling, note also separation between corner beading and wall – beading evidence of past attempts to conceal gapping at this wall junction

Photo 16 – View of cornice separation along front elevation

Photo 17 – Broader view of gapping between front elevation and cornice, and at western / front elevation intersection (as shown in closer image in Photo 15)

Photo 18 – Western elevation / cornice separaton, cracking between western elevation and intersecting internal wall of front lounge room

Photo 19 – Cornice separation along western wall, prevoius crack repairs and recent cracking above window

Photo 20 – Example of prevoius repairs to cracking typically seen to internal walls

Photo 21 – Example of typical severity of cracking away from area of concern, hallway's eastern wall and cornice / ceiling shown

Photo 22 – General view of bed 1's western elevation

Photo 23 – Separation at bed 1's western wall / cornice junction and intersecting wall

Photo 24 – Close up of separation between bed 1's wall and cornice, showing possible evidence of timber deterioration

Photo 25 – Cracking to bed 1's northern wall, dislodged of plaster at top of wall makes cracking appear more severe, note also separation of western wall/cornice visible

Photo 26 – Separation and missing filler showing possible evidence of timber deterioration

Photo 27 – General view of bed 2's western elevation and intersecting walls

Photo 28 – Separation of bed 1's western wall / cornice, and cracking between western elevation and intersecting wall

Photo 29 – Cracking to bed 2's southern wall near intersection with western wall, note also separation of western wall / cornice junction

Photo 30 – General view of the kitchen area

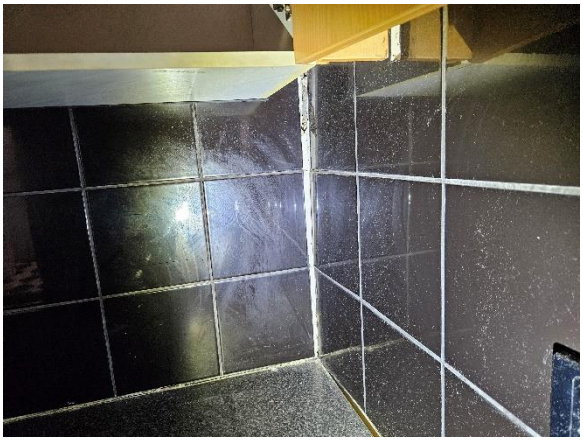

Photo 31 – Tapered vertical cracking in south-western corner of kitchen

Photo 32 – Top of cracking shown in Photo 31, as well as separation of the western wall / cornice junction (including previous filling material)

Photo 33 – General view of bathroom layout and floor

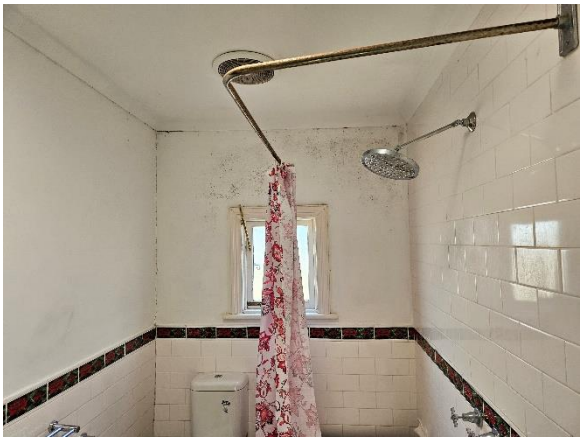

Photo 34 – General view of bathroom ceiling

Photo 35 – Tapered wall plate forming part of side gate indicative of past movements to wall (plate thicker at bottom)

Photo 36 – Tapered wall plate forming part of side gate indicative of past movements to wall (plate thinner at top)

SOIL CONDITIONS

No site-specific soil information has been obtained. According to the *Soils Association Map of the Adelaide Region* (the Map), published in 1989 by the CSIRO and the South Australian Department of Mines and Energy (as it was then), the site is likely founded on a Red Brown Earth soil profile (either Type 3 (RB3) or Type 5 (RB5)).

Red Brown Earth soil profiles are known to contain layers of highly plastic clay (also commonly referred to as "reactive clay") to considerable depth. The profiles are generally "highly reactive" in accordance with the classification of the relevant Australian Standard, AS 2870 *Residential Slabs and Footings*.

The actual foundation soil conditions at this site can be determined by recovering soil borehole samples and assessing them. If you would like us to arrange this, we would be pleased to do so upon receipt of your further instruction.

The implications of this soil profile are that when soil moisture changes occur, the footings will be subjected to pressure from vertical soil movements. If differential deflections occur, these may cause cracking in brittle materials such as face and plastered masonry.

In the case of older houses such as the subject dwelling, the footings are either bluestone slabs or under-reinforced concrete strips. Both of these footing types are of low strength and are quite shallow. These footings are rarely able to control footing movements to non-damaging proportions when normal seasonal soil movements occur due to Adelaide's Mediterranean climate of hot, dry summers and cool, wet winter/springs.

When larger soil movements occur, due to poor drainage or the soil drying effect of trees, it is very likely that larger, more widespread cracking will occur.

A characteristic of strip footings when they are subjected to seasonal soil moisture changes is that they also undergo lateral rotation. Over time, the outside of the footing drops relative to the inner edge and this movement is translated to the walls which develop an outward lean. Whilst roof and ceiling framing can resist this outward lean to some extent, the common result is gaps along the wall/ceiling joint or cornice, and bowing of walls between ceiling and floor. This movement is consistent with that observed to the southern (front) and western elevations, and the intersecting walls / attached cornices.

DISCUSSION

Repair of Footing Movement Related Damage

In our opinion, the damage to this dwelling is consistent with differential footing movement (as described in the previous section of this report). The movement is most severe to the front (southern) and western elevations. From the damage pattern, it appears the dwelling is settling towards the south-western corner. The front and western elevations are also suffering from external lateral rotation as a result of the same settlement.

Much of the currently observable cracking to these areas of the dwelling is within or beyond Damage Category 4 (Severe, 15 – 25mm wide) of Table C1 of AS 2870 *Residential Slabs & Footings*. In our opinion, the severity of the damage is such that the affected walls require repair to ensure their structural integrity in the short to medium term. The extent of work required to repair the walls is difficult to determine definitively from a visual inspection alone.

A local repair could be attempted in some areas (such as the internal walls), which would include removing wall plaster, repairing cracked mortar and replacing cracked bricks. However, due to the age and likely composition of the masonry (likely being a 'softer' clay brick and mortar considering the era of construction) it is possible a local repair of the wall would be difficult and hazardous to undertake. The extent of repair may need to be expanded as the repair is attempted if the masonry around the damaged areas is found to be unsuitable for receipt of repair materials.

The rotation and damage to the southern and western elevations is such that it is unlikely this wall could be repaired without reconstructing it to a large degree (if not fully). Realignment of the existing wall could be attempted by underpinning the existing footing and jacking / "pushing" the walls back into alignment. However, due to the building's age and the extent of rotation, the success of such an attempt is not guaranteed. As part of our assessment, we have consulted a specialist underpinning contractor for their opinion as to the constructability challenges that may be faced with this method. It was their preliminary view (formed from review of our photographs and a telephone discussion) that stakeholders should be prepared to reconstruct the affected walls if underpinning was to be attempted. They also noted that it appeared access around the affected walls was limited, which may make installation of deep underpins using mechanical equipment unfeasible.

Therefore, in our opinion, for the purposes of the assessment of this application, it would be reasonable for stakeholders to allow for the affected walls to be reconstructed. The approximate extent of reconstruction works that we expect would be required is shown on Figure 3 on the following page. The reconstruction of these walls would also allow them to be underset with a damp proof course (refer also to further discussion regarding damp in the relevant sub-section of this report below).

That is, for the purposes of making a decision on this application, all stakeholders should anticipate that an attempt to retain and realign the existing southern and western walls may, on the balance of probabilities, be unsuccessful. Consequently, if the decision maker is to compel the applicant to attempt to realign the existing structure, that decision should also consider the likely additional costs and disruption (including to the structure's heritage value, if applicable) associated with abandoning realignment works and proceeding with demolition and reconstruction of the southern and western elevations.

If a reconstruction method is being contemplated, the southern and western elevations could be reconstructed upon the existing footings, on the existing footings that have been underpinned, or on entirely new footings. The method of reconstruction must consider the longevity of repairs – refer to further discussion regarding this in the following sub-section of this report.

There is distortion to decorative and operable elements within the other areas of the dwelling (such slopes in the floor diaphragm, misalignment of architraves, shaving of doors, and gap filling of cornices). These issues can be resolved relatively simply by an experienced tradesperson by replacing distorted elements or adjusting the floor frame. However, distortion will likely return with the passage of time unless the building's foundation is stabilised.

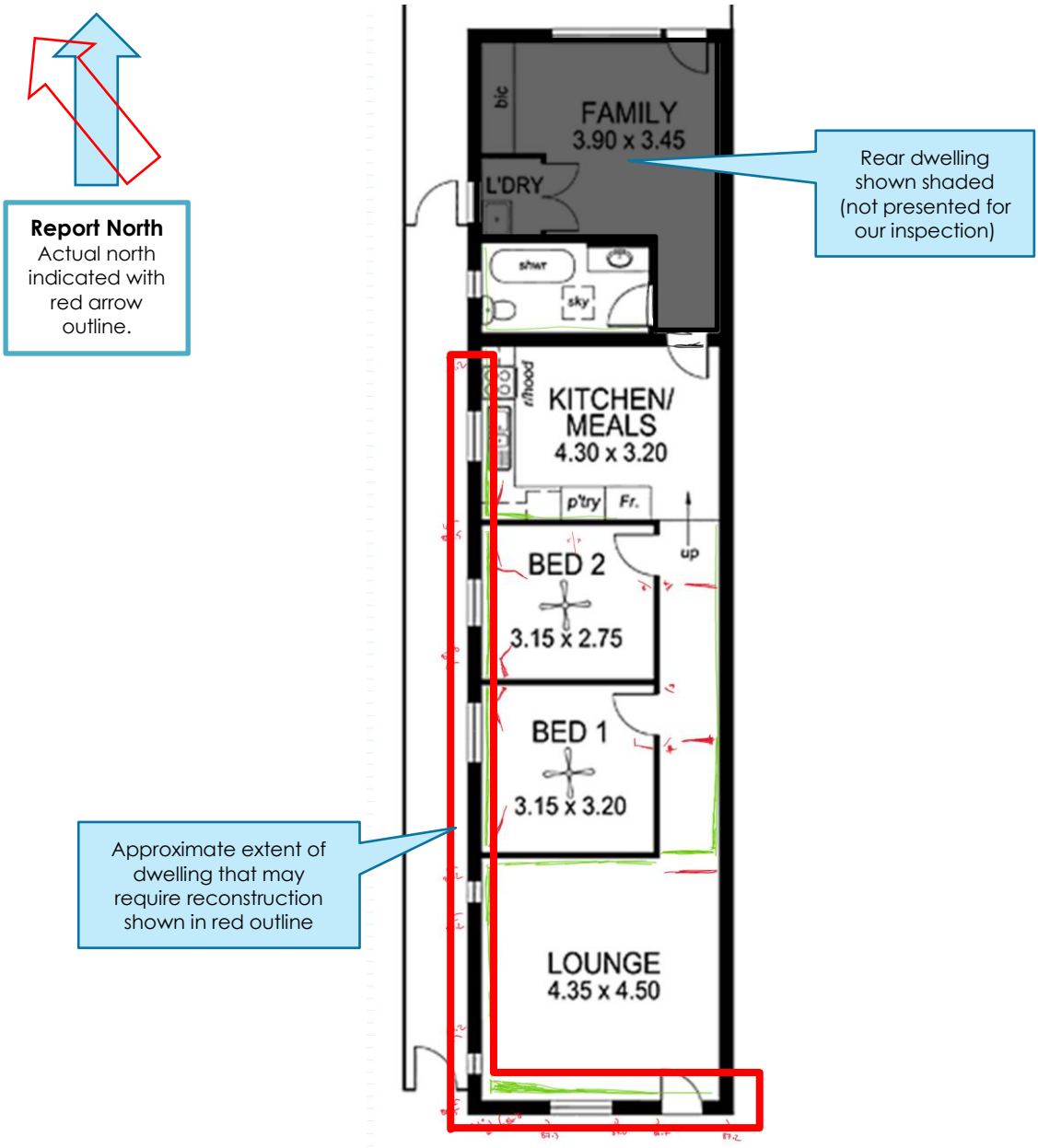

Figure 3 – Approximate extent of structure that may require reconstruction

Longevity of Any Repairs and Building Stability

From the extent of previous crack repairs observed both externally and internally as well evidence of previous mitigation measures (such as the railway section and beading placed at internal wall corners), it appears footing movement has been an ongoing problem for this building. This is not unexpected for dwellings of this age and construction founded on reactive clay. This is because the footings offer little resistance to movement in the foundation (as discussed in the previous section of this report) and the unarticulated masonry superstructure does not tolerate differential footing movements well.

In many buildings of a similar age and foundation soil type to this one, the occurrence of cracking can be mitigated with good landscape maintenance (such as appropriate selection and placement of vegetation, and regular watering during dry months) and plumbing maintenance (including stormwater management). These strategies are relatively inexpensive and simple to implement (such as removal of trees / vegetation that are too close to the building, or the installation of dripper systems or concrete perimeter pavements), although they require regular review and appraisal.

However, in this instance, it appears that little improvement can be made to the environmental conditions around the dwelling in the area of most severe movement (i.e. the front (southern) and western elevations). This means that there may be little the applicant can do to improve the stability of the dwelling strictly through the control of soil moisture. In fact, the factors that are influencing the foundation's moisture state may be outside of the property boundaries. A more detailed investigation would need to be undertaken to understand the various influences that may be affecting the movement to this dwelling.

If the applicant was to retain the existing dwelling with its current footing arrangement, it will require greater diligence and maintenance than if they were to construct a new dwelling. This would most likely result in the more regular appearance of wall and ceiling cracking (compared to a new dwelling), even if site moisture management could be improved and repairs are completed to the superstructure.

We have insufficient information to determine how long it would take for damage to return to the dwelling if it were repaired utilising the existing footings because it depends on several factors. Monitoring the building over a period of months or, preferably, years may provide further insight into the rate of movement.

If the applicant wished to implement a more assured method of improving the dwelling's stability, it might be necessary to consider underpinning the entire dwelling. We expect underpinning the building would be successful in mitigating the most severe movements without requiring wholesale reconstruction of the dwelling (apart from the areas nominated on Figure 3). However, in our opinion, the best *structural solution* for mitigating against movement in reactive clay foundation soils and the deleterious effects of that movement would be to construct a new dwelling using more flexible modern building methods on a footing specifically designed to withstand expected movements in the foundation soils at this site.

Ceilings & Roof

Neither the roof cladding nor the roof void were inspected during our site attendance. Consequently, we cannot provide comment on the condition of the roof tiles or the roof / ceiling framing. However, we did observe evidence of what could be deterioration of the ceiling and/or roof frame through gaps in the western wall / cornice joint in various rooms.

The roof and ceiling frame perform an important structural function of restraining the tops of walls to ensure their lateral stability (particularly if those walls are suffering external rotations from differential footing movement). If the roof and/or ceiling frame has deteriorated such that it is no longer performing as a wall restraint, the stability of the external walls would be further compromised. If the applicant was required to retain the existing dwelling, it would be important to ensure the integrity of the roof and ceiling frames as part of managing the dwelling's overall stability.

If required, an opinion as to the structural condition of the roof frame could be formed by an inspection of the roof space.

Bathrooms & Plumbing

The bathroom appeared to be in a serviceable condition. Although, due to its apparent age, it may not be fully compliant with the current requirements of Volume 2 of the National Construction Code (NCC).

The sewer and waste pipework were not inspected. However, based on the apparent age of the house, we expect the original pipework is of iron and/or earthenware material (unless it has been replaced). Earthenware pipework is notorious for leaking when buried in reactive clay, because the brittle construction is vulnerable to breaking or separating at joints from differential movement. Leaking sewer and waste pipes contribute to differential movement. As part of strategies to mitigate movement, it would be necessary to inspect the sewer and waste pipes and, in all likelihood, replace them with PVC (with the provision of flexible connections).

If required, the existing plumbing could be assessed by a licensed plumber.

Sub-floor Ventilation

We expect there is inadequate sub-floor ventilation to this building according to the current provisions of the National Construction Code (NCC). This could lead to elevated humidity in the sub-floor space and moisture related issues, such as rot of framing or floorboards. We expect additional sub-floor vent bricks will be required to all accessible sides of the dwelling (noting the eastern wall is partially a retaining wall).

Rising Damp

Evidence of rising damp was observed during our inspection. To mitigate the re-occurrence of rising damp, it would be necessary to treat the affected wall with some form of damp proofing measure. Chemical treatments (such as resin injection of the lower mortar joints) are available, however, their success is dependent on achieving penetration of the chemical across the entire mortar joint, and ensuring the treatment is not bridged by render or plaster finishes. A more assured method of treatment is physically undersetting each wall with a plastic damp proof course (DPC), which requires reconstructing the lower courses of each wall.

Damp affected masonry elements would need replacing or repointing (as applicable). However, more severely affected masonry may require local rebuilding. The extent of damp affected masonry that requires the most attention is within the extent suggested be allowed for reconstruction in Figure 3 above.

We also note that the eastern elevation is partially a retaining wall. The ground surface of the adjacent school yard rises from street footpath level and is directly against this dwelling's eastern elevation. From our discussion with the applicant, there have been ongoing dampness issues with the internal finishes of the eastern wall, which, in our opinion, is associated with an absence of waterproofing system protecting the wall from the retained soil. If the existing dwelling is to be retained, we expect a waterproofing system would need to be installed along the eastern elevation (ideally from the school's property, which would require that property be disturbed and reinstated) to more permanently resolve this issue.

Electrical Services

Assessment of electrical services is beyond our area of expertise. However, given the age of the dwelling, it is possible the electrical installations do not comply with the current wiring rules. If required, the existing electrical services could be assessed by a licensed electrician.

SUMMARY

As a result of our investigation, we provide the following opinions.

1. The building has undergone differential footing movement throughout its past, resulting in severe cracking and rotation of walls and other structural elements.

2. It may be necessary to reconstruct the southern (front) and western elevations and local parts of the return walls to remediate the more severe movement that has occurred to these areas (refer to Figure 3 above and the associated discussion regarding realigning the existing walls).

3. For the purposes of making a decision on this application, all stakeholders should anticipate that an attempt to retain and realign the existing southern and western walls may be unsuccessful. Consequently, if the decision maker is to compel the applicant to attempt to realign the existing structure, that decision should also consider the likely additional costs and disruption (including to the structure's heritage value, if applicable) associated with abandoning realignment works and proceeding with demolition and reconstruction of the southern and western elevations.

4. Reconstruction of the walls could be undertaken on the existing footing arrangement (with or without underpinning) or on new footings, depending on the performance required of the dwelling. However, if the existing footings are retained, the dwelling will likely continue to suffer damage (including severe damage) from differential footing movements. (Note, also, that an assessment by a Building Surveyor of any application to rebuild walls may require new footings to be constructed as a condition of approving that application.)

5. If the southern and western walls are reconstructed on new footings or deep underpins and the rest of the dwelling is retained, different instability may occur in the dwelling due to the different foundation conditions. Consequently, it may be necessary to underpin the entire dwelling in those circumstances.

6. It would be the best structural solution to construct a new dwelling using more flexible modern building methods on a new reinforced concrete 'raft' footing specifically designed to withstand expected movements in the foundation soils at this site.

7. Dampness is an issue for the building. Damp proofing measures (such as undersetting, chemical damp proof treatment and/or waterproofing systems) will be required to permanently resolve the issue.

8. The sub-floor ventilation is inadequate and will require upgrading.

9. The stormwater, sewer and waste pipework may require replacement with modern PVC pipework (at the very least, it requires investigation).

10. The electrics and wiring may need to be upgraded (this could be confirmed by an electrician as it is beyond our area of expertise).

We have also reviewed the report prepared by OB Engineering Group Pty Ltd (the applicant's engineer) dated 22 February 2025 (the OB Report). The OB Report includes references to earlier engineering reports obtained by the applicant, which the applicant also provided to us. In our opinion, the findings of the OB Report are mostly aligned with our assessment and, consequently, we consider the contents of that report are reasonable.

We trust this report is sufficient for your present requirements. If you have any further queries regarding this matter, please do not hesitate to contact the undersigned.

Yours faithfully

James Cibich BE(Hons) LL.B, MIEAust CPEng NER
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Attachment 7

Kieran Fairbrother

From: David Brown <david@bbarchitects.com.au>
Sent: Monday, 28 April 2025 6:20 PM
To: Kieran Fairbrother
Subject: Re: Demolition Application for 69 High St, Kensington

Hi Kieran

Something like this?

I have visited the site, and inspected the building inside and out with the owner.

The engineers recommend underpinning and or reconstruction of the front and side walls. While this is understandable from an engineering perspective, it is a concern from a heritage perspective. To remove the front and side walls to then reconstruct them means that the application process would be similar to what is proposed, but with the added step of needing to approve a replica or interpretation of the existing cottage. From a purely heritage perspective that means the building would no longer be the same Local Heritage Place, so the listing should be removed. Reconstruction is a recognised response to removed historic structures under the Burra Charter. However, it is rarely used (Notre Dame, some of Frank Lloyd Wright's buildings), and even less so in cases like this where the building is only important to the context of the local area.

The other concern with partial demolition is supporting the remaining structure while these two walls are rebuilt. It is just not practical to support the remaining internal single skin brick walls on stone footings, and support the roof, and not expect further collapse and damage. Reconstructing walls on the same footings would be a waste of time and money, so new strip footings would be the better outcome. If the existing footings are underpinned and retained, the rest of the walls on the dwelling would then move differently with the seasonal soil moisture changes resulting is cracking and ongoing maintenance. The same result would be seen if the two reconstructed walls were on new footings.

The sensible approach is then full demolition and a removal of the heritage listing. If that decision is adopted, the argument moves to whether to reconstruct the cottage or not? My advice would be not to reconstruct as the building is not of such significance that it warrants a full reconstruction, in whatever form. If this approach was taken, the new dwelling should have a date on the front, and interpretive signage to assist with understanding its context in the streetscape.

The existing building has been altered significantly over its life, so much so that it would be difficult to determine what it once looked like when originally constructed. So, would it be reconstructed as it is, a fully rendered, unusual single fronted cottage reusing doors and windows, or would there be some interpretation, and conjecture and a more original looking building based partly on what is found when the demolition occurs, and partly based on other similar local dwellings? This is a somewhat unusual dwelling, even in the Kensington context, so there is little precedent to adopt to assist with the outcome.

Ultimately, some form of demolition is required, either 50% or more of the external walls, or the entire building. The existing building should be fully recorded before demolition either way.

Regards

David Brown

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6. DEVELOPMENT APPLICATIONS – DEVELOPMENT ACT

7. REVIEW OF ASSESSMENT MANAGER DECISIONS

8. ERD COURT APPEALS

8.1 CONFIDENTIAL MATTER - ENVIRONMENT RESOURCES AND DEVELOPMENT COURT APPEAL - DEVELOPMENT APPLICATION ID 24032150

8.2 CONFIDENTIAL MATTER - ENVIRONMENT RESOURCES AND DEVELOPMENT COURT APPEAL - DEVELOPMENT APPLICATION ID 24017924

9. OTHER BUSINESS
(Of an urgent nature only)

10. CONFIDENTIAL REPORTS

11. CLOSURE