Heritage Politics in Adelaide

Sharon Mosler

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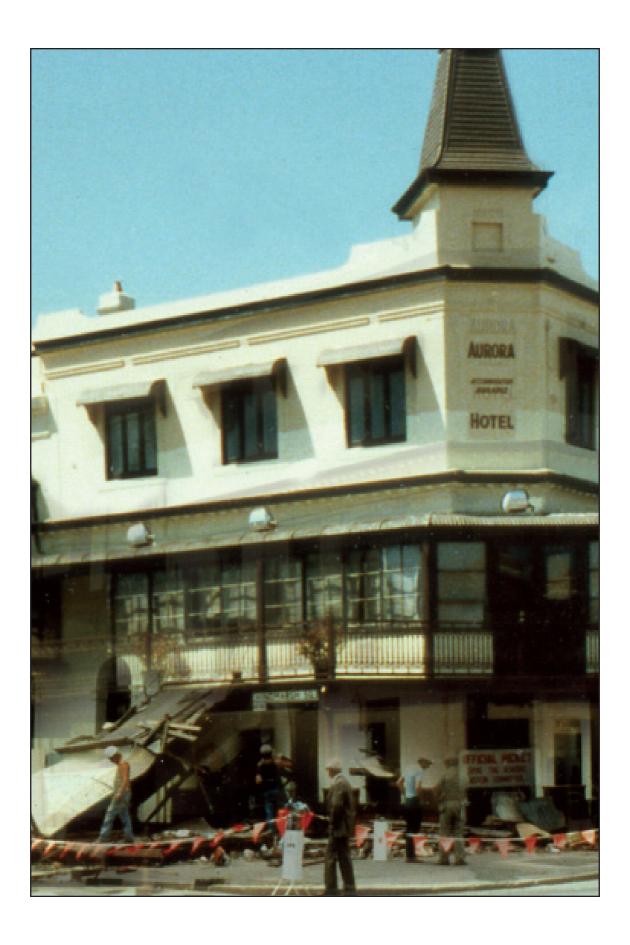
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AURORA
HOTEL

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In the 1970s the Australian Commonwealth Government and three States, Victoria (1974), New South Wales (1977) and South Australia (1978), passed legislation to protect the built heritage within their jurisdictions. The legislation was primarily a response to two factors: a large number of public protests against the demolition of historic buildings in all Australian states by the 1970s and the influence of the UNESCO World Heritage Convention, which the Whitlam Government (1972-75) embraced enthusiastically. The other states, with governments that were more influenced by development interests, were slow to follow the federal lead.

In this study Sharon Mosler examines heritage issues and conflicts in Adelaide from enactment of the first South Australian Heritage Act in 1978 to its successor in 1993, and also analyses issues leading from that period into the twenty-first century. State legislation introduced by the Labor government of Premier Mike Rann (2002 – present) has affected the built environment significantly since this book began. The Rann government has given the built heritage a low priority in its strategic plan compared to population growth, while the Adelaide City Council has become more balanced in the past decade, although the council too has focused on increasing Adelaide's population. The result has been more high-rise buildings at the expense of heritage conservation and historic precincts.

Heritage Politics
in Adelaide

For David and for all the other members of Aurora Heritage Action, Inc.

Heritage Politics in Adelaide

Sharon Mosler

Contents

List of Illustrations

Photographs courtesy of AHA unless otherwise indicated

List of Abbreviations

AC Archives	Adelaide City Archives
ACC	Adelaide City Council
AFPE	Adelaide Fruit and Produce Exchange (East End Market)
AHA	Aurora Heritage Action, Inc.
ASER	Adelaide Station and Environs Redevelopment project
ATO	Australian Taxation Office
BFC	Beneficial Finance Corporation Ltd
BLF	Builders Labourers Federation
BOMA	Building Owners and Managers Association
CAPAT	City of Adelaide Planning Appeals Tribunal
CAPC	City of Adelaide Planning Commission
CBD	Central Business District
CCSA	Conservation Council of South Australia
CMEU	Construction, Mining and Energy Union
COAHAC	City of Adelaide Heritage Advisory Committee, 1991-92
DAC	Development Assessment Committee
DEP	Department of Environment and Planning
DFC	Desired future character – of precincts in the City of Adelaide Plan
DMS	Consultants Peter Donovan, Susan Marsden and Paul Stark
LOHMAC	Lord Mayor's Heritage Advisory Committee 1982-83
MATS	Metropolitan Adelaide Transportation System
NEAR	North East Adelaide Redevelopment Pty. Ltd.
NGO	Non-government organisation
PAR	Plan Amendment Report amending a Development Plan of the *Development Act* 1993

Plan	City of Adelaide Plan
PEC	Planning and Environment Committee of the Adelaide City Council 1986 – 1993 (formerly the Planning Approvals Committee)
RAIA	Royal Australian Institute of Architecture SA Chapter
REMM	Real Estate Marketing & Management
SAFA	South Australian Financing Authority
SAHC	South Australian Heritage Committee
SAPC	South Australian Planning Commission
SASFIT	South Australian Superannuation Fund Investment Trust
SBSA	State Bank of South Australia
SGIC	State Government Insurance Commission
SHB	State Heritage Branch
SPU	Special Projects Unit of the Department of the Premier and Cabinet
TAGs	Townscape Advisory Groups
TFA	Transferable Floor Area

Chronology

1963	Construction began on 7-storey Hotel Australia, Brougham Place, North Adelaide
1968	Metropolitan Adelaide Transport System (MATS) Plan approved; abandoned 1971
1969	Successful campaign to save Carclew mansion in North Adelaide
1970	Formation of the North Adelaide Society
1971	Successful campaign to save ANZ Bank [Edmund Wright House] in King William Street
	Demolition of the South Australian Hotel, North Terrace
	Builders Laborers Federation commenced green bans in New South Wales
1972	UNESCO Convention for the Protection of the World Cultural and Natural Heritage
1973	Unsuccessful campaign to save Education Building in Flinders Street, Adelaide
1974	*Australian Heritage Commission Act*
	Victorian Historic Buildings Act (1974)
	Formation of the Adelaide Residents' Association
	Publication of George Clarke's first City of Adelaide Plan, the 'Red Book'
1976	*City of Adelaide (Development Control) Act* (1976)
1977	City of Adelaide Planning Commission constituted
	First City of Adelaide Plan gazetted as a schedule to the *City of Adelaide (Development Control) Act* (1976)
	New South Wales Heritage Act (1977)
1978	*South Australian Heritage Act* (1978); establishment of State Heritage Committee

1979   Charter for the Conservation of Places of Cultural Significance (Burra Charter) adopted by ICOMOS

1979–82 First listings on Register of State Heritage Items

1980   Successful campaign to stop development in Dimora grounds, East Terrace, Adelaide

1981   Unsuccessful campaign to save the Majestic Theatre and Hotel in King William Street

1982   First Bannon government elected in November with promise of new ASER project

City of Adelaide Heritage Study completed

Lord Mayor's Heritage Advisory Committee (LOMHAC) commenced consideration of buildings for entry on the City of Adelaide Heritage Register

1983   Formation of the South Australian Financing Authority (SAFA) and Special Projects Unit (SPU)

Campaign to save Kingsmead and Belmont, North Adelaide; later listed in Register of State Heritage Items

ASER Bill introduced in Parliament

Unsuccessful campaign to save Aurora Hotel, Adelaide; formation of Aurora Heritage Action, Inc.

Float of the Australian dollar by Hawke government

1984   Further deregulation of the financial system; influx of foreign banks and overseas capital

State Bank of South Australia Act (1983) proclaimed; Tim Marcus Clark appointed managing director of SBSA

ASER Act proclaimed; designs for ASER project hotel and office tower released

Amendments to Local Government Act (1934) to extend franchise to all ratepayers

Successful campaign to save heritage-listed Commonwealth Bank building in Curry St.

1985   State Bank Centre approved, including demolition of heritage-listed Commonwealth Bank chamber

Unsuccessful campaign to save historic buildings at Town Acre 86, Adelaide

Heritage Unit renamed State Heritage Branch and restructured

First Working Women's Creche redevelopment approved

City of Adelaide Planning Appeals Tribunal decision against demolition of Kingsmead

1986   Severe staff cutbacks in State Heritage Branch.

1987   City of Adelaide Plan 1981-86 gazetted with Register of City of Adelaide Heritage Items

REMM-Myer proposal extended to heritage-listed buildings in North Terrace

First of five proposals to redevelop the East End Market site by NEAR abandoned

Development of Working Women's Creche site approved, with demolition of the creche

Queensland Heritage Act (1987)

1988   Adelaide City Council's heritage incentive scheme approved

REMM-Myer project approved with financing from the State Bank of SA

Successful campaign to save the Westpac Bank building, North Terrace, Adelaide

Proposal to develop East End Market site by East End Market Company Ltd approved but abandoned

1989   Historic (Conservation) Zones approved for local government districts

First (non-statutory) public exhibition of a streetscape protection concept for Adelaide

Second (non-statutory) public exhibition of streetscape concept Nov 1989 – Jan 1990

Successful campaign to save St Paul's Church in Pulteney St, Adelaide.

1990   Review of Register of City of Adelaide Heritage Items; COAHAC established

Interim listing of St Paul's Church on Register of State Heritage Items

Beneficial Finance and Ayers Finniss Ltd proposal for East End Market approved

Heritage of Western Australia Act (1990)

1991   Pro-heritage faction gains a majority of seats in Adelaide City Council

'House of Chow' building demolished

Somerset Hotel demolished

Statutory exhibition of townscape initiative December 1991 – February 1992

Proposal to redevelop Gawler Chambers; building placed on State interim register

State Planning Review begun

1992   Townscape Advisory Groups (TAGs) established to hear objections to townscape listing

Townscape I list and principles forwarded to City of Adelaide Planning Commission

Adelaide City Council approved Townscape II list resulting in a strong backlash

Minister for Local Government established a city/State forum to review the townscape initiative; forum recommended a local heritage register in lieu of townscape protection

Local heritage criteria approved by Adelaide City Council in December

State Government purchased East End Market site after collapse of Beneficial Finance

John Bannon resigned as Premier in September

1993   Local Heritage Review Committee established by Minister to assess objections to local heritage listing

1991–96 City of Adelaide Plan proclaimed with additions to the Register of City of Adelaide Heritage Items

1994   *SA Development Act* (1993) and *Heritage Act* (1993) proclaimed

Local Heritage Review Committee final report submitted; findings rejected by Adelaide City Council

Adelaide's first Development Plan with its local heritage register proclaimed under the *SA Development Act* (1993)

First stage of southern portion of East End Market development approved

1995   *Tasmanian Historic Cultural Heritage Act* (1995)

Approval of high-rise residential development at northern East End Market site

Preface

This study, which originated as a PhD thesis, examines heritage issues and conflicts in Adelaide from enactment of the first *South Australian Heritage Act* in 1978 to its successor in 1993, and also extends certain issues from that period into the twenty-first century. State legislation introduced by the Labor government of Premier Mike Rann (2002 – present) has affected the built environment significantly since I drafted this book. The Rann government has given the built heritage a low priority in its strategic plan compared to population growth, while Adelaide City Council (ACC) has become more balanced in the past decade, although the council too has focussed on increasing Adelaide's population. The result has been more high-rise buildings at the expense of heritage conservation and historic precincts.

The building boom of the 1980s and early 1990s was characterised mainly by speculation in office development, as described in this book. From the late 1990s, residential development, particularly high-rise apartments and hotels, has been another major growth sector of the building industry in Adelaide, largely the result of government policies, while office development has continued. Both the state and city governments planned for residential growth aimed at halting urban sprawl, with its demands on infrastructure development, by creating higher density living in the metropolitan areas. The 2004 state Government Strategic Plan, introduced before the impacts of the global financial crisis were felt, projected an unrealistic state population growth to 2 million by 2010. ACC complemented the state's projections in its Residential Growth Plan 2004-2010 by setting a target of nearly 35,000 overnight occupiers by 2010 (including tourists and other temporary residents). In 1981, at the beginning of this study, the city's residents numbered 12,656. By 2010, permanent residents had risen to nearly 16,000, and the overnight target of 35,000 was met.

ACC has encouraged population growth by creating partnerships with developers for residential projects on council land, such as the Halifax St depot site, the former Balfour's bakery site near Light Square, acquired by ACC, and the Franklin Street bus station site. It has also encouraged student housing projects by the Universities of Adelaide and South Australia. Office buildings are being converted to residential use, and many new high-rise buildings contain a mix of retail, office and residential floors, particularly around Hindmarsh Square. Federal government funding for affordable housing in 2009 brought additional high-rise residential development, a 15-storey apartment building in 102 Waymouth St. The state government also funded a building of 60 units for homeless and low-income people at Light Square in 2007 through a Partnership for City Living agreement with ACC.

After a prolonged consultation period, an historic (conservation) zone was approved for North Adelaide in 2008. As a first step toward a similar zone for Adelaide's 'square mile', a heritage study was undertaken of the Hutt Street and residential zone of the southeast sector. ACC recommended that 84 buildings in that sector be listed in the local heritage register. Planning Minister Paul Holloway refused to list 20 of the buildings and waited an inordinately long time before acting on the remaining buildings. When these heritage listings are finalised, ACC may proceed with the principles of an historic (conservation) zone for Adelaide's square mile. Such a zone is intended to protect the character of historic streets and precincts within the city.

The Rann government has intervened increasingly in property development matters through two major pieces of legislation. In 2006, the government amended the *Development Act* to require a majority of independent members on council development assessment panels that accept or reject new building proposals. The outcome in Adelaide has been the approval of more proposals that did not conform to principles of the Adelaide Development Plan. That is, decision-makers ignored height limits, density and other restrictions on development.

In 2008 the government amended the *Development Act* to provide that all building proposals valued at $10 million or more be assessed by the state's Development Assessment Commission (DAC). While councils could first consider these development proposals and make recommendations to DAC, the DAC has largely disregarded councils' views. The legislation occasionally brought the state government into conflict with local governments, particularly when DAC approved residential developments with height limits and designs that contrasted sharply with surrounding streetscapes. This has occurred in transport corridors of the inner

suburbs of Walkerville and Prospect, as well as in many Adelaide streets, the most notorious of which is at the former Le Cornu site in O'Connell Street, North Adelaide.

In 2010 the Rann government introduced 'The 30 Year Plan for Greater Adelaide', emphasising population growth. In future, councils will be required to take into account the principles of this plan with regard to property developments in their districts. The plan is likely to have the same impacts on council districts as the state legislation described above, that is, more high-density residential developments. As has always been the case, the state government, through its legislative powers, can override the streetscape and heritage principles of local governments. The past decade has been a period in which the state government has been the least protective of Adelaide's built heritage.

Adelaide City Map

1 Kingsmead and Belmont House
2 ASER project
3 East End Markets
4 REMM-Myer project
5 Gawler Chambers
6 Edmund Wright House
7 Commonwealth Bank
8 State Bank Centre
9 Bertram House
10 Aurora Hotel
11 St Paul's Church
12 Somerset Hotel
13 'House of Chow'
14 Working Women's Creche

Map © Adelaide Convention & Tourism Authority

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Introduction

In the 1970s, the Australian Commonwealth Government and three states, Victoria (1974), New South Wales (1977) and South Australia (1978), passed legislation to protect the built heritage within their jurisdictions. The legislation was primarily a response to two factors: a large number of public protests in the 1970s against the demolition of historic buildings in all Australian states, and the influence of the UNESCO World Heritage Convention, which the Whitlam Government (1972–75) embraced enthusiastically. The other states, with governments that development interests influenced more, were slow to follow the federal lead.

Modernist structures were replacing nineteenth century buildings in the post-World War Two economic boom, and residents began to resist the rapid change to the character of their capital cities. Public protests proliferated through the 1970s, when Australia governments began to focus on major building projects to combat the worst recession since the Great Depression. In the 1980s, freely available credit encouraged speculation in new buildings. Historic buildings were lost on an unprecedented scale as economic imperatives overrode the public demand for heritage protection, and the spirit of state heritage legislation was perhaps more violated than any other legislation.

The 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage (the World Heritage Convention) prompted legal protection for Australia's built heritage at the national level. Australia and New Zealand were relative latecomers among western countries to safeguard their heritage. From 1882, Great Britain had begun to protect ancient monuments through legislation and expanded the categories of heritage conservation successively thereafter. Italy and Germany began to legislate for built heritage protection from 1902, as did France through its

Historic Monuments Act of 1913.[1] International concern about the loss of historically and architecturally important buildings and sites accelerated in the 1960s during the post-war economic boom, and in response the United States passed its *National Historic Preservation Act* (1966) and was an important advocate of international action through UNESCO's World Heritage Convention.

The Australian Government was the seventh signatory to the World Heritage Convention. The Whitlam Labor Government then demonstrated its commitment to national heritage by passing the *Australian Heritage Commission Act* (1974). This Act established a Register of the National Estate that the Australian Heritage Commission would maintain. The National Estate consisted of 'those places, being components of the natural environment of Australia or the cultural environment of Australia, that have aesthetic, historic, scientific or social significance or other special value for future generations as well as for the present community' [section 4(1)]. Because the Commonwealth Government has no statutory control over state land use, except for Commonwealth purposes, it could not protect places on the Register of the National Estate that are located within state borders. The states needed to pass their own protective legislation.

Before the Commonwealth government acted, there had been widespread community pressure for state heritage protection. Community support for the protection of Australia's built heritage was part of a wider social and political movement in the 1970s. The 'new nationalism' of the Whitlam government promoted a renewed awareness of cultural identity issues, including heritage conservation. While there had been occasional public protests in Sydney in the 1920s and around the country in the 1960s against the demolition of individual historic buildings, heritage historians have found that Australia's architectural merits were not widely acknowledged by government officials, architects, planners and the broader community until the 1970s.

The first large-scale protests began in 1971, when the Builders Labourers Federation started imposing industrial 'green bans' on urban developments in support of residents' protests in New South Wales, Tasmania, Victoria and Western Australia. In South Australia, the Plumbers and Gasfitters Union provided the same support to protesters, notably to save Adelaide's ANZ Bank building in King William St in 1971 (now the heritage-listed Edmund Wright House). In Melbourne from 1973 onwards, the National Trust and other groups waged several battles to save

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1   For details about the introduction of heritage protection in Europe, see Robert Pickard, *Policy and Law in Heritage Conservation* (London: Spon Press, 2001).

prominent buildings, including the CBA Bank and Regent Cinema in Collins St. In Perth, periodic protests were organised against 'modernisation', beginning with the battle to save the Hotel Esplanade in 1963.[2]

At this time, residents' associations emerged in the capital cities to preserve the character of their locality. The North Adelaide Society was formed in 1970 to oppose the Metropolitan Adelaide Transport System, or MATS Plan, which would have bisected North Adelaide with a freeway along Margaret Street. The Society also objected to the number of high-rise apartment buildings being constructed in North Adelaide from the 1960s, encouraged by the Adelaide City Council (ACC) anxious to increase its ratepayer base. The seven-storey Hotel Australia in Brougham Place (1962) was the first of several high-rise developments erected in North Adelaide. Apartment buildings overlooking parklands in Strangways and Barton Terraces and Brougham Place followed, as well as in Jeffcott St and other North Adelaide streets, all constructed by the time the North Adelaide Society was organised.[3] In 1974, the Adelaide Residents' Association was formed to monitor compliance with the new City of Adelaide Plan in Adelaide's square mile south of the River Torrens, ensuring residents' interests had a voice on both sides of the river. Ad hoc groups also had come together to save specific buildings threatened by proposed development projects, asserting through direct action their right to retain their built heritage. The increased frequency of community protests against the loss of historic buildings in the 1970s was a major impetus to the passage of heritage legislation at state level.

The *South Australian Heritage Act* (1978)

The Dunstan Labor government passed the *South Australian Heritage Act* (1978) with the support of the Liberal opposition. The Act established a Register of state Heritage Items that the Minister for Environment and Planning would maintain with advice from the South Australian Heritage Committee (SAHC). At that time, it was the practice of Australian governments to list individual heritage items in a register, although the Act also provided for the protection of state Heritage Areas, an ill-defined concept disregarded for some years. The criteria for heritage listing, outlined in s.12(1) of the 1978 Act, were that an item be 'part of the physical,

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[2]   While one of the earliest post-war public attempts to save an historic building took place in Perth in 1963, Western Australia did not enact heritage legislation until 1990. Queensland (1987) and Tasmania (1995) also delayed protective heritage laws despite community protests.

[3]   See Michael Burden, *Lost Adelaide* (Melbourne: Oxford University Press, 1983), *passim.*

social or cultural heritage of the state' and 'of significant aesthetic, architectural, historical or cultural interest'. Although both sides of Parliament supported the 1978 legislation, the Liberal opposition argued unsuccessfully for compensation for building owners whose properties were devalued as a result of heritage listing. This compensation issue resurfaced throughout the 1980s and 1990s.

The building boom of the 1980s could not have taken place without a credit explosion made possible by changes to the Australian financial system. At the end of 1983, the Hawke Commonwealth government, through its treasurer Paul Keating, began a series of economic reforms that had a profound impact on the property sector. They brought a tremendous influx of capital as overseas currency speculators gambled on a rise in the value of the Australian dollar. Australian banks responded with reckless lending, particularly as the share market declined and investors turned to property, creating a speculative boom in inner city office buildings, described in chapter 2 below. The boom and its consequences affected all Australian states.

This book focuses on issues and conflicts concerning the built environment of the City of Adelaide in the 1983–95 period, so that the events involved may be analysed in some detail. To extend beyond the boundaries of Adelaide would have made the topic unwieldy. The greatest number of controversial commercial projects were located in Adelaide's central business district, and the social diversity of Adelaide and North Adelaide ensured that the heritage debate covered a wide range of residential building styles. Similar community unrest also took place in many of Adelaide's older suburbs, notably Unley, Norwood, Parkside and Glenelg, against the continued loss of their traditional character, but an examination of those protests would hardly alter or add to my conclusions.

Heritage is a political concept,[4] one that cuts across conventional party and class alignments. On the one hand, heritage protection imposes restrictions on the use of property without compensation to owners, a radical departure from capitalist tenets of private property rights, and heritage activists have engaged in militant tactics to prevent building demolitions. On the other hand, middle- and upper-class heritage activists, sometimes supported by trade unionists, have opposed progressive modernisation partly in order to conserve their privileged lifestyles.

Some historians contend that heritage has become much more than a political issue. A heritage 'industry' has spawned, encompassing an array of professional

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[4]   See Graeme Davison and Chris McConville, *A Heritage Handbook* (Allen & Unwin, 1991), p.7.

bureaucrats, consultants and educators. These historians claim further that this heritage industry leads to a distortion of history. Heritage has its roots in nostalgia, according to David Lowenthal, who wrote that 'heritage is history with the pain left out'.[5] Heritage tourism promotes a superficial perception of history, according to many critics of this industry. Among these is Robert Hewison, who suggested that 'we [are given] no understanding of history in depth, but instead are offered a contemporary creation, more costume drama and re-enactment than critical discourse'.[6] While these perceptions of the international heritage industry may be valid, they are outside the scope of this book, which focuses on Adelaide's architectural character. It is not concerned with the benefits of heritage to tourism, but with changes to Adelaide's traditional built character during the Bannon era and the intrinsic qualities and historic significance of heritage buildings. Wilfrid Prest captured the essence of those qualities in 1974 when he argued that 'many old buildings are better constructed than any modern replacement could be. Their stonework, high ceilings, intricate plaster mouldings, well-detailed joinery, and so on, were the labour-intensive products of highly skilled but by today's standards grossly underpaid craftsmen, and are, therefore, irreplaceable in a physical and an economic sense, quite apart from their irreplaceable historical associations'.[7]

This book echoes Jean France's contention that 'architecture is history made visible'.[8] Adelaide's heritage activists of the 1970s to 1990s sought to preserve the architecture of the past, with its links to communities that formed the city for more than a century. The activists were as much interested in preserving the built manifestation of urban history as they were in preserving architectural styles. At the same time, heritage protectionists rebelled against many of the modernist structures that were replacing their built environment: 'In essence the modernists argued that buildings should reflect their times and that an industrial age should have an appropriate architecture — abstract, unornamented and functional'.[9] During this period, most developers were unconcerned about historical continuity

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5   David Lowenthal, *The Past is a Foreign Country* (Melbourne: Cambridge University Press, 1985), p.4.

6   Robert Hewison, *The Heritage Industry* (London: Methuen, 1987), p.135.

7   Wilfrid Prest, 'Social and Cultural Aspects of Urban Conservation' in Colin Bond and Hamish Ramsay (eds), *Preserving Historic Adelaide* (Adelaide: Rigby, 1978), p.15.

8   Jean R.France, review of Evamaria Hardin, *Syracuse Landmarks: An AIA Guide to Downtown and Historic Neighborhoods,* in *The Public Historian*, Winter 1996, 18, 1, p.110.

9   Deyan Sudjic, *Norman Foster, Richard Rogers and James Stirling: New Directions in British Architecture* (London: Thames and Hudson, 1986), p.33.

and revelled in erecting cheap, unadorned modernist buildings that were often prefabricated, minimizing labour costs. Architect and planner Joseph Buch summarised a common public reaction to contemporary Adelaide buildings in a 1986 letter to the editor of *The Advertiser*: 'the architectural quality of new construction is so low that any older building, from any period — even the patriarchal and bombastic high Victorian — is preferable to it'.[10] Mr Buch spoke for those who resented the globalisation of urban forms made possible in part by the deregulation of Australia's financial system and the globalisation of capital in the 1980s.

This book provides a detailed examination of the roles of SA governments and ACC, interest groups and the financial sector in heritage politics to 1995, plus major heritage issues that arose later. The narrative is thematic rather than chronological because the major issues are clearer when presented by theme than they would be if they were set out in a comprehensive year-by-year account of events. A chronology of the major events of this story precedes the text.

In a broad narrative, the chronological story of heritage protection in South Australia from 1978 falls into three periods. The first (to 1983) includes the early public protests, the enactment of state heritage legislation and establishment of a heritage bureaucracy to maintain the Register of state Heritage Items. At this time, the public was dissatisfied with the pace and extent of heritage listing under the *SA Heritage Act*, which only protected individual iconic buildings. In 1981, ACC began to compile a conservative list comprising about 5 per cent of the city's building stock to create the Register of City of Adelaide Heritage Items. That register became effective in 1987 but did little to moderate the protests.

Public protests continued and accelerated in the second period (1983–88) because of the limited number of buildings on heritage registers and the limited criteria used to select them. The most important heritage protest of this period was the 1983 campaign to save the Aurora Hotel in Hindmarsh Square, Adelaide, which had been recommended for listing on the city register but was refused by an ACC committee because plans were underway to redevelop the site. From the protest emerged Aurora Heritage Action, Inc. (AHA), which became the most vocal heritage lobby group in Adelaide during the decade, often working in cooperation with residents' associations and later the National Trust.

In the third phase, from the mid-1980s lobbyists began to work with governments and developers to try to save heritage buildings, rather than resorting to direct action,

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10   Letter to editor, *Advertiser,* 30 June 1986, p.7.

at a time when capital became more freely available for property development. The rapid increase in property development from 1987 intensified opposition to further demolition of historic buildings. Local councils and lobbyists aimed to broaden the scope of heritage to protect historic precincts, even if individual buildings within those precincts did not merit heritage listing. The Bannon government slowly responded to public demand and in 1989 introduced historic (conservation) zones through an amendment to the *Planning Act* (1982).

Not regulated by the *Planning Act*, the City of Adelaide embarked on its own scheme, known as the townscape initiative, which engendered one of the most damaging political debates in ACC's history. In the heat of this debate, protestors staged another prolonged public protest in 1991 with the aim of saving the 'House of Chow' building in Hutt St, Adelaide. The Minister for Environment and Planning initially urged ACC to finalise its townscape scheme expeditiously to protect buildings such as the 'House of Chow'. However, as opposition to townscape protection increased both within ACC and the community, the Minister for Local Government intervened and persuaded ACC to introduce a local heritage register for Adelaide with less stringent protective policies — that is, another list of individual buildings that did not satisfy heritage lobbyists, as chapter 5 shows.

In 1991, the SA government initiated a review of its planning and heritage legislation. The state Planning Review, conducted through a series of public consultations under the chairmanship of Michael Lennon, seemed to many to follow a preconceived course. The *Planning Act* (1982) and the *City of Adelaide (Development Control) Act* (1976) were replaced by the *Development Act* (1993), intended to streamline development application processes, allow the state government to fast-track certain proposals as major developments outside local government processes, and to introduce local heritage registers. Implicitly, historic conservation zones would be discouraged in favour of local heritage registers, a policy made explicit by the SA Planning Department later in the decade. The *Heritage Act* (1993), which replaced the *SA Heritage Act* (1978), vested the approval of heritage places with a State Heritage Authority rather than with the Minister, but retained the register and most of the provisions of the previous Act.

Much of the source material for this book is in the form of oral history. I interviewed representatives of all interest groups involved in heritage during the 1983–93 period, including staff of the State Heritage Branch (SHB), members of the South Australian Heritage Committee (SAHC), elected members of ACC and its administration, developers, heritage activists and, informally, former Premier John Bannon. These were some of the people who both made and experienced this history.

Each interviewee had a distinct point of view and memory of the events involved, and there were sometimes significantly differing versions between interviewees of the same sequence of events. In those circumstances, I have presented all points of view or have selected the most credible interpretation of events. I was myself actively involved in heritage politics during this period, primarily as secretary and then president of Aurora Heritage Action, Inc. While biased in favour of heritage conservation, I endeavoured to be as objective as possible in conducting the interviews and incorporating a range of content into this book.

My research also derived information from contemporary newspapers and journal articles, as well as Hansard, state government and ACC documents, minutes and reports. It also relied on the ideas and work of earlier heritage historians, particularly Davison and McConville in Victoria, Freestone and Spearritt in Sydney, Gregory and Jones in Perth, all of whom have examined the heritage issues of particular periods in their localities.[11] I have combined these sources to create a detailed and systematic slice of the urban social, economic, architectural, administrative and political history of the 1978–95 period in South Australia. In combining all of these sources, I can make no significantly greater or lesser claim to the ideal of objectivity that any other serious, research-based historical account of a series of events mediated by human observation and interpretation. As Robert Perks suggests, 'all historical sources, whether they are documentary or oral, are subject to the same influences of selectivity, interpretation and partiality'.[12]

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[11] See *A Heritage Handbook* and other works by Davison and McConville on the topic of heritage conservation; Robert Freestone, 'Preserving Sydney's Built Heritage in the Early Twentieth Century', *Australian Historical Studies*, 112, 1999, pp.44–60; Peter Spearitt, *Sydney's Century* (Sydney: UNSW Press, 2000); Jenny Gregory, *City of Light* (City of Perth, 2003); Brian J. Shaw and Roy Jones, *Contested Urban Heritage* (Sydney: Ashgate, 1997).

[12] Robert Perks, *Oral History* (London: The Historical Association, 1992), p.7.

2

Australian Governments and Heritage

The politics of the era was the politics of development.
On this issue it was impossible to separate the political parties.
Tor Hundloe[1]

By the time John Bannon became Premier of South Australia in 1982, the Australian Labor Party (ALP) had changed direction dramatically from its origins, a process accelerated under the federal leadership of Gough Whitlam from 1967. Previously representative largely of the working class and intelligentsia, during the 1960s the ALP embraced the middle classes as well, due in part to the unionisation of white-collar professions and in part to the party's strategy of broadening its base. This new constituency dominated the party leadership from the 1960s.

The election of the Whitlam Labor government in 1972 had reflected the effectiveness of the ALP's broadening strategy, as well as the political weariness of the Coalition parties that had held government for the previous 23 years. While impressive in its social and environmental reforms, including the *Australian Heritage Commission Act* (1974), the Whitlam government showed its lack of economic experience through a series of financial blunders and lost its parliamentary majority by 1975. Whitlam's successor as Federal Labor Leader, Bill Hayden, announced a change of tactic for the party in his 'one great message: that Labor must achieve economic management superiority over the Liberals' to regain office.[2] Hayden's message became the guiding principle for the next generation of Labor leaders, from

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[1] Tor Hundloe, 'Environment' in Allan Patience (ed.), *The Bjelke-Petersen Premiership 1968–83* (Melbourne: Longman Cheshire, 1985), p.82.

[2] GM Scott, 'Economic Policy' in Andrew Parkin and Allan Patience, *The Bannon Decade: The Politics of Restraint in South Australia* (St Leonards: Allen & Unwin, 1992), p.23.

Prime Ministers Hawke and Keating to Premiers Wran, Bannon, Burke and to a lesser extent Cain, who abandoned many of the social reformist principles of their predecessors in a tough economic climate.

The Liberal-National Coalition won government decisively in the 1975 federal election, adumbrating a long-term swing to the right in the Anglosphere beginning with the 1979 election of Margaret Thatcher's government in the United Kingdom. While many observers considered Prime Minister Malcolm Fraser (1975–83) extremely right-wing, he was surprisingly moderate in office. He demonstrated a strong commitment to multiculturalism and support for refugees, despite opposition from many in his party. While he did not overtly encourage heritage conservation, the Department of Heritage and Environment continued to maintain the Register of the National Estate, and during his governments the first Australian sites were inscribed on the World Heritage Register: stage 1 of the Kakadu National Park, the Willandra Lakes Region, Lord Howe Island and part of the Tasmanian Wilderness. Overall, however, state governments developed heritage policies at this time.

The Hawke Federal Labor Governments 1983–92

In *The End of Certainty*, Paul Kelly described the 1980s as 'Australia's decade of creative destruction',[3] referring to the reforms to the nation's financial systems initiated by Prime Minister Bob Hawke and Treasurer Paul Keating after they took office in 1983. The Labor government responded to the 1983 stagflationary crisis by adopting Friedmanite policies of economic rationalism, inspired by Prime Minister Margaret Thatcher of the United Kingdom (1979–90) and President Ronald Reagan of the United States (1981–89). The reforms were a dramatic reversal of traditional Labor policies in Australia, which held that the marketplace should be constrained by public controls on capital and interest rates, strong trade unions and a welfare system that ensured decent wages and support for the disadvantaged.

The first reform measure, in December 1983, was a float of the Australian dollar, previously tied to the US dollar, by which the government relinquished control over the exchange rate. Combined with the abandonment of restrictions on the import and export of overseas currency, the immediate impact was a tremendous influx of capital as overseas currency speculators gambled on a rise in the value of the Australian dollar.

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[3]   Paul Kelly, *The End of Certainty* (St Leonards: Allen & Unwin, 1992), p.13.

In 1984 and 1985, the government removed the remaining interest rate ceilings, and foreign banks gained freer entry to Australia, competing with Australian banks in lending and investments. Australia had by then become more integrated into a global market, partly because the internationalisation of the world's capital and financial markets had already proceeded so far that it was more or less impossible for a small country like Australia to resist moving in the same direction. Paul Kelly later assessed the consequences: 'Neither Hawke nor Keating foresaw the full impact of deregulation, notably the credit explosion, asset boom and corporate crashes which the new system spawned later in the 1980s. Nobody could have foreseen these events'.[4] By the late 1980s, after an enormous influx of overseas capital and wanton speculation by banks competing for market share, the public sector began to realise that the banks had panicked. The consequences for the built heritage and the property sector were disastrous.

In a 1991 interview with Paul Kelly, Treasury Secretary Tony Cole said: 'The problem was that nobody predicted the Australian banks would take such risks for market share. They didn't know how to risk-assess and nobody knew how incompetent they were'.[5] According to Macintyre, the outcome was that 'in 1985 and the first half of 1986 the dollar lost 40 per cent of its value as it plummeted to new depths. By this time the foreign debt, about half of it public borrowing and half private, represented 30 per cent of the national product, and every new fall in the exchange rate increased its cost'.[6]

The states followed their federal leaders by increasing dramatically their involvement in economic development through state banks and government agencies, as financial institutions expanded lending and investment recklessly, without proper credit risk assessment. Trevor Sykes summarised the credit explosion rhetorically: 'Never before in Australian history has so much money been channelled by so many people incompetent to lend it into the hands of so many people incompetent to manage it'.[7] He described the third term of the Hawke government in which a consumption and investment boom resulted from a broad expansion of business credit, on which there were few restraints.[8]

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4   *ibid.*, p.77.
5   *ibid.,* p.89.
6   Stuart Macintyre, *A Concise History of Australia* (Oakleigh: Cambridge University Press, 1999), p.241.
7   Trevor Sykes, *The Bold Riders* (St Leonards: Allen & Unwin, 1994), p.2.
8   *ibid.*, p.361.

The State Governments

As observed by Tor Hundloe, in all states the politics of the 1980s were the politics of development. Three states had passed heritage legislation in the 1970s, but the public rhetoric of heritage protection was often at odds with the reality of their participation in property development in the 1980s. Among those states without heritage legislation, Queensland most flagrantly disregarded public pressure for the protection of individual buildings, while the Tasmanian state government devolved protection of the built heritage to the city councils of Hobart and Launceston without providing them with the necessary funding. WA was much like Queensland in the 1980s, and some city councillors were part of Premier Burke's WA Inc., unwilling to protect historic buildings if a development application was lodged. Other city councils too often favoured development over heritage protection, and the increased rates they gained by raising building densities must have been a factor. The pressure from developers on state and local governments was intense during the great credit boom. Below is a brief account of the heritage politics in each state during this period of rapid development.

Queensland
Joh Bjelke-Petersen led Country/National Party governments from 1968 to 1987, and gained power partly through gerrymandered rural electorates, in coalition with a weak Liberal Party until his last term. An autocratic populist, Bjelke-Petersen made development the dominant theme of his governments, beginning with tourist and residential areas of the Gold Coast. His governments also oversaw the establishment of James Cook and Griffith Universities, the Brisbane Cultural Centre, dams, bridges, freeways and other public works. He worked closely with developers throughout his premiership, removing or circumventing impediments to development in the state. For example, the state government removed the power of the Brisbane council to control demolition from its draft city plan,[9] a power that the Dunstan government regarded as vital to ACC. Without this authority, ACC was unable to prevent the demolition of historic buildings. Under Bjelke-Petersen's *laissez-faire* development policies, unrestrained due to the lack of an upper chamber in parliament, some 'midnight' demolitions took place amid strong public protest in Brisbane during the 1970s and 1980s.

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[9]   Barbara Kempnich, 'Transferable Development Rights as a Heritage Conservation Technique with Special Reference to Brisbane's City Centre', special study for the Graduate Diploma in Urban and Regional Planning, QIT, 1983, p.75.

One notorious example was the 1979 demolition by Deen Brothers of the state government-owned Belle Vue Hotel at George and Alice Streets, a magnificent three-storey hotel with iron lacework on its wraparound verandahs, listed in the Register of the National Estate. According to Tony Koch, this demolition was commonly referred to as 'the Bjelke-Petersen government's greatest act of environmental vandalism'.[10] Police dragged protesters from the scene as bulldozers moved in to destroy the hotel. Such violent clashes were common in Queensland's environmental politics.

Demolition of the 1939–40 Art Deco Cloudland Ballroom in Bowen Hills overlooking Brisbane was also notorious. Had Queensland or Brisbane approved a heritage register by 1982, the register would surely have listed Cloudland for both architectural and cultural reasons. American soldiers commandeered it, along with the rest of Lunar Park, during World War II. Later, it was the venue for historic concerts, including one by Buddy Holly in 1958 as well as many Australian bands. As a ballroom, it attracted two generations of Brisbane dancers before its demise. Again, Deen Brothers demolished the building under cover of darkness. They cleared the hilltop area for a residential project that was part of the Brisbane council's metropolitan plan.

Both the Queensland state government and the Brisbane council delayed responses to public demands for heritage protection in order to carry out their development plans, including office buildings in the city centre. While community groups continued to protest against the loss of the built heritage, often demolished by Deen Brothers, the trade union movement imposed no green bans such as those in NSW.[11] Many nineteenth century buildings in the Brisbane city centre were lost to office development, while Bjelke-Petersen continually responded to the media and protesters with his dismissive refrain, 'don't you worry about that'. The state government persistently upheld private property rights, but the Brisbane City Council moderated its pro-development stance after Sally-Ann Atkinson was elected Lord Mayor in 1985.

The Bjelke-Petersen development spree ended in 1987 when a Commission of Inquiry into police affairs in Queensland, headed by Tony Fitzgerald, was established. After an unsuccessful bid for election as Prime Minister in 1987 and facing allegations of corruption, the Premier resigned rather than face a leadership ballot in the party room.

The National Party continued in government under Premier Mike Ahern, who responded to pressure by Lord Mayor Atkinson by enacting the *Cultural Record*

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10   *Australian,* 1 January 2010, p.6.
11   Janice Caulfield and John Wanna (eds), *Power and Politics in the City* (South Melbourne: Macmillan, 1995), p.234.

(Landscapes Queensland and Queensland Estate) Act (1987). The Act provided very little protection to Queensland's built heritage. Minister Leisha Harvey voiced the National Party's principles by stating that the Act was only intended as 'a broad policy directive … We do not want to provide ourselves with a strait-jacket'.[12]

In 1989, the Labor Party won a landslide victory with Wayne Goss as Premier. The Goss government was highly focussed on the recommendations of the Fitzgerald Report, enacting legislation and introducing reforms in more than 30 administrative and environmental areas. Among the new legislation was the *Queensland Heritage Act* (1990), an interim measure replaced by the improved *Queensland Heritage Act* (1992), which finally brought Queensland into line with heritage legislation in NSW, Victoria and South Australia.

New South Wales

Neville Wran led a Labor government to victory in Australia's most populous state in 1976, just six months after Whitlam's defeat in Canberra. Wran became the longest-serving Premier in NSW, with approval ratings as high as 80 per cent. He was a cultured and charming, not to say debonair, politician with 'a verbal lash, a truly awesome instrument'[13] matched only by that of his younger colleague, Paul Keating.

Wran began governing with a Whitlamite reform platform: the environment, the national estate, funding for the arts, Aboriginal land rights, child care, the status of women and anti-discrimination laws.[14] However, he also heeded Hayden's message and focussed on economic development to provide more jobs during a recession. The reformist and environmental legislation of the Wran government was primarily the work of the Minister for Planning and Environment, Paul Landa, and Attorney-General Frank Walker. Among their early achievements was the *NSW Heritage Act* (1977), similar to Victoria's 1974 legislation. Heritage conservation was not a primary concern of the Premier, however. Before taking office, Wran condemned the green bans imposed on building projects by the Builders Labourers Federation, although he later conceded that 'until there is sensible and selective planning, coupled with a positive scheme to stabilise land prices, green bans will be more in the public interest than against it'.[15]

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[12] Sharon Yelland, 'Heritage Legislation in Perspective', in Graeme Davison and Chris McConville, *A Heritage Handbook* (St Leonards: Allen & Unwin, 1991), p.58.

[13] Mike Steketee and Milton Cockburn *Wran* (Sydney: Allen & Unwin, 1986), p.18.

[14] Graham Freudenberg, *Cause for Power* (Sydney: Pluto Press and NSW ALP, 1991), p.252.

[15] Meredith Burgmann and Verity Burgmann, *Green Bans, Red Union* (Sydney: UNSW Press, 1998), p.48.

The Premier focussed on financial management and development, courting the 'Big End of Town' to attract large-scale private investment.[16] He may have had links with the Whitlam government in 1976, but two years later their traces were hardly found on the Premier, at least with respect to urban development. John Punter summarises city planning during the Wran years: 'The only times that bad design was successfully resisted in the 1970s and early 1980s were when the Builders Labourers Federation's (BLF) green bans forced developers to think again. Otherwise city planners continued to work in a vacuum without a statutory Strategic Plan, with its conservation controls unadopted, and with the state insisting on only the very broadest brush planning controls'.[17] Both the state and Sydney City Council were willing to degrade heritage buildings in the CBD by retaining only their facades during the building boom, often with little attempt to blend the old remnant with the new building. The acceptance of facadism to satisfy developers in the 1970s and 1980s is widely evident in Sydney's CBD today.

In the final years of the Wran Government, community anger mounted at a raft of development projects. For such projects, the government often used special legislation to avoid normal planning processes and appeals in the Land and Environment Court.[18] The Darling Harbour Monorail was the most intrusive on the city's visual amenity, and some saw alienation of Sydney Harbour foreshore land as a retreat from a liveable city. State government control of planning in the city was fully realised when it dismissed the Sydney City Council in 1986.

Wran resigned in 1985 due to ill health. His deputy Barrie Unsworth succeeded him but lost the next election to Liberal Nick Greiner in 1988. The state government's Metropolitan Strategy acknowledged natural and built heritage conservation, but with urban consolation its principal element. The Living City Strategy followed, focussing on residential development and high-density living in Sydney. According to John Connell, 'the evolution of the central business district has been developer-driven rather than planning-led',[19] which might be said of all capital cities of the 1980s and early 1990s.

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[16]   Steketee, p.188.

[17]   John Punter, 'Urban Design in Central Sydney 1945–2002' in *Progress in Planning*, 63, 1, 2004, p.66.

[18]   Troy Bramston (ed.), *The Wran Era* (Sydney: Federation Press, 2006), p.182.

[19]   John Connell, *Sydney, the Emergence of a World City* (South Melbourne: Oxford University Press, 2000), p.137.

Victoria

As noted above, Victoria was the first state to enact protective heritage legislation. The Liberal government of Rupert (Dick) Hamer passed the *Historic Buildings Act* (1974) following investigations of the Commission of Inquiry into the National Estate by Justice Hope and with pressure from the National Trust (Victoria Branch), which had strong links to the Liberal Party. Like the legislation later passed in NSW and SA, this Act only listed individually in its Register of Historic Buildings the state's iconic architecture, selected from the National Trust A and B classifications. While this was a beginning toward heritage protection, residential action groups in the state aimed for much more: conservation of whole precincts and streetscapes that contributed to the character of areas, as well as protection of movable artefacts of historic significance. Inner suburban groups were particularly strident, beginning with the Carlton Association in 1969. Their South Australian counterparts reacted similarly not long after passage of the *SA Heritage Act* (1978).

In 1972, Melbourne's Collins Place was a major site for heritage protest, followed the next year by demonstrations led by the National Trust in an effort to save the Victorian CBA building. Graeme Davis's *A Heritage Handbook* describes fully these and other heritage developments in Victoria.

The Hamer government made minor amendments to the *Historic Buildings Act* in 1981, before John Cain was elected Premier of Victoria in 1982. Legislative improvements were then made to the Act, but more significantly, the *Planning and Environment Act* (1987) provided for protection of conservation zones by local government councils.[20] This placed the onus on local governments, including the City of Melbourne, to identify through heritage studies the zones that contributed to the built character of their district. Once again, Victoria was the leader in protecting the historic character of its capital city.

John Cain was re-elected for a third term in 1988, during the aftermath of the 1987 stock market crash. The State Bank of Victoria was heavily in debt, and in 1990 its subsidiary Tricontinental Bank collapsed. Cain was specifically linked to the collapse of the Farrow Group (Pyramid Building Society), which the government had supported financially, forcing him to resign as Premier in August 1990.

Western Australia

West Australian urban historian Jenny Gregory marks the demise of Perth's historic character from 1963, when parliament passed legislation to modernise the city

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[20]   Davison and McConville, p.53.

through the Stephenson-Hepburn Plan. That year the first heritage protest took place in front of the Hotel Esplanade, a successful campaign to prevent the removal of original verandahs and posts to replace them with modern awnings.[21] Later, in 1972, not even a BLF green ban on the building could save it from demolition. As in most Australian cities, the 1980s building boom brought the loss of much of old Perth, when WA had no protective heritage legislation. While the Tonkin Labor government introduced a heritage bill into the WA parliament in 1976, it foundered in the Legislative Assembly. The succeeding governments of Sir Charles Court and Brian Burke were not inclined to pass the legislation.

As in other states, the National Trust classified buildings in Perth and became involved in heritage protests, but the Trust always had limited power, as well as a narrow concept of the built heritage, and concentrated primarily on colonial buildings. For example, the Trust did not protest about the demolition of the unclassified AMP Chambers in 1972 but did attempt to save the Anglican Church's Deanery in 1973. Perth's active heritage lobby of resident action groups was sometimes successful in the short term, but the campaign to save the ornate Palace Hotel in the late 1970s had an unhappy ending in 1984, when the Perth City Council agreed to retention only of the hotel's facade fronting a modern office tower.

The most prolonged and complicated of Perth's heritage debates involved the Swan Brewery in the mid-1980s. Purchased by the Burke Labor government for redevelopment of the site, with retention of the brewery building, Aboriginal protesters halted the work with claims to the land in 1987, raising a debate over the relative value of Aboriginal and European heritage.[22] Ultimately the brewery was listed on the WA heritage register, and converted into the Old Swan Brewery apartment complex.

The corruption within the Burke government have been well documented.[23] As Beresford puts it, 'a royal commission exposed the layers in which Burke concealed his reckless and secretive dealings with high-profile entrepreneurs, bypassing the proper processes of government and the WA Inc. scandal. The after-effects of these deals were staggering: billion-dollar losses to the taxpayers while, at the same time, the

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[21]   Jenny Gregory, *City of Light* (City of Perth, 2003), p.113. Examples in this section are mainly from this invaluable source, pp. 113–213.

[22]   Brian J. Shaw and Roy Jones (eds), *Contested Urban Heritage* (Sydney: Ashgate, 1997), p.144.

[23]   See, for example, Patrick O'Brien and Martyn Webb (eds) *The Executive State* (Perth: Constitutional Press, 1991).

Labor Party had received multi-million-dollar donations'.[24] As described by O'Brien and Webb, 'fast money from mining was invested in the stockmarket and multiplied on the bull run. Quick and huge fortunes were made and tax minimisation schemes abounded. In brief, a new breed of entrepreneurial chancers grasped the opportunity to project themselves as the new power *élite* on borrowed money'.[25]

WA and Queensland may have been the most corrupt states during the overheated economy of the 1980s, but all states suffered from the improvident lending by banks through the 'recession we had to have' from the late 1980s. However, Brian Burke was the only Premier who was imprisoned because of his corrupt practices in government.

Parliament finally passed the *Heritage of Western Australia Act* in 1990, and now the websites of the government's department Heritage Perth extol the benefits of heritage conservation.

Tasmania

Tasmania was the last state to enact heritage legislation, the *Historical Cultural Heritage Act* (1995). The Lowe Labor government had drafted a protection bill in 1981, but it lapsed when Premier Gray took office that year. Like many premiers of the 1980s, Gray promoted building development, and the role of the state government in heritage protection was minimal. However, unlike other states, the Tasmanian government had granted demolition control to the key city councils of Hobart and Launceston as early as 1963. The state governments then relied on those inadequately funded councils and on NGOs to preserve the built heritage.

The formation of the National Trust of Tasmania in 1960 boosted interest in the built heritage. The Trust initially focussed on restoring degraded historic buildings it did not have the funds to purchase, beginning with Franklin House in 1962.[26] The National Trust also compiled the first classified list of heritage structures, based largely on aesthetic and architectural criteria, and 'for the next two decades the National Trust was effectively the key body for heritage matters' in Tasmania.[27]

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24 Quentin Beresford, *The Godfather: The Life of Brian Burke* (Crows Nest: Allen & Unwin, 2008), p. xii.

25 O'Brien and Webb, p. 85.

26 For a complete list of the National Trust's restoration activities during this period, see JND Harrison, *The National Trust in Tasmania* (Adelaide: Rigby, 1977).

27 Lindy Scripps and Anne McConnell, 'Heritage Conservation', *Companion to Tasmanian History* <www.utas.edu.au/library/companion_to_tasmanian_history/H/Heritage%20Conservation.htm> last accessed 5 July 2010.

The Royal Society of Tasmania also began to identify and conserve archaeological sites from the 1960s with grants from the National Estate Grants Program and the state government. These were mainly convict and other colonial sites.

The inadequacy of the councils' protective powers became clear in the 1960s. Without funding for purchase and compensation, the councils were loath to place conservation orders on historic buildings. At the instigation of the Hobart City Council, a fund was set up in 1965 to save 'A' classified buildings. Under an agreement, the state government, the council and National Trust were each to contribute £5000 per year for five years toward the fund. However, the fund grew too slowly to be effective, and the scheme was used only once in each city.[28]

One successful case involved warehouses at the historic Battery Point in 1973. The BLF imposed a green ban on the warehouses in Salamanca Place to support the Battery Point Society's picket at the site. The BLF's action convinced the state government to purchase the buildings in what is now a premier tourist site. Public protests against the demolition of historic buildings continued in the 1970s and 1980s in the face of indifferent state governments and constrained city councils. The National Trust played its part in Hobart, notably to save the International Hotel in 1984, but also outside the capital city. The North Hobart Residents Group fought for heritage conservation in the 1970s, as did the Sullivans Cove Citizens Committee in the 1980s. As in most capital cities, the inner suburbs were the battleground for resident action groups.

Tasmania's 1995 *Historical Cultural Heritage Act*, introduced by the Field Labor government, did not afford the same heritage protection as other states. The government poorly resourced the Act and only limited outcomes resulted in its first five years.[29]

South Australian State Governments

Don Dunstan (Premier 1967–68, 1970–79) was the first of the new Labor leaders to form a government, preceding the Whitlam federal government by five years. Elected leader in 1967, aged 39, Dunstan was confident, articulate, sophisticated and cosmopolitan. Like Whitlam, he entered his parliamentary leadership with a

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[28] David Young, 'The Role of the National Trust in the Conservation of Hobart Buildings', in Ian Terry and Kathy Evans, Kathy (eds), *Hobart's History: The First Two Hundred Years: Papers and Proceedings of the Conference Held by the Professional Historians Association of Tasmania on 4 October 1997*, p.5.

[29] Scripps and McConnell, 'Heritage Conservation', p.2.

reformer's zeal. His agenda extended to social equality, Aboriginal affairs, education, electoral and industrial reform and advancement of the arts, although only his urban planning reforms are relevant here.

While his Queensland counterpart, Bjelke-Petersen, focussed on development, Dunstan demonstrated his commitment to regulating the urban planning processes in his first term of government with the passage of the South Australian *Planning and Development Act* (1967), which established the State Planning Authority and required local councils to zone their districts. He gained the support of residents' associations in the 1970 election with his opposition to the Metropolitan Adelaide Transportation System (MATS) plan, which would have carved freeways through the inner city areas of Adelaide. He worked with successive lord mayors to regulate planning in the City of Adelaide and introduced the *City of Adelaide (Development Control) Act* (1976), which established a City of Adelaide Planning Commission (CAPC) representing key state government departments and the ACC. This Act also extended control over development in Adelaide to ACC with the provision, not available to other councils, that no demolitions could occur in Adelaide and North Adelaide without both public consultation and planning approval for a replacement building.

Premier Dunstan often intervened directly in City of Adelaide developments. He persuaded an unwilling parliament to hand over the historic North Terrace mansion, Ayers House, to a resistant National Trust for restoration and public use, and in a characteristically dramatic gesture, in 1971 he joined a residents' protest against demolition of the ornate ANZ Bank Building in King William Street, now the heritage-listed Edmund Wright House.

Seven years later, parliament passed with bipartisan support a piece of legislation vital to the heritage movement in South Australia, the *SA Heritage Act* (1978). This Act established the Register of state Heritage Items and the SA Heritage Committee, and delineated the process for protecting state heritage items.

The reformist Labor era in South Australia closed with the Premier's sudden resignation due to illness in 1979. His deputy, Des Corcoran, lacked Dunstan's flair and reflected the post-Whitlam focus of the ALP on economic management at a time of recession. Corcoran made a grave political misjudgement in calling an early election, limiting his term as Premier to only seven months. Liberal Premier David Tonkin (1979–82) succeeded Corcoran, while John Bannon became Opposition Leader, for a term when the first heritage buildings appeared on the register.

As this book is primarily about South Australian heritage politics from 1983 to 1995, I devote more attention here to the governments of John Bannon, first elected

in November 1982. SA was in a period of economic decline, with unemployment reaching 11 per cent in 1983. Not surprisingly, Premier Bannon focused mainly on economic development, taking the portfolios of Treasurer and Minister for State Development. With new public financial institutions, he was able to foster major projects, but seemed not to understand the limits to growth. The financial institutions in SA were in concert with the expanding public sector spending, substantially financed by increased public sector borrowing that occurred in all states in response to the Keating reforms and cutbacks in Commonwealth grants. Much of the spending, both public and private, involved commercial properties in prime locations in the central business districts, threatening the built heritage of the capital cities.

During his first election campaign as leader, Bannon strove to dissociate himself from the Dunstan connection with his campaign slogan: 'Something is happening here again. We're in business'. In his pin-stripe suits and neatly trimmed hair, Bannon would not have been mistaken for a radical. Trevor Sykes describes Bannon positively, as voters saw him in November 1982: 'His young, lean face made him the most photogenic of Premiers. Behind the face was a decent, intelligent, high-minded man eager to advance the welfare of his state. Here was no ranting socialist but someone genuinely dedicated to public service. He was personally frugal… Thrifty South Australians identified with him and trusted him'.[30] Bannon represented the new breed of Labor leader, the breed of the 1980s inspired by Bill Hayden.

As Premier and Treasurer, Bannon concentrated on large projects jointly funded by the private and public sectors to stimulate the economy and ease unemployment. These included the Golden Grove housing estate, the Formula One Grand Prix races in the inner city and submarine construction. He later encouraged a new State Bank Centre, the REMM-Myer retail and office developments and the Multi-Function Polis (MFP), a high-technology/residential development to be located at Gillman near the Port River. He supported the controversial Roxby Downs copper-uranium mine and proposals for marina projects at Jubilee Point and Sellick's Beach. He faced heated criticism of all of these developments from heritage and/or environmental activists. The MFP proposal lapsed after his final term because he was unable to attract the necessary national and overseas capital for its development.

In 1983, Bannon introduced special legislation in the Legislative Assembly to enable the Adelaide Stations and Environs Redevelopment (ASER) project to progress under the direction of the state government without the usual constraints of City of

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30   Sykes, p.473.

Adelaide planning processes or other state legislation. This use of special legislation, bypassing normal planning procedures to fast-track major projects, set the tone for planning politics in the state for the next decade and was a major target of protest by heritage lobbyists, politicians, architects, planners and other South Australians. Chapter 6 discusses the project and its impacts. Bannon showed little patience with critics in debates regarding urban developments, from the ASER project in 1983 to the Hackney Bus Depot site in his last year in office.

The heritage protests had little effect on the Premier's popularity. His politics of development, with cranes on the skyline and Formula One cars racing around Adelaide's eastern parklands, appealed to the electorate and made him the longest-serving Labor Premier in the state's history, known as 'Mr 70 percent' for his poll rating in the middle of the decade. However, some critics have since questioned his leadership style. In writing of the 'development versus conservation' debates of the 1980s, Lionel Orchard comments: 'it may be that some of the heat of the debates in the 1980s were (*sic*) the result of the lack of strong political leadership by the Bannon government. Premier Bannon's reticence was an understandable political orientation given the temper of the times, but political boldness and decisiveness are essential in dealing with long-term and inherently controversial questions of urban development'.[31] Former Minister for Health in the Bannon government, John Cornwall, not an unbiased observer, adds an insider's view of the Premier's leadership style in Cabinet: 'The Premier's view almost invariably prevailed. Broader policy or strategic planning issues were rarely discussed. They were confined to two or three Cabinet confidants, selected personal staff and the Party Secretary'.[32]

Bannon's firm grip in the backroom suggests that he had greater involvement in urban developments than he appeared to have, and it contrasted with his public style, described accurately by Vern Marshall: 'From the outset, Bannon presented a low-key, even self-effacing, leadership image'.[33] The image succeeded with the electorate. However, those who disagreed with him confronted steely blue eyes and a firmly set jaw.[34]

In cutting costs to meet its increased commitments, Bannon's razor gang reduced the staff of all government departments, none more so than the Heritage Conservation Branch (restructured as the State Heritage Branch in 1985). Staff reductions eventually

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31   Lionel Orchard, 'Urban Policy' in Parkin and Patience, p.156.
32   John Cornwall, *Just for the Record* (Adelaide: Wakefield Press, 1989), p.41.
33   Vern Marshall, 'The Labor Party' in Parkin and Patience, p.37.
34   Personal experience of the author.

made it nearly non-functional. It consisted at first of a research team of 15 staff, who assessed nominated buildings to determine whether they merited inclusion on the Register of State Heritage Items. By 1984, the research team had fallen to nine, in 1985 to three and in 1987, at the time when the building boom was reaching its height and the threat to heritage buildings was at its greatest, to 1.5.[35] The result was the loss of historic buildings because 'the amount of time taken to adequately research and produce Reports is considerable, and leaves open the possibility that potential items will be lost or damaged before they can be evaluated'.[36] Indeed, that possibility became reality during the 1980s. Demolition of the Majestic Theatre in King William Street and the Sheraton Theatre in MacKinnon Parade are but two examples.

Political control was one form of power that the Premier wielded in development matters and economic power was another. The financial reforms of the Commonwealth government in the 1980s opened the way for unrestrained property development in each state, involving state financial institutions. Those institutions and developers pressured local governments to disregard planning and heritage principles. The Treasurer relied upon the South Australian Financing Authority (SAFA),[37] which he created in 1982 to coordinate all public sector borrowings both within Australia and overseas, to manage the state's financial reserves and to provide financial advice to the government. It became one of the largest financial institutions in the state:

> The purpose of the authority was to borrow on behalf of all South Australian authorities and because of the size of its borrowings, thereby reduce the interest costs of the loans. SAFA borrowed money up to the limit of its Loan Council entitlement, whether the money was wanted by the public sector or not. The surplus funds were put into the money market. Thus SAFA, being a government-guaranteed agency, could 'borrow' at a lower rate and *lend* at full commercial rates. About 19 per cent of SAFA's total assets were invested outside the South Australian public sector, mostly with commercial enterprises.[38]

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[35] Aurora Heritage Action, Inc., *Newsletter*, July 1987.

[36] Nicola Atchison, *The Heritage Act 1978 (SA)*, unpub LLB Hons thesis, University of Adelaide, 1985, p.66.

[37] SAFA was created under the *Government Financing Authority Act 1982* and commenced operations in January 1983. South Australian Financing Authority, Annual Report 1989–1990 (Adelaide, 1990), p.6.

[38] Brendan Gleeson and Nicholas Low, *Australian Urban Planning* (St Leonards: Allen & Unwin, 2000), p.84 (italics in original).

SAFA played a key role in providing capital to the State Bank for its growth and development throughout the decade.

SAFA reported directly to the Treasurer, Mr Bannon, not to Parliament. By 1988, according to three *Advertiser* journalists, SAFA faced 'a groundswell of criticism from private enterprise financial institutions about its financial performance.' While these journalists revealed no wrongdoing on the part of SAFA, they did warn that 'recent moves into new areas of financial dealing reveal potential problems and dangers'. They particularly expressed concern about the Authority's move into commercial lending and investment, including the risky share market, and added that 'if SAFA's role widens it becomes harder to scrutinise its conduct or discern clearly the paths by which funds are directed'. The journalists concluded with some prescience but no evidence, 'there is a point beyond which a government should not reach'.[39]

Soon after SAFA's creation in January 1983, the Bannon government passed the *State Bank of South Australia Act* (1983), which took effect on 1 July 1984. From that date the State Bank of South Australia (SBSA) was no longer the conservative lending institution it was when established in the previous century. It had merged with the Savings Bank of South Australia to form an enlarged State Bank that could operate in the entrepreneurial world of the 1980s. Its board appointed as managing director the son of a Sydney retailing family, Tim Marcus Clark, who had previous experience with the Commercial Bank of Australia and Westpac. Unfortunately for the state, he was neither sensible nor successful in his methods, indulging in an entrepreneurial extravaganza that continued through 1990: 'Of all the state Banks, the State Bank of South Australia … [was] remarkable for both its growth and for the magnitude of the losses that it … generated'.[40] The Premier had informed Parliament in 1984 that the relationship between the government and the bank was a 'co-operative and consultative one', but in fact SBSA was autonomous in its lending practices.

SBSA began its expansion a few months before the merger by acquiring Beneficial Finance Corporation Ltd (BFC) through the Savings Bank of South Australia in April 1984. BFC was the bank's wholly owned subsidiary when the merger took effect. The large number of cross-directorships on the boards of SBSA and BFC facilitated the rapid growth of the bank group.[41] BFC became one of the main vehicles through which SBSA increased its assets without reporting all

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[39]   Malcolm Newell, Ian Porter and Chris Milne, 'SA Inc', *Advertiser*, 15 November 1988, p.21.

[40]   Scott in Parkin and Patience, p.88.

[41]   See *Royal Commission into the State Bank of South Australia, Second Report*, November 1993, p.225.

of its assets on its balance sheets. There was no standard format in Australia for the presentation of annual balance sheets,[42] and 'a lot of disasters occurred in BFC acquisitions which were hidden in corporate shelters off the SBSA's balance sheet and never reported to the government'.[43] Not only were the assets of subsidiaries kept off the balance sheets, but SBSA's own takeovers were concealed through creative accounting. This meant that the bank could proceed along a path of unrestrained growth, focusing primarily on the property sector, without full disclosure to the government. The bank grew from an asset base of $2,683 million in 1984 to $17,300 million in 1990.[44]

In addition to its corporate growth, BFC lent heavily in Adelaide's property market, especially as it entered a boom period in the mid-1980s: 'Advances by Beneficial to property developers could be arranged in such a way that a loan could be transferred to an off-balance sheet company within the group if it became non-accrual'.[45] From 1987, many loans did become non-accrual after the share market collapse and consequent decline in the face value of commercial properties forced commercial property developers into liquidation. SBSA too felt the sting of property speculation. Its major exposures involving property development in Adelaide were its share of the REMM-Myer project and earlier the State Bank Centre. Both projects entailed the loss of built heritage.

The other South Australian public institution that was involved in property investment was the State Government Insurance Commission (SGIC). The Dunstan government formed SGIC to provide universal third party vehicle insurance. In 1988, it became important to the Bannon government as a financier for the REMM-Myer project through a put option arranged to protect SBSA. In addition to Adelaide properties, another costly investment to the Bank Group was 333 Collins St Pty Ltd in Melbourne, with an SGIC put option for $550 million. At that time, 'the public was not aware that the operations of the bank, SAFA and … SGIC involved considerable public risk in speculative deals interstate and overseas; or that the government was involved in complicated tax minimisation schemes; or that government institutions were co-operating to

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[42] As a result of disclosures of the SBSA and BFC accounting systems, a new Australian accounting standard was introduced effective June 1990 through amendment to the Corporation Act.

[43] Sykes, p.480.

[44] Chris Kenny, *State of Denial* (Kent Town: Wakefield Press, 1993), p.68.

[45] Terry Maher, 'Why the State Bank Went South', *Australian Business*, 11, 17, 20 February 1991, p.14.

support high-risk South Australian developments'.[46]

In South Australia, John Bannon barely won the 1989 election that enabled him to become the longest-serving State Labor Premier in mid-1990, but his last government relied upon the support of two independent MPs. He soon announced he 'was advised of a gap between the book values and estimated realisable values [of the State Bank's loan assets]',[47] forcing him to seek a $1 billion bailout of SBSA. The public was inclined to blame the bank's CEO, Tim Marcus Clark, for his recklessness. However, as Trevor Sykes points out, under the *State Bank Act*, 'the bank remained a semi-government authority and therefore, in accordance with constitutional principle, was required to act in the public interest, was subject to ministerial direction, and depended on the government for its capital. As well, the state government was the ultimate guarantor. … The bank was always a state authority and a state responsibility'.[48] That is, the Treasurer was responsible for the actions of SBSA and should have ensured that he was fully informed of its practices. Treasurer Bannon expressed a different view in Parliament on 30 December 1990:

> I draw attention once again to the fact that the State Bank Act and the way in which it was established specifically precludes, and rightly so, the government being directly involved in direction and management of the bank's affairs. It also ensures that the bank has a commercial charter and therefore must take its place in the commercial world, and that is what it is doing.[49]

Notwithstanding that statement, the Premier *was* involved in the direction of the bank group's financial dealings, at least with respect to the REMM-Myer project. As Treasurer, he failed in his duty to the state to control the excesses of the State Bank.

After parliament approved a $1 billion bailout of SBSA in February 1991, the government appointed a Royal Commission, headed by The Honourable SJ Jacobs, to undertake an investigation into the bank. In its final report, the Commissioner found 'the Bank and the Bank Group failed because "it grew too fast", but unfortunately, it was growth which was irresponsible. As the Auditor General has stated, "put simply, the Bank made too many loans that it should never have made; and the loans were high risk, beyond a level acceptable to a prudent banker". The

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[46]   *ibid.*, p.18.
[47]   South Australia, House of Assembly, *Parliamentary Debates*, 1990–91, Vol. 3, p.2813.
[48]   Sykes, pp.473–74.
[49]   *Parliamentary Debates*, 1990–91, Vol. 3, p.2757.

same conclusion may be made in relation to BFC'.[50] The Royal Commissioner found that 'the Bank was encouraged in the course that it took by a Government that, according to circumstances, was either supportive or indifferent'.[51]

The Royal Commission soon found that the position of the bank group was far worse than originally reported publicly: 'The Government has had to support the Bank to a far greater extent than it then anticipated as the level of non-performing loans and assets within the Bank and the Bank Group during 1991 was progressively recognised as having soared to a much higher level'.[52] Two further bailouts of $2.2 billion were needed, for a total of more than $3 billion: 'Of that $2.2 billion, nearly $1 billion was lost in Beneficial [BFC]. Another $350 million had to be injected into the SGIC, mainly because of its put option over [the Melbourne office building at] 333 Collins Street'.[53] Chris Kenny concluded that 'despite record losses by Australian banks after the boom and bust of the past decade, the State Bank's rapid expansion and crash is in a class of its own'.[54] The debacle brought down the Premier, who resigned in September 1992 when his position in Parliament became untenable.

The best that we can say about the economic management of the Bannon government was that there was no imputation of personal gain on the part of the Premier or his Ministers, unlike their counterparts in Queensland and Western Australia during the same period. On the other hand, Tim Marcus Clark and other CEOs of the state's financial institutions, who the government allowed a free hand, gained considerably from the property boom, in the form of bonuses, commissions on loans and large redundancy payouts at taxpayers' expense. As Treasurer, Bannon deserved severe criticism, but as the Royal Commissioner said,' it is impossible to ignore the criticism in the report of the role played by the then Treasurer, Mr Bannon, but it would be a fundamental error to assess that role without also examining the role of the Under Treasurer and his officers, of SAFA, of the Board and Mr Clark, and of the Reserve Bank. None of them escapes criticism, and sometimes severe criticism'.[55]

The Royal Commission further found that national economic policies contributed

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[50]   *Royal Commission, Final Report,* p.9.
[51]   *Royal Commission, First Report* (November 1992), p.392.
[52]   *ibid.*, p.3.
[53]   Sykes, p.513.
[54]   Kenny, p.68.
[55]   Royal Commission, *First Report* (November 1992), p.389.

to the crisis. In deregulating the financial system, creating a culture of unrestrained growth and speculative investment in Australia by managers unprepared and untrained for the consequences, the federal government played a role in the State Bank fiasco. The external economic factors identified by the Royal Commissioner that contributed to the State Bank's collapse were:

- a sustained period of high inflation leading to entrenched inflationary expectations;
- the emergence of the entrepreneurial ethic which invoked the seeking of wealth through asset purchases;
- the nationwide boom in property and tourist development;
- the stock market crash of 1987;
- the volatility of interest and exchange rates;
- the two periods of very high interest rates — one in 1985–86 and the other in 1989–90.[56]

The economic volatility was also disastrous for heritage conservation, as the nation's central business districts were stripped of their old stock of commercial buildings, which were replaced by speculative modern office towers, creating uninhabited ghostlike city streets after hours, except for a few entertainment strips. Inappropriate commercial and residential structures also blighted residential areas, leaving Australia far poorer architecturally. Kenny aptly sums up the mood in South Australia in 1992: 'There is a hollowness about the state, symbolised by its tallest building [the State Bank centre] — the tumour rather than the spine of the city'.[57]

The South Australian Heritage Bureaucracy

The South Australian Heritage Committee
Section 8 of the *South Australian Heritage Act* (1978) provided for the establishment of a South Australian Heritage Committee (SAHC) of 12 members appointed by the Governor. The Act does not define a nomination process. In practice, the SHB, SAHC members, a Minister or professional bodies all suggested nominees. The nominees tended to represent a mixture of building- and heritage-related professionals, such as architects, planners and historians and occasionally an environmentalist, or to hold leadership positions in the law or clergy, the real estate industry or a

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56 *ibid.*, p.391.
57 Kenny, p.143.

regional area or local government. Also represented from time to time were Cognate branches of the public service, such as the Public Buildings Department. Under the Act, members should have 'recognised commitment to, or skills and experience in heritage conservation'. At times, however, some had no commitment to heritage conservation and were obvious political appointments, such as developer Wendy Chapman and restaurateur Jill Heaven in 1982, both active members of the SA branch of the Liberal Party.

The Department of Environment and Planning (DEP) established the SHB to assist the SAHC and to advise the Minister. Heritage professionals were appointed to identify, research and assess items nominated for listing. The SHB determined which nominated buildings to present to the SAHC and which did not meet the criteria for consideration. As the 1980s progressed, Minister Hopgood delegated authority to the manager of the SHB, Mr Jon Womersley, to make decisions on his behalf with respect to heritage matters. The manager had greater access to the Minister, who increasingly disregarded the advice of the SAHC.[58]

The first buildings entered on the register were compiled from the National Trust (SA Branch) list of buildings with its highest 'A' classification and hence were uncontroversial. As additional buildings were nominated, implementation of the *SA Heritage Act* became more contentious. The boundaries of heritage listing — that is, how far to extend protection beyond Adelaide's iconic buildings — caused extensive debate in the state government and ACC and formed the basis of continued public protests.

For the first seven years of the Act, buildings listed on the register were nominated mainly because of their architectural merit — historical or cultural significance tended to be secondary considerations.[59] The reluctance on the part of the SAHC and ACC to recognise the importance of historical or cultural significance — buildings that represented an aspect of the lifestyle of the past, such as a former blacksmith's shop, or buildings associated with an important person or group — in the early stages of heritage listing was a source of community protest and resulted in the loss of many historic buildings.

The SAHC refused to recommend buildings which were the subject of development

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58   See, for example, SAHC minutes 20 March 1991, item 3.1, p.5.

59   In *A Heritage Handbook* (1991) Graeme Davison noted 'an important difference between the aims of architects, for whom the past was a source of attractive decorative devices, and of historians, who valued old buildings primarily for their capacity to express the values and ideas of another age'. The architects' view was most influential for nearly a decade in South Australia.

proposals and withheld recommendations on buildings that it considered of local rather than state heritage value. The former circumstance was resolved in 1985 with an amendment to the Act giving the Minister the power to interim list buildings that might be demolished. With regard to local heritage, from the mid-1980s metropolitan councils had begun to seek the right to protect heritage buildings in their districts in response to community pressure. For years, the SAHC insisted it would consider only buildings of state significance. Thus, the SAHC, the representative of public opinion, lagged behind the public on the question of local heritage protection. The Heritage Branch also resisted the public demand for recognition of local heritage. Gradually the SHB and SAHC modified their heritage values, however, until in 1989 the Minister approved historic (conservation) zones for local governments as a way of resolving the issue.

The SAHC was an advisory body only, and the Minister repeatedly disregarded its advice relating to large developments involving the state government. The SAHC particularly opposed key aspects of the Adelaide Station and Environs Redevelopment project, the State Bank Centre and the REMM-Myer project. The Minister's responses in each case demonstrated that the SAHC was helpless as the Bannon bureaucracy negotiated deals with developers regarding heritage items on large development sites. Even small properties could be subject to political intervention, such as cricketer Don Bradman's private residence. The SAHC voted to list the house on the State Heritage Register, but after Bradman objected publicly, the Minister ignored the recommendation of his heritage committee.[60]

The State Heritage Authority replaced the SAHC under the *Heritage Act* (1993). During its 15-year history, more than 1600 items were entered on the State Heritage Register and 13 State Heritage Areas were designated. It addressed issues as diverse as heritage criteria and conditions for removal of items from the register, funding and financial incentives for heritage conservation, major government projects, protection of local heritage items not of state significance, protection of urban streetscapes, heritage gardens, geological heritage, the resistance of churches to heritage listing, objections of owners of heritage items and the relationship of the SAHC with government bureaucracies. 'The committee was effective in their extremely narrow role,' according to a former Branch manager, 'but of all the advisory committees around, the Heritage Committee had the least power'.[61]

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[60]   Marcus Beresford, personal interview, 6 February 2003.
[61]   Barry Rowney, personal interview, 13 December 2000.

The Heritage Unit/State Heritage Branch

Unlike the SAHC, legislation did not prescribe the role of the Heritage Unit of the South Australian Department of Environment. It was formed in 1978 as the administrative arm of the government on heritage matters, and its role evolved according to the demands of ministers and the department and, to a lesser extent, the interests of its staff. Generally, that role entailed 'providing advice to the Minister, servicing the South Australian Heritage Committee and providing the day to day administration of the Heritage Act and implementation of government policy relating to heritage protection'.[62]

The SHB provided professional advice to the SAHC, which included the documentation and assessment of nominated heritage items. The committee was usually reliant on the advice of the professional staff because few members of the committee were experts in the built heritage, which was a new field in the late 1970s. Without staff of its own, the SAHC also relied on the SHB for the preparation of minutes, reports and correspondence. The SHB manager had open access to the Minister and reported the committee's resolutions and views.[63] According to Dr Bell, 'the committee existed in a cloud of frustration because they weren't achieving what they wanted to. Legal and administrative constraints prevented it. They were hopelessly reliant on the public service for everything they did'.[64] Manager Jon Womersley increasingly assumed responsibility for major projects involving the state government and the State Bank, making decisions on behalf of the SHB that were contrary to advice of the SAHC and the tenor of the *Heritage Act* (see chapter 6) under authority delegated to him by the Minister.

The SHB focussed its efforts primarily on developing the Register of State Heritage Items until the mid-1980s. One of the criteria for registration under the *Heritage Act* (1978) was that an item be of significant historical interest. A major achievement was a study by consultant Dr Susan Marsden that identified historic themes as a guide for surveying SA's regional areas. Her *Historical Guidelines* 'pushed South Australia way ahead of any other state' in assessing the historic merit of heritage items, according to heritage architect Barry Rowney.[65]

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[62] State Heritage Branch document DEP 5014/90, Instructions and Cabinet Submission on the Review of the Heritage Act, prepared by Dr Peter Bell, 12 January 1992, p.7.

[63] However, as Chairman of the SAHC Judith Brine felt she had no difficulty in meeting with the Minister, but she acknowledged that 'Hopgood was more open than Ministers are now'. Personal interview, 29 November 2000.

[64] Peter Bell, personal interview, 24 October 2000.

[65] Barry Rowney, personal interview, 13 December 2000.

By 1990, the *South Australian Planning Act* (1982) was widely considered out-dated, and the Bannon government began a review of planning in South Australia. The government extended the Planning Review to include state heritage and the role of the SAHC, and the Director-General of Environment and Planning appointed a committee to review the administration of the *South Australian Heritage Act* (1978). The relationship between the SAHC and the SHB was on the SAHC agenda in 1991. A position paper based on the discussion included statements that the committee was seen as 'obstructionist' and the SHB 'reactive'. Further, 'heritage management lay in the Branch, went from the Branch to the Minister and back down through the same process. The … committee represented the community, but had not had much influence over recent times'.[66] At its December 1991 meeting, the committee acknowledged that its future was limited and that it should 'support and assist the Branch in its changing directions'. Other goals were to strengthen cooperative ties with other agencies, understand the review of the *Heritage Act* and *Planning Act* initiated by the Bannon government, expand financial incentives for owners of heritage buildings and monitor local government approaches to local heritage.[67]

The successor to the SAHC under the new *Heritage Act* (1993), the eight-member State Heritage Authority, obtained some of the powers previously held by the Minister. A prescribed range of skills was required of its members. The new Act specified criteria for state heritage listing (s.17) and referred to local heritage and state heritage areas, which were to be defined in the new *Development Act* (1993). At the local government level, the Department of Planning considered heritage conservation Planning primarily in terms of development control.[68] Committees established under the Act are the Development Assessment Committee, to advise the Minister on matters relating to planning and development control, and the Development Policy Advisory Committee, concerned with policy advice.

The City of Adelaide Planning Commission

Premier Dunstan believed that the *City of Adelaide (Development Control) Act* (1976) should regulate planning for the capital city separately from suburban and regional areas. Detailed planning principles and guidelines were contained in a schedule to

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[66] SAHC minutes 16 January 1991, item 3.2, pp.6–7.
[67] SAHC minutes 11 December 1991, item 4.2.
[68] Samuels, *op cit.*, entry for 1988, p 3. Samuels adds that 'thinking in the [State Heritage] Branch was heading away from that view', showing the divide between the Department of Environment and Land Management and the Department of Planning with respect to built heritage protection.

the Act, known as the City of Adelaide Plan (the Plan). All development proposals for Adelaide, whether involving state, ACC or private properties, first passed through ACC's planning processes. Chapter 4 discusses these processes.

The Act established the CAPC as a joint planning body of ACC and the state government to coordinate planning by both tiers of government in the state capital. In practice, Premier Dunstan's joint committee approved nearly all private developments recommended by ACC, although occasionally it had a moderating effect on those recommendations. The ACC representatives on the commission, chaired by the Lord Mayor, generally voted as a bloc on development proposals. Until the late 1980s, ACC represented the business and property interests of the city. Government representatives, from departments such as transport, housing, urban affairs, public buildings, environment and planning, on the other hand, would be likely to comment only when the interests of their particular departments were affected. The composition of the Commission remained similar throughout the 1980s: all members were male except Lord Mayor Wendy Chapman (1983–84) until 1985, when Dr Judith Brine, then deputy head of the University of Adelaide architecture department, was appointed as a public representative. Before 1985, the commission membership was equally divided between ACC and government representatives. Dr Brine then brought the membership to nine, and often hers was the lone vote against developments that did not comply with the City Plan.

From 1977–83, the Commission refused only a few private developments,[69] and given that the Commission only considered proposals that did not comply with the City of Adelaide Plan, the Commission clearly supported development over planning principles in the city. The CAPC minutes show that they sometimes invited proponents of major developments to attend CAPC meetings; they rarely offered opponents or heritage activists the same privilege.

The CAPC maintained its record of supporting the overwhelming majority of non-complying private developments referred to it by ACC until the *Development Act* (1993) was proclaimed. Applications refused by the CAPC generally involved minor projects, such as an application to extend office and storage space for the Red Cross Society in Childers St, North Adelaide, and another to extend a crash repair shop in Fenchurch St in 1991.[70] They ultimately approved major projects, although sometimes amendments were required or conditions imposed. Thus, while the Commission may have fulfilled its role in bringing together representatives of

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[69] See Annual Reports of the CAPC, 1977–86, and minutes of CAPC meetings 1987–93.
[70] Minutes of CAPC, 8 November 1989, p.2, and 10 July 1991, p.3.

city and state governments to agree on development projects within Adelaide, the potential for the Commission to assess major developments critically in the public interest may not have been satisfied.

The Special Projects Unit

The Special Projects Unit (SPU) was a non-statutory body established by Premier Bannon in the Department of the Premier and Cabinet under the directorship of Mr Hugh Davies, a former developer. The government entrusted it in particular with ideas for state government tourism projects. In its best work, the SPU restored a heritage precinct in Port Adelaide as a tourist development to help promote growth in the ailing Port area. Other projects included redevelopment of the heritage-listed Lion-Fowler site in North Terrace at Morphett St as a living arts centre, the Hindmarsh Entertainment Centre, the controversial Hindmarsh Island Bridge (opened in 2001 by the Olsen government), a cable car to Mt Lofty summit, a golf course and resort in the Flinders Ranges, a resort at West Beach and marinas at Jubilee Point and Silver Sands Beach. Few of these tourist projects were developed, and the Department of Tourism opposed many of them. The SPU had a lot of money poured into it, according to a former ministerial officer in the Bannon government who implied that a lot of the money was wasted. The source of the funds was the South Australian Financing Authority.

The SPU also managed the redevelopment of Town Acre 86 at Pulteney St, Hindmarsh Square and Rundle Mall, bequeathed to the Royal Adelaide Hospital by the Da Costa family. Many saw the 1985 development proposal, opposed by the Lord Mayor and heritage and planning groups, as a contest over control of city planning. Journalist David English described the tactics of the 'powerful and highly successful' Branch: 'The SPU has a track record of being able to cut the red tape, make decisions, give good advice and businesslike support. It also has a track record of being able to bulldoze its way past objections'.[71]

The cohesive group of Victorian shops at Hindmarsh Square, Pulteney St and Rundle Mall comprising Town Acre 86 was demolished and replaced by postmodern two-storey shops with a mammoth blue reflecting-glass office tower emerging from their core, contravening principles of the City of Adelaide Plan and the views of ACC. According to former State Heritage Branch manager Peter Bell, 'The SPU made a mockery of the planning system … From 1982–93 protection of heritage places was entirely dependent on the planning system as set out in the *Planning Act*

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[71]   *Advertiser*, 26 August 1985, p.7.

[and *City of Adelaide (Development Control) Act*]. The SPU was outside and above the planning system'.[72]

The experiences of the Bannon years reinforce that heritage is a political concept and that in the end the Minister and the Premier held the power with respect to heritage decisions through its bureaucracy. As chapter 4 shows, the state government could also wield power over ACC. In the Bannon decade, with its focus on economic development, the political will of the state government to protect the built heritage was particularly weak.

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[72]   Peter Bell, personal interview, 9 March 2001.

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The Interest Groups

As heritage councils and committees are usually the creatures of government, they cannot always be expected to withstand powerful property interests, especially when these have the backing of the political party in power.
— Peter Spearritt[1]

From the moment the South Australian *Heritage Act* was proclaimed in 1978, a range of interest groups sought to influence heritage policies at both state and local government levels. As noted positively by Davis *et al.*, 'organisations make a significant contribution to the distribution of influence and the circulation of policy ideas. Groups advocate solutions for public problems — whether through the discrete lobbying of business councils or the more public displays of farmers and conservationists'.[2] With regard to heritage, the groups advocating policies that would permit unrestricted development in Adelaide, even occasionally for listed heritage buildings, were developers, architects, financial institutions and others with commercial interests in the building industry. Their lobby groups were the Building Owners and Managers Association (BOMA), the Property Owners and Ratepayers Association, and the Royal Australian Institute of Architects (RAIA), although many members of the RAIA supported the preservation of historic architecture. Among Adelaide's heritage lobby groups, some were organised and more or less dedicated to the preservation of the city's Victorian and Edwardian character that remained during the Bannon decade, and some were ad hoc and informal, with a more narrow focus on saving an individual building. The National Trust (SA Branch), Aurora

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[1]   Peter Spearritt, *Sydney's Century* (Sydney: UNSW Press. 2000), p.257.
[2]   'Parties and pressure groups' in G. Davis and others, *Public Policy in Australia* (Sydney: Allen & Unwin, 1988), p.84.

Heritage Action, Inc., the Civic Trust of SA, the Conservation Council of South Australia and residents' associations were the organized groups. The ad hoc groups were generally formed by residents who objected to the proposed demolition of a particular building and were disbanded when their case was resolved. These included groups that protested against demolition of the Victorian mansions Carclew and Kingsmead and Belmont House in North Adelaide and later the House of Chow building in Adelaide.

The above were not the only organisations attempting to influence government heritage policies. Among local newspapers, *The Advertiser* reported early heritage protests fairly, but because it owned buildings that would be affected, it attacked and lobbied against ACC's townscape initiative (see chapter 5), while *The News* always editorialised against heritage protests. The State Bank and other lending institutions strongly influenced governments with respect to major building developments. Not surprisingly, during the building boom of 1987–91, governments, to their cost, were more likely to be influenced by financial and development interest groups than by heritage groups.

The Financial Sector

At the time the *Heritage Act* (1978) was proclaimed, building development in Adelaide was proceeding slowly during the recession and consisted of relatively small projects. As noted in chapter 2, Premier Bannon sought to foster economic recovery through major projects, leaving his government open to lobbying by developers. Until 1987, the government, not the private sector, initiated most major commercial projects. ACC initiated the Citicom project at Hindmarsh Square and the Topham St development, the state government engaged in joint ventures in the ASER and the Grenfell St Mail Exchange projects, and the Commonwealth government built a large South Australian office complex in Waymouth St. The only non-government major development at the time was Satisfac Credit Union's 15-storey office building in South Terrace, approved in 1984.

By 1986, there was a substantial increase in the number of residential development applications, as well as a major commercial project, the State Bank Centre. In late 1987, the commercial property market began to grow rapidly, attracting new investors. The stock market crash of that year lured institutional investors to the property market. These were the growing superannuation funds and insurance companies that were then entering risk-taking ventures. All the big insurance companies — AMP, CML, National Mutual and SGIC — had property portfolios. Property trusts and property development companies undertook more than half of

the large construction projects in the CBD. Nationally, some of the large projects were joint ventures with Japanese partners. In Adelaide, the state and the Kumagai Gumi consortium jointly developed the ASER project and the Southgate (now Optus) building. Others involved Australian companies, such as the REMM-Myer project in Rundle Mall (with Brisbane's Real Estate Marketing and Management company), the Australis building in Grenfell St developed by Hooker Multiplex Pty Ltd, and Chesser House developed by Jennings Industries, all financed by the SBSA. The number of planning applications involving new buildings did not vary significantly from year to year (the peak year was 1986 with 52 applications, descending to 30 in 1991), but the total value of the projects jumped dramatically from $28.4 million in 1986 to $144.8 million in 1987, reflecting the increased size of the projects. Values remained over $110 million until 1991, when the total value dropped to $30.2 million.[3]

Under the deregulated Australian financial system, fifteen foreign banks had opened their doors for business in Adelaide, bringing new competition to the local banks. Adelaide's big four banks (Westpac, National Australia, Commonwealth Bank and the State Bank of South Australia), along with their subsidiaries and second-tier financiers, competed with extraordinary expansion. One developer described the ease with which loans were made: 'The banks were lending enormous debt-to-equity margins … One of the most fundamental [characteristics] of that period was that the bank manager was your mate and they pushed things through for you and did things on a handshake'.[4] The property boom was thus finance driven, with banks and financial institutions lending freely, as if the boom would never end. All banks acted with the incautious optimism in commercial property characteristic of that period, but the SBSA and its subsidiary BFC were the most reckless.

By 1987, financial institutions were lending on the basis of 'negative pledge' loans rather than on tangible assets. These loans were based upon a promise from the client that assets would not be used as security to borrow from any other institution. Business journalist Paul Coombs cites a financier describing such practices in Melbourne: 'a magic sponge was passed over applicants' accounts, previous year figures were used if current year figures weren't good enough, books were massaged,

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[3]   Corporation of the City of Adelaide, *Annual Report 1993*, p.48.

[4]   George Kambitsis, personal interview, 24 June 2003. He added that 'in the 1980s banks were lending up to 100% and 110%, and there were plenty of bogus valuations … that would pump up the value of the building … and be used as the basis for finance'.

valuers cajoled … approvals were fast-tracked and standards were flexible, loyalty was to commission and no one was thinking of results in five years' time'.[5] Loans on commercial property meant large commissions for credit managers. When financial institutions tried to recall the loans, the developers could not repay. In early 1990 *The Advertiser* reported that construction groups were 'falling like nine-pins' as commercial property sales were brought to a standstill.

Despite the high corporate interest rates characteristic of the Hawke and Keating years, peaking at 20 percent, several financial institutions went into receivership, including BFC, while AMP, SGIC and the South Australian Superannuation Fund Investment Trust (SASFIT) lost considerable sums invested in a devalued property market. With a 20 per cent vacancy rate in city office buildings, devaluation of commercial property was inevitable.

The corporate style of SBSA during the Bannon decade, mirrored by financial institutions in all states, was summarised by Royal Commissioner Jacobs in his final report:

> The story of the Bank is one of a professionally aggressive and entrepreneurial Chief Executive without sufficient appreciation of the need for prudent banking controls and management; of an incompetent Executive Management happy to follow where their Chief led without independent professional judgment; of a Board of Directors out of its depth and, on many occasions, unable or unwilling to exercise effective control; and ultimately, of a Bank that thrived on the full faith and credit of the people of South Australia.[6]

The Development Lobby

Developers did not form their own lobby group — they did not need to because individually they could successfully lobby several members of ACC and personnel in the state government, and they did so in competition with one another. Thus, they do not fit the definition of an interest group in the sense that they were not formally organised, except through BOMA, but in most respects they were like-minded and

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5   Paul Coombes, 'Finance to Dry Up Following "Witch-Hunts"', *Australian Business*, 10, 46, 12 September 1990, p.81.

6   SJ Jacobs, Royal Commissioner, *Royal Commission into the State Bank of South Australia*, Final Report (Netley: State Print, 1993), p.9.

lobbied for the same objective of an unfettered planning system.[7] Large national development companies, such as Fricker Corporation and Hooker Multiplex Pty Ltd, as well as superannuation funds and insurance companies, developed property in Adelaide during the 1980s along with family corporations and individual developers. Some were both investment and development companies, such as Mancorp and the Kambitsis Group, which own and lease the properties they develop. Many individual developers set up a company for each project to limit their liability and to benefit from taxation advantages when they sold the development. John Roche, for example, developed the Aurora Hotel site in Hindmarsh Square through Vensa Pty Ltd and proposed to redevelop the Gawler Chambers site in North Terrace through his Adelaide Development Company. Occasionally developers would collaborate in joint ventures if one developer who owned a site needed finance or the expertise and experience of another, or they might collaborate with a government in a joint venture.

While residential development continued to proceed at a regular pace, office development mushroomed in the CBD. The office vacancy rate had been very low from the 1970s recession, leaving the CBD ripe for the pent-up demand at the beginning of the boom. Much of the private demand came from professionals — architectural, engineering, law and accountancy firms — seeking to expand and upgrade their office accommodation. Whereas previously they occupied lower-grade offices in and around Grenfell and Pirie Sts, they now sought new A-grade accommodation, and they often leased more office space than they would use in anticipation of future expansion.[8] Most of the new occupancy was taken by tenants shifting from older buildings to new, leaving the older buildings vacant and vulnerable to redevelopment. State government departments also shifted staff to new buildings during the boom: 'This was to keep employment up', according to developer Gerry Karidis,[9] as part of the Bannon government's crane-led recovery. Developer Theo Maras further commented in an interview, 'it was an artificial boom. There was no growth. We were transferring deckchairs, taking tenants from one building to another'.[10]

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[7] Theo Maras of Mancorp was a developer who restored historic buildings and was an exception to their common view that heritage protection should be limited to less than 200 buildings in Adelaide.

[8] Joe Walker, personal interview, 25 July 2003.

[9] Gerry Karidis, personal interview, 18 July 2003.

[10] Theo Maras, personal interview, 19 June 2003.

With easy access to finance, many developers speculated in office construction without securing a tenant. Building development can be a creative process, bringing together a tenant and a site with architects and engineers to construct a building that is appropriate for the client's needs. During the speculative boom, the design of many office buildings was generally far inferior to their pre-war forebears along King William St, the signature buildings that bore the names of companies concerned about their corporate image: 'From 1970 onwards buildings were built to a dollar, with design parameters dictated by developers who had no long-term interest in the building but a short-term holding for the purpose of profit only'.[11] Even *BOMA News* reported the observation of developer Grant Pember that 'the public sector was totally price-driven, which did nothing to encourage excellence in external design aesthetics'.[12] New commercial buildings embodied the 'impersonality of modernism' described by Alexander Linklater,[13] and many observers referred to them as computer-generated buildings or worse, as 'punitive architecture' or not architecture at all but mere buildings. Architect Peter Birdsey described working hurriedly on sites in the late 1980s boom, without completed plans: 'That was the tenor of the period. Architecture was very much a pragmatic, State Bank controlled, developer syndrome that was based merely on building for economic reasons'.[14]

Not only did the developers have easy access to finance, they had considerable political influence. They lobbied the state government through its Special Projects Unit for project approval, and through the State Heritage Branch when appropriate. Developer Gerry Karidis, who won his bid to develop the Dame Roma Mitchell building and pedestrian underpass in North Terrace, said, 'I am disappointed in developments through the government. I never [saw] open tenders with [Bannon's government]'.[15]

But most often city development proposals were lodged with ACC. Developers and/or their architects met with city planners to discuss a proposal before it was submitted to ACC. Often their plans would exceed the allowable plot ratio for the precinct in ambit claims to get the best result for themselves. Whatever recommendations the city planner made to ACC regarding approval or refusal of a

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[11]   *ibid.*. Maras' company, Mancorp, is an investment company that plans for long-term ownership after developing a site.

[12]   *BOMA News*, 4, 4, August/September 1992, p.18.

[13]   Alexander Linklater, 'The Master Builder', Review section, *Financial Review*, 19 August 2003, p.1.

[14]   Peter Birdsey, personal interview, 2 July 2003.

[15]   Gerry Karidis, personal interview, 18 July 2003.

project, ACC had the final vote on the matter. It was critical for a developer to ensure a majority of councillors voted for approval of his project, and it is not surprising that they all lobbied councillors. Some also contributed to election campaigns, but information regarding councillors' financial interests was not available to the public in the 1980s or 1990s.[16] *The Advertiser* reported in 2010 that developer Con Makris of the Makris Group had donated $351,000 to the Rann Labour government since 2002 as well as $30,000 to SA Liberal Party in 2009. The Makris Group is the developer of the Le Cornu site in O'Connell Street, North Adelaide. The development was fast-tracked through the state's Development Assessment Commission in 2008 but the project has not proceeded. It is possible other developers have also donated funds to both local and state governments when it was in their interests to do so.

Lobbying and donations might ease the process, but development proposals required the approval of a majority of ACC members. George Kambitsis described the developer's plight in preparing a proposal for ACC: 'it is a difficult, arduous process fraught with danger that requires that you bring along with you literally a football team of consultants all of whom have to be paid along the way, with no guarantee where you will be at the end of it'.[17] Developers sought to change this process. In its 1991 submission on the review of ACC representation, BOMA contended 'that the City of Adelaide is a state asset and, as such, its future development should be overseen by a representative body with appropriate skills and expertise. Accordingly, it has recommended that revised management arrangements should be introduced to determine future major development proposals within the city'.[18] That is, BOMA believed councillors representing residential wards did not have the appropriate skills and expertise to assess major development proposals.

About three years would elapse from the time ACC approved a building until its completion. Those who lodged development applications early in the boom made millions, but developers who gained building approval from 1989 onward completed

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[16]   In 1998, the Australian Electoral Commission introduced a Register of Donations to Political Parties. Donations to political parties of more than $500 were required to be reported. This minimum amount was raised to $10,000 in 2004. Smaller donations were not reported, nor were donations that were made in the run-up to an election. Developers could hide donations by registering them in the names of subsidiary companies or other sources. Many commentators have observed that developers would not donate to political parties unless they received something in return. Under the *SA Local Government Act* (1999) a Register of Interests required elected council members to declare donations to their campaign, but the register is closed to the public soon after council elections.

[17]   George Kambitsis, personal interview, 24 June 2003.

[18]   *BOMA News*, 3, 6, December 1991, p.6.

construction or went into liquidation when the boom was over. The boom ended primarily because of an oversupply of office space and secondarily because of rising interest rates, lowered property values and withdrawal of bank loans. There would have been an oversupply in any case, but it was compounded by technological changes that reduced the number of employees working in city offices. Joe Walker mentioned the example of Nestle Corporation in Currie St, which leased additional floors in Frome St: 'Now all their reps move around with laptops and mobile phones and don't need the space'.[19] Government departments, a major occupier of office space, were also downsizing to meet budget constraints.

Another factor was the centralisation of national and international companies that established head offices in Sydney or Melbourne and abandoned their regional offices: 'Small regional centres like Adelaide got consigned to a large extent to being back offices and mere regional offices, resulting in the wholesale laying off of staff in places like Adelaide'.[20] Developers blamed ACC's 'zone X policy' for local decentralisation of office accommodation from the early 1980s. Zone X was Adelaide's core district, or CBD, where ACC prohibited car parks in new buildings. Staff were expected to park in ACC's designated parking stations, driving small to medium commercial development to the fringe suburbs, along the eastern side of Fullarton Rd and the southern side of Greenhill Rd, where staff could park their cars within their building site. Once residential streets of architectural quality, they are now mainly strips of modern, small-scale office buildings with undercroft parking. These office buildings attracted businesses away from Adelaide, increasing the vacancy rate in the CBD. Without the zone X policy, the developers say, those roads would have remained residential and the office development would have been located in the city. The CBD would have been much better off economically and the residential areas architecturally.[21]

BOMA surveyed office vacancies annually, and the Adelaide rates for the period 1991–93 show the trends. In mid-1991, 14.7 per cent of office space in the core district was vacant and 19.3 per cent in the frame; in mid-1992, 17.2 per cent was vacant in both districts; and in mid-1993 more than 19 per cent of office space was vacant in both districts.[22] These vacancy rates referred to buildings that were on

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19   Joe Walker, personal interview, 25 July 2003.

20   George Kambitsis, personal interview, 24 June 2003.

21   Developers circumvented Principle 10 by adding basement 'storage' to office buildings, where executives stored their cars during the day. Joe Walker, personal interview, 25 July 2003.

22   Building Owners and Managers Association, *Adelaide Office Market Reports* (Adelaide: self-publication), January 1992, January 1993 and January 1994.

the market. If it were not on the market — for example, empty office space under lease — it would not count as vacant. Sub-leased offices also would not count as vacant. Thus, the real rates of unoccupied office space were substantially higher than the vacancies published by BOMA.

Overcommitted financially and unable to find tenants or sell their office buildings in the aftermath of the boom, some of Australia's major development companies were forced into liquidation. Fricker Corporation was first in 1989, followed by LJ Hooker (Australia) Pty Ltd and the Emmett Group. The Adelaide-based Kirkwood Pty Ltd faced liquidation in 1990 and major individual developers such as Joe Emmanuel, John Baggio, Vince Oberdan and Dennis Savas went under. Three members of ACC with property investments were obliged to resign because of financial difficulties — Brian Anders, Michael Harrison and Roger Rowse — and Alderman Con Bambacas moved to Brisbane to start a new business. In addition, developers of hotels and retail complexes became insolvent. For example, work on the Royal Adelaide Hotel in Franklin St was stopped in July 1990 because of the collapse of the Victorian-based Pyramid Building Society, and the Ramada Grand and Hindley-Park Royal lost millions. As developers went under, they owed sub-contractors and their workers millions of dollars. The CMEU threatened work bans on construction sites in 1990 after the state government refused to set up a trust to safeguard money earmarked for workers on major developments. These were all signs of a depression in the property sector by 1990.

Building Owners and Managers Association (BOMA)

BOMA SA Branch, now the Property Council of SA, was the key lobby group of the commercial property industry in the 1970s–1990s. Its membership included not only property owners and developers, but also government (including ACC) and financial institutions, architects, engineers, accountants, builders and related service businesses. In 1985, BOMA's membership was about 1600 shopkeepers and a similar number of businesses and professional people in the city who objected to heritage lists and city rates on commercial properties. Developers comprised only 6 per cent of the membership, less than government bodies at 8 per cent, and property owners at 15 percent. Architects and engineers together formed 22 percent of the membership in 1991.[23] BOMA maintained that 'as policy holders and share holders in financial institutions as well as superannuation funds, the public own nearly half

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23   *BOMA News,* 3, 5, November 1991, p.5.

of the buildings in the CBDs of every Australian capital city',[24] and implicitly should favour unrestrained development.

As a lobby group BOMA did not attract a great deal of public attention. Like the Civic Trust and RAIA, its lobbying largely took the form of written submissions on specific government initiatives and editorials in its publications. Its president in the later 1980s, Brent Blanks, had a professional demeanour and set the standard for its public image. Former City Planner John Hodgson said in an interview that '[BOMA] wanted the rules to be recast in certain ways but they tended not to buy into the debates over individual buildings'.[25] BOMA did not develop a comprehensive policy platform until 1991, when a committee chaired by developer Joe Walker recommended one.[26] The platform contained 160 recommendations on issues of planning and building regulations, local government, property taxes, tourism, commercial tenancies, private funding of public infrastructure, the multi function polis, industrial relations and energy.

BOMA News was not entirely one-sided and occasionally published interviews expressing views that might not have rested easily with members. For example, in November 1991 the journal printed a speech by Roger Frinsdorf of the South Australian Construction Department:

> I'm not over-impressed by the design of buildings in Adelaide and the quality seems to vary considerably … A lot of the buildings in Adelaide have not been designed with the tenant in mind and I think, if a lot of developers had thought about who the end user was going to be and developed from a tenant's perspective rather than from an investment perspective, we may not have the vacancies we have at the moment. …The developers of some of the buildings that are vacant at the moment really didn't think very much of the tenants before they developed them.[27]

In December 1991, BOMA raised the contentious issue of the townscape initiative (see chapter 5), reiterating its earlier claim that it could become 'no-demolition legislation'. BOMA warned members that, 'in effect, [it] will mean that properties so listed will be unable to alter (*sic*) the façade of the building on the property or in all

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24   *ibid.*.

25   John Hodgson, personal interview, 18 October 2001.

26   *BOMA News,* 3, 5, November 1991, p.4.

27   *ibid.*, p.5.

probability to demolish (*sic*) the building to make way for new development'.[28] At a public forum in June 1992 sponsored by BOMA, accountant Denis Sims proclaimed his suspicion that townscape listing would devalue properties: 'many investors will find the refinancing of their loans more difficult with the reduced values caused by townscape'.[29] Pro-development councillors circulated his claim throughout the city, despite evidence that residential buildings increase in value because of heritage or townscape listing. Townscape protection was seen 'yet again as a further disincentive to investment in Adelaide' that would stifle development within the city. BOMA submitted substantial comments on the townscape initiative to ACC and urged its members to express their views on the issue.

Developers were a small minority of the BOMA membership and had mixed views of the organisation. George Kambitsis, once a vice president of BOMA, claims he withdrew his membership because he regarded it as 'a "big talkfest" representative mainly of [real estate] agents and consultants'. Heritage developer Theo Maras also claims he was 'against what BOMA stood for' and joined its planning committee to express his views within the organisation and act as its representative on the State Planning Review. On the other hand, Gerry Karidis and Joe Walker were long-term members and regarded BOMA as a good lobby group.[30] However, developers were united in opposition to ACC's townscape initiative and supported BOMA's stand against it.

The Royal Australian Institute of Architects SA Chapter (RAIA)
The RAIA engaged in various aspects of the heritage debate during the 1980s. It was not a monolithic organisation: some RAIA members supported preservation of only exceptional historic architecture (about 150 buildings on the Register of City of Adelaide Heritage Items) while others supported preservation of a broader range of vernacular buildings; some were heritage architects and still others were conservationists, active in heritage lobby groups.

The official journal of the RAIA, *Building & Architecture*, had been a trade journal until the mid-1980s, with focus on the recession and bread-and-butter issues, protection of professional standards, architectural criticism and new technology. Generally, and unsurprisingly, the RAIA was conservative about heritage protection

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28   *ibid.,* 3, 6, December 1991, p.6.
29   *ibid.*, 4, 4, August/September 1992, p.21.
30   Personal interviews: George Kambitsis 24 June 2003, Theo Maras 19 June 2003, Gerry Karidis 18 July 2003 and Joe Walker 25 July 2003.

at that time. In 1984, RAIA President G.J. Harrison wrote: 'Few buildings are worth preservation just because of their age, and it must be recognised that unless the City as a whole is to become a museum piece many old buildings on prime sites will have to be demolished to make way for new ones'.[31] Contributors to the journal defended the right of owners to demolish heritage buildings in order to gain the full development potential of their property. Outspoken architect John Chappel championed this cause with respect to the Kingsmead mansion in Brougham Place, North Adelaide: 'In Australia, traditionally a land of home owners, any abrogation of property rights strikes at the heart of a life style of which a nation has been justly proud'.[32] His view was supported in the next issue of *Building & Architecture* by architect W.G. Hames, who argued that 'if preservation is what the community wants, then the private owner and builder should not bear the cost'.[33] Also in 1984, architect Geoff Nairn suggested an architectural overhaul of the City of Adelaide, replacing its historic character: 'It is time we graduated from horizontal zoning, low density development and monofunctional building' [to high-rise modern architecture].[34]

The form of debate in the journal changed dramatically when planner David Ness became editor in 1984. He sought contributions representing a wide range of views from AHA, BOMA, the Minister for Environment and Planning, the City Planner and architects, some of which resulted in fierce debates in the journal. Environmental issues featured strongly. RAIA President John Cooper himself attacked a proposed marina at the seaside suburb of Glenelg in his president's report in the journal in 1986.

The matter that roused the RAIA more than any other was the draft 1986–91 City of Adelaide Plan. The architects found the planning controls and design guidelines of City Planner Harry Bechervaise too restrictive. They did not object to the Adelaide heritage register, but to certain principles and guidelines that provided the development adjacent to heritage buildings and in areas which contributed to the historic character of the city be limited in terms of height, scale, design and materials. Ness wrote in an editorial: 'If draft policies covering urban design, character, height and building design within the City of Adelaide are accepted, architects are

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[31]   *Building & Architecture*, 11, 4, May 1984, p.4.

[32]   *Building & Architecture,* 10, 10, November/December 1983, p.14.

[33]   *Building & Architecture*, 11, 1, January/February 1984, p.7.

[34]   *Building & Architecture,* 11, 4, September/October, 1984, p.14.

sure to have their design freedom curtailed'.[35] The May 1986 issue of *Building & Architecture* published resolutions carried by a meeting of architects the previous month. Among them was their concern that 'the thrust of the Plan Review appears to encourage orderly development and growth but provides absolute design and aesthetic control by the elected members and the employed officers of the Council – such control is invidious and will, in all probability, stifle the future of Adelaide. … Design matters are (and must remain) outside the planning controls'.[36] A group of 40 architects marched on the Town Hall on 24 April 1986 and heard RAIA President John Cooper present their objections to Lord Mayor Jim Jarvis. Professor Cooper also discussed the institute's objections with the Premier, but there is no evidence that the Premier intervened. The City Planner did offer to review the development controls 'which frustrate the design architect',[37] but most of the guidelines in the draft Plan were approved.

The conservative nature of the RAIA showed in 1987, when the RAIA council demanded total editorial control of the journal in exchange for a contribution to its publication costs. Clearly the RAIA, under president Rob Cheesman, opposed the range of debate Ness had encouraged. Ness continued to publish the journal privately until 1989. *Architecture/SA*, the new official journal of the RAIA, replaced it in 1990. Surprisingly, the next president, Gavan Ranger, revived the Ness style of architectural journalism to some extent. The theme of the December 1990 issue was 'architecture and the environment' covering a wide range of controversial views that demonstrated the strength of the institute's environment committee.

Thus, while the RAIA had a strong financial interest in encouraging new property development, the views of its heterogeneous membership on the heritage debate varied widely.

The Heritage Activists

With state and local governments encouraging development in Adelaide, and with finance readily available to support it until 1990, heritage activists were engaged in an asymmetrical contest over the built character of the city. Several interest groups were involved, but their collective influence was insufficient to moderate the building boom of the 1980s.

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[35]   *Building & Architecture*, 13, 2, March 1986, p.2.
[36]   *Building & Architecture*, 13, 4, May 1986, p.7.
[37]   *Building & Architecture*, 13, 8, September 1986, p.10.

From the 1970s to the mid-1980s, environmental activism, including heritage activism, most often took the form of public protests. According to Timothy Doyle, '[this] period saw the [Australian environmental] movement playing outsider politics. Environmental concern was largely based on direct, oppositional dissent to unrestrained environmental use'.[38] The leaders of the protests, Matthews says, were primarily educated, middle-class residents who espoused the values of the new environmentalism or new politics.

> 'New politics' refers to a weakening of party identification among voters and a rise in issue voting. It also refers to a tendency for better educated, affluent and younger people to hold 'post-materialist' values; that is, to place less emphasis on economic self-interest and security and more on personal freedom, minority rights, quality of life and environmental protection.[39]

Post-materialist they may have been, but many heritage activists were not young and some resided in affluent older suburbs. They sought to retain the character of the suburbs they lived in, and many strove to safeguard the city centre from further encroachments of modernist development. In Adelaide, they resorted to street demonstrations partly because third parties had no right of appeal against ACC decisions under the *City of Adelaide (Development Control) Act* (1976).

Residents groups
The first of the Adelaide protests took place before parliament passed the *SA Heritage Act* (1978). In 1969, a small group of residents successfully protested in front of Carclew at Montefiore Hill, the former residence of Sir John Langdon Bonython, where the state government planned to construct the Adelaide Festival Centre. Residents and business people again waged direct action in 1971 against the proposed demolition of the ANZ Bank building in King William St, now Edmund Wright House, which was saved by the intervention of Premier Don Dunstan and used for government departments. Premier Dunstan again intervened after a public demonstration in 1973 to save Elder Hall at the University of Adelaide. Minor protests continued to occur after passage of the *South Australian Heritage Act*. From 1980–83, Adelaide residents successfully joined to save three major sites, the

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38 Timothy Doyle, *Green power* (Sydney: UNSW Press, 2000), p.xxiv.
39 Trevor Matthews, 'Interest Groups', in Rodney Smith (ed.), *Politics in Australia*, 2nd edn (Sydney: Allen & Unwin, 1993), p.245.

Edmund Wright House, King William St. Courtesy John Emerson

mansions of Kingsmead and Belmont House in Brougham Place, North Adelaide, and development in the grounds of Dimora in East Terrace, Adelaide, facing the parklands. All of the above buildings now appear on the State Heritage Register. There were fewer such protests in Adelaide during the 1970s than in the eastern states because Adelaide had not experienced the same building boom at the time. By the early 1980s, a sizeable stock of nineteenth-century buildings remained in Adelaide's streets. However, the Majestic Hotel and former Tivoli (then Warner) Theatre in King William St were lost, despite a public protest and petition in 1981, and replaced by Commonwealth Bank headquarters.

Construction Unions

Middle-class environmentalists were not the only groups attempting to halt the rapid spread of modern urban development. The BLF of New South Wales imposed green bans from 1971–74, refusing to construct buildings if a residents' group picketed at a site. Jack Mundey, leader of the NSW branch of the union, contended that 'as the workers who had raised the buildings we had a right to express an opinion on social questions relating to the building industry'.[40] The first green ban in 1971 stopped commencement of a residential project on Sydney's last harbourside bushland at Kelly's Bush, while many others prevented the demolition of historic buildings. The BLF imposed green bans on sites from Woolloomooloo to Newcastle until the state government deregistered the NSW Branch in 1974. In 1973 the Tasmanian branch of the BLF stopped demolition of Salamanca Place warehouses at Hobart's Battery Point, and the Victorian branch saved Tasma House, Parliament Place, Melbourne, which became headquarters for the National Trust, and imposed bans on other developments in support of protesters in the 1970s.[41]

In Adelaide, the Plumbers and Gasfitters Union supported the ANZ Bank protest in 1971, and the Building Construction Workers Federation (BCWF) supported the Dimora protest in 1980. The BCWF also refused to demolish the Aurora Hotel for nearly two months in 1983. The Building Trades Federation, representing all SA building unions, resolved to support retention of the heritage-listed buildings in the North Terrace side of the REMM-Myer site in 1987, and the Construction, Mines and Energy Union imposed a green ban in support of a picket at the 'House of Chow' building in Hutt St in 1991. The building workers

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40   Jack Mundey, *Green Bans and Beyond* (Sydney: Angus & Robertson, 1981), p 81.
41   Builders' Laborers Federation, *Builders' Laborers Defend the People's Heritage* (Melbourne: BLF, 1975), p.1.

in Adelaide were no less militant than their colleagues in NSW but were called upon less often to support residents' public stands to save what they perceived to be their built heritage.

The National Trust (SA)

Until 1983, the National Trust was the major non-government heritage body in South Australia, represented on the SA Heritage Committee by its president and consulted by government agencies and the public. The Trust was part of the Establishment, with its executive drawn from Adelaide's social elites.[42] An Act of Parliament founded the South Australian Branch of the National Trust in 1955. Like its English forefather, its original objects were 'to provide for the preservation and maintenance of places and of chattels of any description of national historical artistic or national interest or natural beauty, and for purposes incidental thereto'. The places it maintained were those it had acquired as gifts or bequests since 1955. By 1982, its property holdings were substantial.

The Trust also classified properties that merited preservation. These properties were graded A, B or C in order of merit, and most of the Trust's well-documented A-classified places were the first buildings considered for the State Heritage Register. Until 1987, presidents of the Trust were reluctant to lead the organisation into public disputes. It was primarily concerned with maintaining its museums and other properties and commenting on such policy matters as tax incentives for heritage conservation. The Trust was strongly criticised in 1971 for its failure to join the campaign to save the A-classified ANZ Bank building (now Edmund Wright House) in King William St. In fact, the Trust's acting president, C.W. Bonython, attempted to negotiate with the government and with the owner of the building for its purchase but could not meet the developer's terms.[43]

The Trust's quarterly newsletters show it to have been an inward-looking organisation in the early 1980s. In 1983, Director Bryan Hodson expressed regret that the Trust had failed to inspire young people 'in a way that inspired our founding

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[42] Its first five presidents were Sir Arthur Rymill MLC, 1956–60, Sir Edward Morgan, 1961, HC Morphett Esq MC, 1962–65, prominent architect Dean W Berry, 1966–70, and C Warren Bonython Esq 1971–75. National Trust of South Australia, *Silver Jubilee Handbook 1955–1980* (Adelaide: National Trust SA, 1980), p.12.

[43] For details of the failed negotiations by Bonython and criticism of the Trust for its unwillingness to risk failure, see Barbara J Best, *Preserving Our Heritage* (Adelaide: privately published, 1973), chapter 4.

(and now older) members to serve it with great dedication'.[44] In 1987, the Trust's new director, Kenneth 'Tim' McDonald, formerly of the Australian diplomatic corps in Washington, began to change the profile of the SA Branch. He made public statements on building projects, particularly proposals for development of the East End Market site, and collaborated with Aurora Heritage Action, Inc., on several heritage issues. Phillippa Menses replaced McDonald in 1990, and continued his high-profile political style. Through Menses, the Trust was actively involved in the East End Market development and the proposed demolition of heritage-listed Tram Barn A at the Hackney Bus Depot site in 1993.

The Trust expressed its first public commitment to local heritage, or townscape, conservation in its newsletter of April 1989, after it organised a seminar on the subject with speakers historian Norman Etherington, Rob Fowler of the University of Adelaide Law School, Nigel Leavis of Melbourne's Urban Conservation Areas and two local planners. The Trust's vice-president David Gilbert, an architect, later supported the introduction of conservation areas in the City, rather than the townscape initiative, but added, 'I don't think there would be a large number of conservation zones in Adelaide. One would have to consider the South East Corner, East End Market, three of the six squares, the Parklands and large parts of North Adelaide'.[45] Possibly because the Trust commented on planning matters affecting all local government areas of the state, it advocated a uniform system of local heritage conservation zones as already established in some council districts. Its stance may have promoted consistency in the state but ACC would not have adopted it in 1990.

Aurora Heritage Action, Inc.

Aurora Heritage Action, Inc. (AHA) began in 1983 as an ad hoc group protesting against demolition of the Aurora Hotel, located at the Pirie St end on the eastern side of Hindmarsh Square, Adelaide. Although recommended for listing on the City of Adelaide Heritage Register then under consideration, ACC approved redevelopment of the hotel site on 27 June 1983. Four months later, a residents' protest meeting was held in front of the hotel, followed by a round-the-clock vigil, where passersbys signed petitions to ACC and state parliament. The Building Construction Workers Federation imposed a green ban on the site in support of the residents in the style of their NSW BLF colleagues of the 1970s. The Aurora campaign lasted 35 days, ending in demolition of the hotel (see chapter 7).

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44   National Trust Newsletter, 117, February 1983, p.5.
45   National Trust Newsletter, 158, December 1989, p.3.

Though a defeat, the 1983 Aurora campaign marked a turning point in Adelaide's heritage politics. The protesters, encouraged by massive media coverage and public support, formed a lobby group, Aurora Heritage Action, Inc., which became a leading NGO involved in Adelaide's heritage debate for more than a decade. AHA shifted the focus of South Australian heritage politics from a narrow range of architectural icons to conservation of the built character of Adelaide and broader concepts of historic merit. AHA aimed 'to protect the built heritage and the environment in South Australia, to promote the proper management of the built heritage … to encourage public participation in the process of the proper management of the built heritage … [and] to do all such other things … conducive to the attainment of the aforesaid objects'.[46] The strategy for achieving those lofty aims was vague at first, other than to stage public protests as the occasion arose and to use the media for the promotion of heritage issues in a way the National Trust was not willing to do and the State Heritage Branch not able to do.

In May 1984, AHA protesters again brandished placards, this time on the steps of the heritage-listed Commonwealth Bank Building in Currie St in opposition a proposal to construct an office tower on the site. The proposal was withdrawn, but the campaigners did not then know that a year later the State Bank would lodge an application to build the State Bank Centre on the site with funding from SASFIT.

AHA organised another successful protest in front of the Colonel Light Hotel in January 1985 after the developer, Gerry Karidis, lodged an application for office and rental accommodation plus a corner tavern, the latter with about the same floor space as the original hotel at Light Square. In addition to mounting a residents' picket, AHA members negotiated with Karidis for retention of the hotel within his development. He agreed that incorporating the existing building into his plan would save construction costs, and the hotel, listed on the first Register of City of Adelaide Heritage Items, was renamed the Heritage Hotel.

While the public face of AHA was that of a group of street protesters and chimney huggers, ACC and other civic bodies experienced a more professional aspect. The Aurora campaign had shown there was no hope of saving a building after ACC had approved its demolition. Believing that the presentation of full information about the architectural and historic merits of threatened buildings would persuade ACC to vote against certain demolitions, rostered pairs of AHA members, each pair including an architect, examined all development applications, visited the sites and submitted comments to the planning approvals committee (later planning and environment

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[46]   Constitution of Aurora Heritage Action, Inc., p.1, in possession of the author.

Commonwealth Bank Building, 1984. AHA collection

committee). Soon the comments became an accepted — if largely ignored — part of the committee documentation, although Lord Mayor Jim Jarvis (1985–87) called attention to them on occasion. Submitting comments on the historic or architectural value of buildings to councillors with fixed minds about development in Adelaide proved fruitless. Nevertheless, the group persisted for nearly a decade before abandoning the exercise.

Recognising the critical importance of having a council that represented a balance of views on development applications, in 1985 the AHA began to campaign in city elections. As noted in chapter 4, ACC had largely represented the commercial interests of the city in the post-World War II era. Only four of the 19 ACC members primarily represented the interests of residents in 1983–85. In the May 1985 election, AHA letterboxed a 'how-to-vote-heritage' leaflet throughout the city and handed it to electors at polling booths. Heritage protection became a major issue of the 1985 campaign. Lord mayoral candidate Jim Jarvis, a marketing consultant and property developer, declared the 'city should provide balanced development and proper preservation of the city's heritage and publicise the heritage list', but in reality both he and incumbent lord mayoral candidate Wendy Chapman 'tailored

their campaigns to attract maximum votes from both the commercial and residential interests'.[47] Two AHA members failed to win seats in 1985, but other candidates supported by the group were successful, notably Norman Etherington, who had been actively involved in the Aurora campaign, and Ross Davies. The 1985 election increased by two the residential representation on ACC, to six of 19 members. This outcome appears to have influenced the state election campaign later that year: while Premier Bannon highlighted a building boom, Leader of the Opposition John Olsen announced a package of financial incentives to encourage the preservation and restoration of registered heritage properties. In December 1985, Bannon formed government for the second time.

AHA campaigned in every ACC election from 1985 to 1995, the only NGO other than the Adelaide residents associations to participate actively in city elections. The pattern of increasing the number of ACC members who represented residential interests continued, until in 1991 they held the majority of seats for the first time. As Paul Stark wrote in 1988, 'the determination of what comprises our heritage is a remarkably political activity',[48] and AHA strove to ensure that the political numbers were on the side of heritage by actively supporting nominees who would vote in favour of heritage conservation. Community sentiment was swinging in favour of conservation as increasing numbers of historic buildings in the city were lost during the building boom, changing the character of the residential and commercial sectors, and voting patterns reflected that feeling at the local government level.

AHA maintained regular media coverage and became an accepted segment of heritage politics in the city. As it gained respectability and as it experienced the limited effects of direct action, the group changed tactics toward working with governments to influence heritage policies. It intensified its direct lobbying of Ministers, councillors, heritage and planning staff. The group's leaders prepared extensive submissions and appeared before state and local government committees. AHA architects also met with company CEOs and developers to try to persuade them to alter plans to improve the impact of developments on streetscapes. Among plans modified because of this direct contact were those for the Telecom Building in Flinders St and the last two-storey Victorian mansion in South Terrace, the latter standing until very recently as a tribute to the heritage architects and Pulteney Grammar School.

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[47] *Advertiser*, 3 May 1985, p.9.
[48] Susan Marsden and Robert Nicol, 'The Politics of Heritage' (Adelaide: History Trust of SA Conference papers, 1990), p.36.

AHA found this strategy more likely to be effective if they met CEOs and developers before detailed plans had been finalised, although they had no influence on the State Bank Centre after a meeting with its architect and executives.

AHA members continued to participate in state and local government committees in the early 1990s, among them the State Heritage Branch, the Ministerial Working Party on the Townscape Initiative and the City of Adelaide Heritage Advisory Committee. Some AHA members were elected to ACC. The evolution of the AHA's strategies at this stage is consonant with Doyle's analysis of the development of green politics: environmental groups transformed their tactics from direct action to insider politics by the mid-1980s, working with governments to formulate and implement environmental policy.[49]

As the AHA became more reputable, the National Trust became more publicly involved in heritage issues. From the 1987 appointment of McDonald as Trust director, the two heritage bodies began to work together while maintaining separate profiles, particularly on the East End Market redevelopment proposal and the REMM-Myer redevelopment. AHA usually took uncompromising positions on heritage conservation, which gave the National Trust room to pull the government and other groups that supported non-complying developments to the centre, where compromise might be possible. McDonald's replacement in 1990, Phillippa Menses, continued this working relationship and the Trust's public political involvement in heritage issues.

The two heritage groups diverged on ACC's townscape initiative. While first supporting the model of Melbourne's Urban Conservation Zones, AHA accepted the townscape model initiated by ACC and moved to extend the number of historic buildings embraced by the concept, whereas the Trust proposed a more limited approach of identifying a small number of historic zones in Adelaide.

Having lost the campaign for townscape protection in Adelaide when a local heritage register replaced the scheme, AHA disbanded in 1995 after Henry Ninio was elected Lord Mayor. Until that time, AHA had been the most vocal heritage lobby group, and its campaigns of public education were particularly effective in gaining public support for heritage protection.

Civic Trust of South Australia

The Civic Trust was not expressly a heritage interest group, but it commented on public heritage issues from time to time. Modelled on the UK Civic Trust,

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49   Doyle, *Green Power*, p.xxiv.

architects dominated its council when it was founded in 1969. Its first president was prominent Adelaide architect J.H. McConnell. One of its constitutional aims was to help preserve structures of architectural distinction or historic interest, along with 'promoting public awareness of factors affecting our environment, encouraging quality in architecture and civic design and helping to preserve the natural qualities of the regional landscape'. Its style was conservative and professional. This self-appointed guardian of good taste in architecture, 'never saw itself as a body to man the barricades'.[50]

The Civic Trust has had most media attention for its awards for civic design and restored and recycled buildings, and especially for its brickbats for poor civic design introduced in 1977. In 1984, ACC received a brickbat for 'permitting its own plan to be eroded to a point where it has become irrelevant and, in particular, allowing the destruction of an amenity the Plan set out to conserve — namely the Aurora Hotel'. The Civic Trust's then newsletter editor added, 'a precedent has now been set for the destruction of the remaining hotels and restaurants and their replacement with faceless office buildings'.[51] These strong words from a group formed by architects demonstrated there were critics of modern architecture within that profession.

The criticisms did not stop there. The Civic Trust joined the National Trust and AHA, among others, in reproaching the Premier for ensuring the progress of the ASER project through the *Adelaide Railway Station Development Act* (1984), bypassing the *City of Adelaide (Development Control) Act* (1976) and other controls (see chapter 4). It emphasized the failure to conform to the City of Adelaide Plan and objected to such indenture agreements that provided inadequately for public participation in developments under a special Act of Parliament. Other major government projects opposed by the Civic Trust were the Jubilee Point marine development (1986), the carpark in the parklands for Botanic Gardens employees (1986) and the Mt Lofty development (1988), which contravened many principles of development control in the Hills Face Zone. It also prepared comprehensive submissions on five-yearly reviews of the City of Adelaide Plans.

In 1988, the Civic Trust presented AHA with a special award for its important contribution to the awareness in the community of the importance and value of quality in the environment, demonstrating its commitment to heritage conservation as well as good civic design.

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50   James Warburton, *Sustaining Our Heritage* (Adelaide: Civic Trust of SA, 1986), p.1.
51   *Civic Trust Newsletter*, November 1984, p.1.

Residents Associations

By the mid-1980s, the Adelaide Residents' Association had all but disbanded and played little part in the heritage debates of that decade. The group formed in 1974 when the first City of Adelaide Plan was framed. It represented residents of the Adelaide Square Mile below the River Torrens. Its founding members included architects Hamish Ramsay, Peter Birdsey and Sue Rogers, and property developer Rob Walbridge. They lobbied for the use of the Box Factory in Regent Street South as a community centre (closed in 2003 but soon to be revived) and reviewed all planning applications submitted to ACC.[52] In 1983, the association collaborated with Andrew Cawthorne in the protest against demolition of the Aurora Hotel, and in 1985 it campaigned in the Young and Grey Ward council elections before ceasing operations.

The North Adelaide Society, founded in 1970, continues to represent its residents on civic matters. From its inception, its aims were to provide a responsible voice on matters affecting the overall character and development of North Adelaide, to improve North Adelaide as a desirable residential area without destroying its unique character, to encourage the retention and maintenance of buildings of historic and aesthetic value and to reduce pollution in all its form in the area. Other objects in its constitution focused on local issues affecting residents, such as population growth, protection of significant trees and shopping facilities.[53] It was formed initially to oppose the MATS plan, which would have created a new major arterial road from the city along Margaret St to the northern suburbs. The result of this would have been the loss of many historic cottages in North Adelaide and the bisection of the northeastern part of the community. The society also opposed further high-rise developments such as those that ACC had approved in the 1960s, and contributed significantly to the first City of Adelaide Plan. Among its founding members were historian Hugh Stretton and John Watson, who later became Lord Mayor of Adelaide (1981–83).

In 1983, the society commented on the draft Register of City of Adelaide Heritage Items, expressing concern that the listing of buildings privately owned could result in unacceptable financial hardship to their owners. The society suggested ACC acquire the listed properties, restore them and dispose of them — an unlikely scenario. The society played no part in the 1983 public protest over demolition of the Aurora Hotel, which was below the North Adelaide boundary.

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52 Peter Birdsey, personal interview, 2 July 2003.
53 North Adelaide Society Constitution, Objects.

Like the Civic Trust, the North Adelaide Society commented on major public policies, including an objection in 1984 to the ASER project, deemed the biggest blunder and subject to the least scrutiny of the city's major projects under the *Adelaide Railway Station Development Act* (1984). The 1986–91 City Plan included height limits on residential development in North Adelaide, as the Society advocated. However, the Society failed in its 1985 plea for third party rights of appeal in planning matters through amendments to the *City of Adelaide (Development Control) Act* (1976) on the ground that residents of all other local government areas in South Australia had this privilege.

The society did not actively campaign in ACC elections, but invited all candidates to public forums for residents to meet the candidates during each campaign. Nor did it resort to direct action or public protests to try to save buildings. Its submissions to ACC and the state government on planning issues were somewhat conservative, comparable to those of the Civic Trust and National Trust. In 1992, it reported favourably on ACC's townscape initiative but noted that much misinformation was patently causing residents concern. By then it had found favour with heritage conservation and no longer advocated compensation for owners of privately owned heritage buildings. Indeed, it became a strong advocate of heritage protection in North Adelaide and opposed the voluntary listing of buildings on the local heritage register in the 1990s.

Conservation Council of South Australia (CCSA)

The CCSA was founded in 1971, partly funded by the state government, as an umbrella organisation for the burgeoning conservationist groups in South Australia. It became the major environmental lobby group and the first contact on environmental issues by governments. Its primary focus had been on conservation of the natural environment, but from time to time it was involved in planning and heritage protests. AHA became a member group of CCSA in 1984 as the leading lobby group on built heritage matters, and the CCSA generally left those issues to its expert member.

The CCSA protested about development proposals that would involve damage to the natural environment, such as proposed marina projects at Jubilee Point and Aldinga and tourist complexes in or adjacent to national parks. They opposed the state government's plan for a chair lift with supporting towers to Mount Lofty, which would have impacted upon Cleland Conservation Park, as well as a proposed hotel complex at the summit. None of these proposals eventuated, but a tourist centre and restaurant replaced a shop at the summit, with some loss of the natural environment.

Led by its Executive Officer Marcus Beresford, in 1988 the CCSA organised a public protest against demolition of the art deco-style Westpac Bank building in North Terrace at King William St, which had been nominated for listing on the State Heritage Register and was entered on the Register of the National Estate. ACC had approved demolition of the bank and adjacent SA Tourism buildings to make way for a $45 million 17-storey office development, but the CAPC had deferred the application. When Minister for Environment and Planning Dr Hopgood announced in April 1988 that the bank would not be heritage listed, the CCSA sought support for a public protest from AHA, journalist Peter Ward and Barry Rowney, architectural historian of The University of Adelaide. The developer withdrew the application and the building was later entered on the Register of City of Adelaide Heritage Items with the 1991–96 City of Adelaide Plan.

Beresford became a member of the SA Heritage Committee in 1989 but found the experience frustrating and did not renominate for a second term.[54] The direct involvement of the CCSA with the SAHC ended with Beresford's term, and the organisation resumed its primary interest in issues affecting the natural environment, with occasional comments on major planning matters until the AHA disbanded in 1995.

The two decades after the proclamation of the *SA Heritage Act* (1978) were a frenetic period for heritage activists. The dramatic downturn in the property market from 1991 brought a respite, leaving them to concentrate on the State Planning Review 1991–93. A team of the Department of Planning headed by planner Michael Lennon reviewed the *SA Planning Act* (1982), *City of Adelaide (Development Control) Act* (1976), *SA Heritage Act* (1978) and other relevant planning legislation. All groups described in this chapter participated in the review, and the review team consulted interested parties around the state. The review culminated in passage of the *Development Act* (1993), the *SA Heritage Act* (1993) and the *Environment, Development and Resources Court Act* (1993). The latter Act established a new court (replacing the Planning Appeals Tribunal) that would consider appeals against ACC decisions as well as cases involving environmental matters. These Acts reflected primarily the views of the Planning Department and Parliament that development applications should be streamlined and complying developments approved quickly, but it took into account some public concerns, particularly the lack of third-party appeal rights in the City of Adelaide.

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54   Marcus Beresford, personal interview, 6 February 2003.

Conclusion

Public protests against demolition of historic buildings had taken place in several parts of Adelaide before parliament passed the *SA Heritage Act* (1978) and well before the building boom of the later 1980s. With no third-party rights of appeal under the *City of Adelaide (Development Control) Act* (1976), residents and interest groups found direct action was their only means of expression to stop unwanted development. Through these protests, residents asserted a right to preserve the character of their community and an interest in the retention of historic buildings in commercial areas. At times, building workers also asserted the right to express an opinion on social issues relating to the building industry through withdrawal of their labour. Developers and some property owners, on the other hand, asserted their right to maximise the economic value of their property by increasing its magnitude, either by building taller buildings or by replacing one dwelling with several smaller ones, or both. These were the competing values that framed heritage politics and with which councillors and politicians had to grapple during the 1980s and 1990s, a period of over-optimism and uncontrolled speculation in urban construction.

New players entered the property market in the 1980s: superannuation funds, insurance companies, foreign companies and banks, competing alongside property trusts, property development companies and Australian banks which expanded at a prodigious rate. They created a building boom that was finance-driven, investing as if the boom would never end.

Among the conservationist interest groups, AHA was the only one devoted solely to preserving the built heritage and developing more comprehensive heritage and parklands policies for Adelaide. The National Trust (SA) evolved from an 'Establishment' organisation concerned primarily with its own properties in the built and natural environment into a true political lobby and even militant group from 1987, but its policies on townscape protection or local heritage were more conservative than those of AHA. The North Adelaide Society also strengthened its position and its submissions on heritage conservation by the mid-1980s, but it did not engage in direct action to save historic buildings in North Adelaide. The Civic Trust and CCSA were involved in the heritage debates, but those debates were not their major focus. These interest groups confronted the formidable combination of a state government that encouraged building development as a major means of economic recovery, the ACC which comprised a majority of pro-development members until 1991, a deregulated and speculative financial system that invested recklessly in the property market, and the collective lobbying

and influence of developers and architects on those institutions. The NGOs had some influence on planning policies and were able to modify the excesses of some projects. They also raised public awareness and strengthened public opinion in favour of heritage conservation (this chapter cites a number of instances in which buildings were heritage listed after public protests). However, they were engaged in an asymmetrical conflict in which the development sector held the economic and political power.

4

The Role of Adelaide City Council

*Almighty God, we ask your blessing upon the works of the Adelaide City Council;
direct and prosper its deliberations to the advancement of Your glory and the true
welfare of the people of this City. Amen.*
— Prayer read at opening of council meetings

The period 1978–95 was one of rapid change for Adelaide City Council (ACC) in terms of city-state relations, planning controls, heritage protection, landscape and skyscape changes, demographic changes and the membership of ACC. In that period, ACC, the oldest municipal government in Australia, was far more autonomous than any other SA local government body because of its powers to control development under the *City of Adelaide (Development Control) Act* (1976) and its representation on the CAPC. This Dunstan Government legislation exempted Adelaide from the state planning controls affecting all other local governments through the *South Australian Planning Act* (1982). Under the 1976 statute, all development, including demolitions, within the municipality required approval by ACC, until new legislation passed by the state government came into effect in 1993.

In 1983, the Bannon government showed it would bypass city planning authority when it introduced the *Adelaide Railway Station Environs Bill*, giving the state government control over a major North Terrace project adjacent to the railway station. The project violated principles of the City of Adelaide Plan, triggering strong opposition from some members of ACC. From that time, ACC was wary of criticising state government projects in Adelaide, knowing the government could again legislate to circumvent council powers. A decade later, after a review of the state's planning processes, the state government repealed the *City of Adelaide (Development Control) Act* (1976) and replaced it with the *Development Act* (1993),

which brought Adelaide under the same planning processes as all other local government authorities in South Australia.

While the city was struggling with the state for control over development, it also had to contend with an increasingly restive community as Adelaide's built character was rapidly disappearing. Residents' associations, heritage lobby groups and individuals demanded more extensive protection of Adelaide's distinctive Victorian and Edwardian buildings, while developers, architects, financiers and the building industry demanded less. ACC responded by proposing the first local government heritage register in 1982. The prolonged approval process required for the register to become part of the City of Adelaide Plan meant that the list of 363 buildings was not finally ratified until 1987. By then, it was considered too conservative and inadequate to protect the built character of Adelaide. Heritage activists continued to protest loudly and publicly against the ongoing demolition of Adelaide's Victorian buildings that had not been heritage listed.

For the first time in the history of ACC, the business sector began to lose its council majority by 1987, partly because of increased community involvement in ACC elections. Discord in ACC meetings escalated as the elected membership divided into pro-heritage and pro-development factions. Development applications involving the demolition of unlisted buildings, such as St Paul's Church and the Somerset Hotel in Pulteney St in 1989, brought the conflicts over the boundaries of heritage listing to a head. ACC began to consider additions to its heritage register, and at the same time ACC was developing a scheme to protect Adelaide's built character, causing further conflicts between council members. The issues that triggered the conflicts over Adelaide's heritage are this subject's chapter.

Membership of the ACC and the Franchise

ACC has never been a truly democratic institution. The Lord Mayor's title itself is inherited from an undemocratic English social system, and plural voting based on property ownership has always been characteristic of the local government franchise in Australia. Until 1984, that franchise was restricted to property owners, including businesses, and ACC thus represented propertied persons and business interests. Electors for businesses who were also resident in Adelaide had more than one vote, as did ratepayers who owned property in more than one ward. If a company had 30 branches or subsidiaries, that company and its subsidiaries could cast 31 votes. It was common for a developer to set up a company for each of his or her projects to limit the liability if a project failed to return a profit. Some entrepreneurs who were

expansive in establishing businesses were eligible to cast as many as 135 votes and hence could control the outcome of ACC elections.

In 1978, the City of Adelaide was divided into six wards, two in residential North Adelaide and four in the city's square mile south of the River Torrens. The number of electors in each varied considerably. Although two councillors represented each ward, there were twice as many electors in the residential wards as in the business wards. Residential Young Ward in the southeast of the city had more than three times as many potential voters as the commercial Gawler Ward in the northwest. The two commercial wards, Gawler and Hindmarsh, were subsequently amalgamated in 1992 after a periodic review of representation under the *Local Government Act* (1934), reducing the number of council wards to five.

The elected membership of ACC in the 1980s and 1990s reflected the significant changes in Adelaide's social and economic structure initiated by Premier Tom Playford (1938–65), who diversified the South Australian economy after World War II by attracting manufacturing industries to the state with subsidized land and cheap housing near the new industrial sites. Leonie Sandercock concludes that 'this transformation diversified the old "power elite" that had centred around the "Adelaide Establishment", the old families whose wealth derived from land, commerce and banking'.[1] By 1978, the new investors in city property development had effectively supplanted the old Adelaide families on ACC.

In addition to Playford's economic expansion, other demographic shifts had radically altered the social composition of Australian capital cities by the 1970s. From the 1950s, families with children had been moving to new housing in the suburbs, concentrating post-war migrants in the inner city areas. Young professionals joined the migrants in central Adelaide and North Adelaide, many of them the New Environmentalists of the 1960s and 1970s who became involved in residents' associations, heritage protests and ACC elections in the 1970s–90s (see chapter 2), countering the radical pro-development membership of ACC.

The rapid economic growth and demographic changes of the post-war period were significant contributing factors to Adelaide's growing pro-heritage sentiment. That sentiment became particularly noticeable when Premier Bannon began actively to encourage and support major commercial and retail developments to lift the economy from recession. As David Lowenthal noted in 1996, 'dismay at massive change stokes demands for heritage [protection]'.[2]

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[1]   Leonie Sandercock, *Property, Politics, and Urban Planning* (Melbourne: Transaction, 1990), p.152.
[2]   David Lowenthal, *Possessed by the Past* (New York: Free Press, 1996), p.6.

While in 1970 ACC represented 'Establishment business interests', as noted by former Premier Don Dunstan, the class structure of its membership had begun to change by 1978. Former Lord Mayor Steve Condous (later a state Liberal MP) described 'pre-selection' for ACC in 1968 when he was first elected: '16 of the 19 members were all members of the Adelaide Club. In those days also, to become a member of the Adelaide City Council, you had to get Liberal Party pre-selection. Pre-selection was carried out at the Adelaide Club'.[3] By 1978, the social backgrounds of the elected members had broadened, and amendments to the *Local Government Act* in 1984 further widened the social base of ACC. These amendments limited each company to only one vote in each ward, and more importantly, the franchise extended to all individuals enrolled on the state electoral roll, whether or not they were ratepayers. However, plural voting was not abolished. A person was eligible to vote in ACC ward elections if he or she were 'on the state electoral roll as a resident or ratepayer of the ward and the sole owner … of a ratable property' [*Local Government Amendment Act* (1984), s.91]. Thus, a person could live in one ward and be a ratepayer in one or more others, and vote in each. Companies were similarly entitled to more than one vote if their branches were located in different wards, and developers with more than one company could cast a vote for each.

The lobby group AHA examined the City of Adelaide Voters Roll for 1985 and found that many developers had substantial numbers of votes. Among major developers, Giuseppe Emanuele had 30 votes, Con Polites 22, Theo Maras 18 and Gerry Karidis 16, while the Chapman family and their partner Alan Key held 17 votes between them. In addition to their own properties, some were the voting agents for shops and small businesses. In some cases, the developers had no interest in the businesses that had nominated them as electors. Journalist Peter Ward aptly reported that ACC was 'once known as "the real estate industry at prayer"'.[4] After successful lobbying by AHA, s.91 of the *Local Government Act* was repealed in 1986, and clause 3 of the replacement s.91 provided in part that 'a person may not be nominated as the nominated agent of a body corporate … unless that person … is an officer of the body corporate'. Both Condous and former City Manager Michael Llewellyn-Smith described ACC before 1982, perhaps with some exaggeration, as a patrician collective undertaking a civic duty to improve the city without personal

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[3]   Steve Condous, personal interview, 6 August 2001. By 1981, only three Aldermen were members of the Adelaide Club. EJR Morgan, *The Adelaide Club, 1863–1963* (Adelaide: The Adelaide Club, 1964).

[4]   *Weekend Australian* Magazine, 27–28 October 1984, p.8; cf. *Adelaide Review*, January 1992, p.4.

gain from the office, a fairly unified association of gentlemen who respected one another and maintained gentlemen's agreements. By 1978, most members were wealthy post-war entrepreneurs or professional men, such as Lord Mayor Watson (ACC member 1972–82, Lord Mayor 1982–83), Aldermen Black (1974–85), Bowen (1966–85, Lord Mayor 1983-85), Manos (1979–87) and Jarvis (1975-87, Lord Mayor 1985–87). Former Lord Mayor Condous (1968-93, Lord Mayor 1987–93) was an exception. Of more humble origin, he represented the migrant and working-class Grey Ward in the southwest of the city.

Homogeneity of the membership did not necessarily indicate consensus on all issues. Throughout the 1978–95 period, and no doubt through all of ACC's history, the majority view of the council was fluid, the contributions of the members varied, and members had different reasons for seeking election to ACC. As observed by former Alderman Harrison, who was one of the most perceptive representatives of the business community in the 1980s, 'there were people whom nobody respected, and there were people whom everybody respected, and there were some in the middle. … They are people who have an interest in trying to do something, one would hope for the city'.[5]

The business stronghold on ACC also began to change. Rosemary Boucaut was first elected in 1979 as a councillor for North Adelaide's Robe ward who would represent residential interests. Bob Angove joined her in 1980 as a residential member, and Chris Douglas represented the southeast Young ward from 1982. According to those present at the time, the tenor of ACC changed with the 1984 amendments to the *Local Government Act*. Historian Hugh Stretton observed after the amendments that the 'developer-dominated' ACC could expect an imminent rebellion by its non-developer members.

While ACC remained dominated by business interests for the rest of the 1980s, the gentlemen's agreements of the previous era disappeared. There had been an understanding that lord mayors served for a two-year term, and once they had done their term, they moved on and the next senior alderman took over. When Lord Mayor Wendy Chapman ran for a second term in 1985, Alderman Jim Jarvis defeated her through the collective efforts of the other alderman. However, the aldermanic agreement was debased in 1989 when Steve Condous was elected for a second term. The effect was that aldermen felt they might not get a chance at the position and withdrew their support for Lord Mayor Condous.

The business majority on ACC had narrowed by one member after the 1985

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5   Michael Harrison, personal interview, 30 July 2001.

election, to 14 of 19 members, and in 1987 the margin narrowed again to 12 of 19. Ideological factions emerged, as heritage conservation became a major community issue and heritage lobbyists campaigned in ACC elections. So-called pro-heritage and pro-development factions now divided ACC. Within each faction, there were councillors who would sometimes change alliances in the vote over individual developments, but overall the membership of the factions could be identified. Former Alderman Mark Hamilton described the fluid nature of ACC politics: 'some people didn't adopt a completely consistent position. Some people would adopt a different position if [a development] were residential or commercial, and some people might take a different position if they were lobbied'.[6]

In 1991, for the first time, voters elected a majority of pro-heritage candidates (10 of the 19 members).[7] Their numbers were strengthened further when Aldermen Anders and Harrison, both businessmen, resigned later that year due to financial difficulties, to be replaced in early 1992 by Alderman Mark Hamilton, a strong heritage protectionist, and planner Savas Christodoulou. The following year, Alderman Con Bambacas and Councillor Roger Rowse also resigned because of financial troubles, reflecting the sharp downturn in the building industry. That year, Lord Mayor Condous, who no longer enjoyed majority support, became an endorsed Liberal Party candidate, and party politics entered an already divided council chamber.

ACC as Developer

ACC was involved in property development through its own properties. In the 1970s and 1980s, it extended its ownership of carparks in order to control parking revenues in the city. It awarded to developer Joe Emmanuel the contract for a major carpark in the former Topham Street between Currie and Waymouth Streets. The project included shops, cafes and ACC's archives. In 1976, the former Victorian ETSA building was demolished and replaced by an eight-deck carpark at the corner of Pulteney and Rundle Sts. At ground level, an American fast-food outlet completed the globalisation of that corner. Nearly a decade later, the Emmanuel Group was awarded another contract to extend the Central Market carpark to Moonta St. Food and variety shops built along the street have created Adelaide's small Chinatown.

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6   Mark Hamilton, personal interview, 17 July 2001.
7   The pro-heritage members were Aldermen Rosemary Boucaut, Chris Douglas and Jane Rann, Councillors Robert Angove, Ian Caller, Francene Connor, Jacqueline Gillen, Alan Rye, Michael Gibbs and Jane Lomax-Smith.

From the 1970s, ACC was concerned about the growth of office accommodation outside Adelaide's boundaries. It sold three office sites in Wakefield and Frome Sts in 1979, and, most importantly, designed the CitiCom project at Hindmarsh Square for sale as office accommodation (see chapter 3). Buildings in that project had been recommended for listing on the city's heritage register, and ACC's approval of the project might be deemed a conflict of interest.

ACC also owned and developed several residential properties. Its annual report for 1983 recorded that it had built 45 homes since 1972, among them the Mawson Court townhouses in Hill Street, North Adelaide, in 1982. ACC also renovated 18 older homes, and during the 1981–83 term released more than 265 allotments for private development. Like city councils in all states, ACC owned a substantial number of properties and developed them to increase its revenue. Rarely was heritage conservation its primary concern.

The City of Adelaide Plan

Adelaide's first development plan under the *City of Adelaide (Development Control) Act* (1976) was a unique feature of planning legislation in South Australia. ACC had engaged Urban Systems Corporation under the direction of George Clarke in 1972 to prepare the City of Adelaide Plan, which they published in 1974 after extensive public consultation. The Plan was gazetted in 1977 as a schedule to the Act. Known as the 'Red Book', the 1976–81 Plan was for its time a model of urban planning and contained Adelaide's first proposed heritage list other than the unofficial National Trust Register. The Plan described the precincts of the city and outlined the desired future character of each: 'the appropriate uses, densities, heights, percentages of on-site landscaped space, and other characteristics of built-form, have been indicated for every site within the Town Acres of the City'.[8] It proposed for the square mile south of the River Torrens a 'pyramid concept' in which the largest scale development would be concentrated in the central business district, tapering to the Terraces at the peripheries, giving the city a coherent form, conserving views to the hills and over the parklands from most buildings.

The 1976–81 Plan contained the first detailed written policy for the future use and conservation of the Adelaide parklands, a green belt surrounding south and North Adelaide and dividing the two sectors along the banks of the River Torrens. The parklands were to be 'conserved and enhanced exclusively for the relaxation,

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8   George Clarke, *The City of Adelaide Plan* (Adelaide: Urban Systems Corporation, 1974), p.54.

enjoyment and recreation of the metropolitan population, and the city's workforce, residents and visitors' under the Plan. However, parkland areas were designated state Government Reserves from their inception by Colonel Light along North Terrace to the Torrens River for uses such as the Botanic Gardens, an art gallery and museum and Parliament House. Other development in this precinct later occurred for the Royal Adelaide Hospital, the Institute of Mines and The University of Adelaide.

The City of Adelaide was the legal trustee of the remainder of the parklands, about three-fourths of their area. From the 1870s, they leased several areas of the parklands for sporting purposes. By no means were all of the uses approved by ACC for the public benefit: 'Until the 1880s the council consistently derived more income from the Parklands than it expended on maintenance, works and improvements. Often the sources of Parklands income were purely commercial and contrary to the purposes of public enjoyment envisaged by Colonel Light, when he encircled Adelaide with Parklands'.[9]

State governments have also taken a share, carving up the parklands with roads and using them for railway stations and tracks, tram sheds and bus depots, and, in the case of the Bannon government, for a Formula One car raceway. Although nominated several times, the parklands were not registered as a State Heritage Area in the 1980s or 1990s, surprisingly enough given their historic importance and their significance in framing the state's capital city.

The *City of Adelaide Act* provided for five-yearly reviews of the Plan. The first, which took place in 1981, was the only non-controversial review enjoyed by ACC. The recommended heritage register was not included — bureaucratic processes moved slowly in Adelaide and often lagged behind community aspirations. More importantly, many ACC members lacked enthusiasm for a heritage register at that time. The next review, completed in 1987, contained the Register of City of Adelaide Heritage Items and its criteria plus controversial design principles for each of the City's precincts. Streetscape or townscape protection, a new concept suburban council districts were considering and already in place in Melbourne from 1982, was considered but had to await the next plan review. The five years after the 1986–91

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[9]   JW Daly, *Adelaide Parklands, a History of Alienation* (unpub MA thesis, University of Adelaide, 1980), p.219. Parliament approved major developments in the Parklands in the nineteenth century for the Adelaide Racecourse (*East Parklands Racecourse Act* 1863) and Adelaide Oval (*Cricket Ground Act* 1871). Boatsheds along the Torrens, three golf courses and university sports grounds are other leaseholds in the Parklands. The Zoological Gardens, a Snake Farm, a pleasure garden and a floating barge are some of the early twentieth century commercial uses of the Parklands cited in Peter Morton, *After Light* (Adelaide: Wakefield Press, 1996), p.102.

Plan were the most divisive of the decade, involving a townscape initiative that was converted to a local heritage list in the 1991–96 City of Adelaide Plan, which itself was converted to a development plan under state government legislation in 1993.

For all the discussions, public exhibitions, consultations and amendments associated with each Plan review, the principles of the Plans were often disregarded by state and local governments during the heady 1980s, particularly when large-scale developments were involved. The pyramid city form concept, discussed above, was spoiled by the Hyatt hotel building of the ASER project in North Terrace, the State Bank Centre in King William St and the Southgate building in South Terrace. Many precincts lost their distinctive Adelaide character described in the Plan as buildings were replaced by glass and steel towers belonging to a global architectural world. Journalist Peter Ward, a harsh critic of ACC, commented in 1992 that, 'for the vision, we look to the first plan, published in 1974 and written by George Clark and Urban Systems Corporation. For the lack of progress see all subsequent volumes. It's a depressing thing to write'.[10] Former Alderman Mark Hamilton would disagree. He regards the 1976–81 and 1986–91 Plans as the best, the latter 'a leap forward in providing heritage protection and detailed statements of desired future character for each precinct in the city and North Adelaide'.[11] Conversely, the RAIA and BOMA regarded those desired future character (DFC) statements as onerous design controls.

Plot Ratios and Bonuses

While ACC tended to uphold the principles and desired future character statements for residential districts, in the core and frame districts (the central business district and surrounding commercial precincts) during the building boom of the late 1980s it often disregarded limitations on height and scale prescribed in the Plan. Principle 15 of the 1986–91 Plan describes the allowable size of a building as the basic and maximum plot ratios. Plot ratio is the amount of floor space permitted per given area of land, calculated by dividing the total floor area of a development by the area of the site on which it is located. The difference between the basic and maximum ratios is usually referred to as the 'bonus plot ratio'. Bonuses, or additional plot ratio, were supposedly granted for public amenities provided in a project. These are specified in DFC statements for each precinct in the Plan and include appropriate entertainment or tourist facilities, public spaces, through-site pedestrian links, pedestrian canopies, setbacks to buildings at ground or podium level, community

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[10]   *Adelaide Review*, October 1992, p.5.
[11]   Mark Hamilton, personal interview, 17 July 2001.

facilities, visible art works, sculpture or fountains, conservation of heritage and energy-efficient design features.

ACC usually granted plot ratio bonuses for large developments in the CBD. During the 1980s most of the large developments were office towers, which were relatively cheap to build and could yield a quick return on investment. Some members of ACC in fact believed the Plan was not intended to apply to large-scale developments, and bonuses were therefore allowable for those because of the major investment involved. Former Lord Mayor Lomax-Smith retorted: 'I never understood that argument because all a large site was, was a greater area over which you could make a greater disaster. The qualities were no different, it's just that the mistakes could look worse. And that has been the effect, the mistakes are worse'.[12] Former City Planner John Hodgson presented a more moderate view: 'there was always an area of discretion because no proposal lines up totally with the Plan, and you have to exercise judgement as to whether departures from the Plan are of such significance as to justify refusal'.[13]

Llewellyn-Smith claimed that ACC upheld the plot ratio principles strictly while he was City Planner 1974–81 and that developers had to provide significant public benefits to earn a bonus for a project. His claim was corroborated by former Lord Mayor Steve Condous, who said that 'Michael [Llewelyn-Smith] demanded that plot ratios were always adhered to. He would demand architectural excellence for a 5% bonus plot ratio … He wouldn't give things away for nothing, whereas today they do'.[14]

The planning staff and ACC were subjected to more political pressure by the mid-1980s, as investment capital became more readily available and consequently developers sought to build larger and larger buildings: 'It became so common for bonuses to be given by the council … that effectively plot ratios rose by default. It was a significant change in the planning system, that the basic plot ratios changed without the owners having to do very much'.[15] Property values rose as development potential became the criterion for valuing property, rather than plot ratios specified in the Plan. Developers started to submit ambit claims to find out

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[12]   Jane Lomax-Smith, personal interview, 28 July 2001.

[13]   John Hodgson, personal interview, 18 October 2001.

[14]   Steve Condous, personal interview, 6 August 2001.

[15]   Michael J Llewellyn-Smith, personal interview, 30 July 2001. He and several councillors interviewed by the author allege that the planning staff continued to uphold principles of the City of Adelaide Plan, but the elected members of ACC were more willing to grant bonuses for less return to the public than had previously been the case.

how much more than the basic plot ratio they could wangle from ACC. Hugh Stretton believes the regular practice of allowing developers bonus plot ratios inflated land prices, reduced the possibilities of low density development in the city and 'diminished the chances of a range of desirable developments that relied on cheaper land. Aesthetically, I think it made the city look nastier than it could have been. And it discredited land use planning'.[16] It also put at risk unlisted and even some heritage-listed Victorian and Edwardian buildings in the core and frame districts because the value of the sites as potential development became greater than their commercial value if retained in their existing form.

Design Panels

By the mid-1980s the number of development applications began to increase, putting greater pressure on the staff and elected members. In 1983–84, for example, the Planning Approvals Committee considered an average of half a dozen development applications at its fortnightly meetings. By 1987 the Planning and Environment Committee usually considered two or three times that number — on February 2, for example, the agenda included 25 development applications and 3 letters of intent — and the complexity of the projects was far greater. To lighten ACC's workload, approval of non-controversial applications was delegated to the Planning Approvals Committee in 1986. The total annual planning applications peaked at 1,109 in 1989 and declined to 835 in 1992. The annual value of new buildings tells the story of their increased size and cost. ACC received 40 building applications in 1983 for a total value of $12,861,000, whereas they received 46 building applications in 1990 with a total value of $129,028,000. The peak years for new buildings were 1987–90.[17] Adelaide's former Victorian streetscapes of a human scale were transformed one by one into modern urban caverns walled by office towers, beginning with Grenfell St, then Pirie and Flinders Sts, as bonus plot ratios were granted regularly for features such as pedestrian canopies and podiums or retaining facades of buildings. Shiny towers sprang up alongside heritage-listed buildings, perhaps nowhere more incongruously than the 18-storey Australis building (now SA Water House, 77 Grenfell St) alongside the two-storey heritage Bertram House at 73 Grenfell St. By the end of the 1980s, an oversupply of office space was apparent in the published vacancy rate of around 20 per cent. By 1993, the vacancy rate was

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16   Hugh Stretton, personal interview, 11 April 2002.
17   Corporation of the City of Adelaide, *Annual Report* 1992, p.28.

still high.[18]

Speculative developers who had no stake in design or long-term quality often built the new buildings. The Southgate (now Optus) building at King William St and South Terrace, approved in 1988, was an example. It was financed by the Japanese consortium Kumagai Gumi, the same group that partly financed the state government's ASER project, and designed by Adelaide architect Rod Roach. The developer had secured no tenant before commencing the project, and the building remained vacant for nearly five years. While a prominent architect designed the Southgate, the generic buildings of the 1980s could not match the signature buildings of the inter-war era that made a statement about the companies that commissioned them. Nor did they compare to the restoration of buildings in east Rundle St undertaken by Mancorp Pty Ltd on the periphery of the East End Market from 1993 (see chapter 6).

ACC mostly shied away from design issues, although individual members commented on the poor design of a building from time to time. John Hodgson commented that when he was appointed City Planner in 1988, 'nobody seemed to be concerned about the standard of architecture …which was pretty parlous'.[19] Two strong lobby groups, the Royal Australian Institute of Architects (SA Branch) and the Building Owners and Managers Association, opposed changes to the 1986–91 Plan that they regarded as ACC interference in the design of future buildings in Adelaide. In April 1986, forty architects marched on the Adelaide Town Hall to protest against the changes. Their spokesman, John Cooper of the former SA Institute of Technology (now University of South Australia), said the plan review 'gives "absolute design and aesthetic control" to the elected members and employed officers of the council. Such a control is invidious and will, in all probability, stifle the future of Adelaide'.[20] ACC established design panels during City Planner Hodgson's term, but only after the building boom had done its damage.[21] They failed to have the desired effect because the architects on the panels tended not to criticise their colleagues or to assess the proposed projects based on their impact on the character of a townscape.

The DFC statements in the Plan were vague enough to allow ACC considerable

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[18] The national glut of office space was reported to the 1993 Council of Capital City Lord Mayors. Adelaide had the fourth highest rate of empty office space at 18%, trailing Perth at 31%, Melbourne at 26% and Sydney at 22% (*City Messenger*, 28 July 1993, p.5).

[19] John Hodgson, personal interview, 18 October 2001.

[20] *Advertiser*, 25 April 1986, p.9.

[21] See John Hodgson, 'Review of the Planning System' (Adelaide: Department of Environment and Planning, 1987), p.13, for his earlier proposal for a Design Review Board for the City.

Bertram House next to SA Water House, Grenfell St. Courtesy John Emerson

latitude in assessing development proposals. For example, in the 1986–91 Plan the DFC statement for the F17 Hutt St North Precinct in Adelaide reads, 'although the Hutt St North precinct should be primarily commercial in nature, it should retain its significant quantity of former residential building stock as the basis for its environmental image'.[22] Much of the residential building stock in Hutt St was in fact lost during the decade partly because of the vague wording of the DFC statement for the precinct, which implies that an unspecified number of the former buildings could be demolished, and they were. Planners preferred flexibility and resisted prescriptive statements because ACC could refuse a good development application that did not meet all of the requirements of the Plan. That kind of flexibility encouraged ACC to stretch the limits of the Plan and, as Stretton noted, 'when they had been doing it for a while, then it seemed to many people unfair if they didn't do it for everybody'.[23]

Whatever the motivations for approving projects that did not comply with the Plan, ACC's decisions resulted in a permanent change in the Adelaide's character. A sample of the more egregious breaches of the principles of the Plan includes:

- the Commonwealth Bank building in King William St, approved in 1984, and the demolition of the Majestic Hotel and adjacent Warner (formerly Majestic) Theatre, which were considered for listing on the Register of the National Estate. The Commonwealth Bank's headquarters replaced the hotel and theatre. It was positioned at an angle to King William St, spoiling the grid pattern favoured by the city planner at the time

- the State Bank Centre, approved in 1986, in which the heritage-listed Commonwealth Bank chamber in Currie St was demolished and the replacement office tower exceeded height limits for its precinct by 11 storeys, spoiling the integrity of a heritage streetscapes

- the REMM-Myer complex, Adelaide's largest single undertaking, approved in 1987 with the Premier's encouragement. A bonus of 2.51 (23,370 square metres) above the allowable basic plot ratio of 4.93 was granted. Three heritage-listed buildings in North Terrace were demolished, leaving only their facades. A yellow fiberglass-clad five-storey office complex and clock tower atop the masonry building frontage was out of character with the heritage facades in North Terrace. The developer argued the yellow addition, set back from the buildings' upper edges, could not be seen from North Terrace, but that is only true if the viewer is

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[22]   1986–91 City of Adelaide Plan, p.115.
[23]   Hugh Stretton, personal interview, 11 April 2002.

directly in front of the buildings on the southern side of North Terrace and not across the street[24]

- a 12-storey office building at 2-20 Chesser St and 91-99 Grenfell St, approved in 1987. A plot ratio bonus of 2.99 (5,500 sq.m.) was granted for pedestrian cover, retention of character facades (as a podium), landscaping and public uses. This was the first of several multi-storey office buildings which destroyed a precinct of great charm, with narrow lanes and two-storey brick and stone buildings, in the heart of the city

- a 9-storey office tower at 92-108 Pirie St, approved in 1987, which was grossly out of scale with its neighbours. A bonus plot ratio was granted for pedestrian canopies and landscaping, an unwarranted concession for a building which extended the destruction of the Chesser St precinct

- the Health Commission office building and shops at Hindmarsh Square, Pulteney St and Rundle Mall, approved in 1986 and amended in 1987, which replaced two-storey bluestone shops of significant streetscape character. The ten-storey reflecting glass office tower did not integrate with the new two-storey candy-coloured shops around it

- the two East End Market sites, a long saga in which ACC in 1987 originally approved an 11-storey hotel and luxury apartment complex on the northern site that would have been out of character with the heritage shops and Botanic Hotel in East Terrace. The hotel's height was subsequently reduced to nine storeys at the recommendation of the CAPC. The site was sold at great profit with the planning approval, but the development did not proceed. In overdevelopment of the site, a massive apartment complex looms above the shops at the northern section of the former markets with no setback of the building as proposed in a conservation study commissioned by the state government in 1990.

The southern market site at East Terrace between Rundle and Grenfell Sts was the focus of three multi-million dollar proposals from 1987 to 1992 consisting of office, residential, retail and entertainment buildings which were abandoned because of financial losses. State government intervention ultimately resulted in a residential project in the market grounds, with heritage buildings at the

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[24] In an example of changing values, two years earlier ACC had refused permission for Myer Stores to erect an entrance canopy and under-awning sign at Goldsborough House in North Terrace because of the impact, relatively minor and temporary, on the heritage building. Report of PAC 4 March 1985 to Council 25 March 1985, item 4.

perimeter, except Union St

- the Southgate (now Optus) building at King William St and South Terrace, approved in 1988, a 15-storey complex grossly out of scale with its surrounding two-storey neighbours. It was approved on the grounds that it would form a gateway to the city and that taller buildings would be permitted along King William St to Victoria Square. The Southgate was vacant for five years, and the anticipated large-scale redevelopment of King William St did not eventuate
- partial demolition of the heritage-listed Working Women's Creche in Gouger St in 1985, and then demolition of the remaining heritage-listed portion, approved in 1987 (see chapter 7)
- the Le Cornu project, North Adelaide, for which ACC in 1991 approved demolition of buildings and their replacement by 14 shops, offices and residential buildings in Tynte and Archer Sts. The CAPC refused to concur with ACC's approval on the basis that the proposal was contrary to principles 14, 15 and 18 of the Plan, which defined the maximum and bonus plot ratios and maximum dwelling density for the site, and that it was contrary to the DFC statement for the O'Connell St precinct.[25] The project was subsequently redesigned to the satisfaction of the CAPC and ACC, but after the buildings were demolished the project failed to proceed due to lack of capital. The state government has approved a new project, which does not comply with the Plan.

ACC reached many of its decisions *in camera*. The AHA and other groups concerned with planning in Adelaide objected regularly to ACC's excessive use of secret meetings because the public could not comment on the proposals before ACC decided upon them. Peter Ward also vented his frustration in 1982: 'Nothing is more infuriating to journalists, nor should be more infuriating to ratepayers, than this craven desire for secrecy and self-importance among councillors discussing public business'.[26]

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[25] Report of City Planner, ACC Notice Paper 8 July 1991, item 6.7, p.267.
[26] *Adelaide Review,* June 1985, p.11.

Appeals against ACC decisions

Councillors often expressed concern that refusal of a planning application would result in a costly appeal to the Planning Appeals Tribunal even if the project did not conform to the principles of the Plan. Former Alderman Rann presented the position (not her own) of some members who were 'mindful of avoiding a situation where the council would be caught in litigation which it couldn't defend if a development were not approved'. Some members, she said, also held the view that 'development is progress and is growth and is an income source in terms of the city's rate base'.[27] The concern about losing an appeal was spurious because in fact the City of Adelaide Planning Appeals Tribunal overturned fewer than one case per year brought against ACC during the 1983–89 period.[28]

While developers could appeal to the Tribunal, other interested parties could not. Conservationists or neighbours to a development proposal could submit their objections to ACC but they had no other legal recourse under the *City of Adelaide (Development Control) Act*, which did not provide for third party rights of appeal. During the state government's Planning Review in 1992, several individuals and groups commented on the lack of public consultation and third party appeal rights in the planning system. The *Development Act* (1993) remedied the access restrictions to some extent by providing in s.38(14) that any person who made a representation to the relevant council on a category 3 (non-complying) development may lodge an appeal with the Environment, Resources and Development Court (created at the time the Act came into force). One can only wonder whether Adelaide's streetscapes would be different now if third parties had had the right to appeal against ACC's decisions a decade earlier.

Register of City of Adelaide Heritage Items

In March 1980, Lord Mayor Bowen announced that ACC would undertake a heritage study of the City of Adelaide. According Bowen, the study would end debate about the historic merit or otherwise of individual buildings. The motive was not solely to preserve the built heritage:

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27 Jane M Jose (formerly Alderman Jane Rann), personal interview, 22 July 2001.

28 Of 15 appeals against the Corporation of the City of Adelaide considered by the Planning Appeals Tribunal for the years 1984–90, only five were decided in favour of the appellant developer, and in three of those conditions were attached to the decisions. *SA Appeals Tribunal Decisions Bulletin*, Vols I and II, Bulletins 1–122.

> The City of Adelaide Heritage Study began … at the instigation of a Lord Mayor who, annoyed at the increasingly visible confrontations between the development industry and the heritage lobby, wished to identify once and for all those buildings in the City which could be redeveloped. Through a reverse twist, the Heritage Register began in Adelaide by identifying sites for redevelopment and heritage items by default.[29]

Former Alderman Chris Douglas expressed the same view in more colourful language: 'Certainly the city didn't want to use heritage provisions to stop any development, and that was why when Bowen was Lord Mayor the property barons decided that the way to go was a list, and the list would say "ok if you're on, and if you're not on, you're not on". It gave that absolute certainty'.[30]

Consultants Donovan, Marsden and Stark (DMS) were appointed in early 1981 to undertake stage I of the study, to photograph and record basic information as an 'historical analysis' of every building in the city. The DMS study, completed in 1982, recommended a preliminary list of more than 400 buildings to be entered on the Register of City of Adelaide Heritage Items. Lord Mayor Bowen had expected the first register to comprise about 120 buildings that the Lord Mayor's Heritage Advisory Committee (LOMHAC) would recommend to ACC.[31]

LOMHAC first met in April 1981 to develop procedures for evaluating items recommended by DMS for the heritage register, and in November began to consider a draft list produced by the consultants along with items on the National Trust register. A major concern was appropriate action for buildings that were the subjects of development applications lodged with ACC. In a letter to the city planner dated 17 June 1982, DMS expressed concern about the proceedings of LOMHAC. Specifically, they observed that 'some members appear to take little, if any, cognizance of the documentation which is provided, when making decisions' and appear 'to be swayed by development options' (like the State Heritage Committee at the time). Further, 'the nature of historical significance appears misunderstood and is given scant regard' compared to architectural significance.[32] Architectural merit as the

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29 Susan Marsden and Robert Nicol, *The Politics of Heritage (*Adelaide: History Trust of SA, 1990), p 36.

30 Chris Douglas, personal interview, 21 August 2001.

31 For membership of LOMHAC, see Appendix B.

32 Letter reproduced in Peter Donovan, Susan Marsden and Paul Stark, *City of Adelaide Heritage Study* (Adelaide: City of Adelaide Department of City Planning, 1982), Appendix C. Among buildings of historical significance on the list was the Aurora Hotel at Hindmarsh Square.

major determinant was also characteristic of the first entries on the Register of State Heritage Items. Davison in Melbourne observed that heritage registers are 'likely to reveal a strong bias towards grand buildings designed for wealthy clients by well-established architects'.[33]

As chapter 2 notes, for some years the SAHC refused to recommend buildings that were the subjects of development proposals. ACC followed suit in compiling its heritage register. In February 1982, John Mant and Social and Ecological Assessment Pty Ltd were engaged to undertake the stage II study on 'legal and economic aspects of heritage conservation in the City of Adelaide'. The report specifically recommended that 'the listing of heritage items by LOMHAC be based upon the heritage criteria adopted by Donovan, Marsden and Stark and that economic factors not be considered at the time of listing'.[34] This recommendation provoked strong written comments from former Lord Mayor J.V.S. Bowen and from Councillor Dean Fidock, the latter stating that 'in my view consideration of the economic consequences of listing is a *sine qua non* – in any such exercise as only in this way can the value of heritage listings be compared with their non-intrinsic worth'.[35] Since nearly 50 buildings recommended by DMS were not listed on the city heritage register, among them the ABC building and Aurora Hotel in Hindmarsh Square. While there is no record of outside influence on the committee's decisions, as with all committees of its nature, the process was prone to human error and to political input. When asked whether he was aware of attempts by the owners to keep their buildings off the register, a former city planner replied, 'who can say; I mean, when you see these bodies in operation, you don't lie awake at night wondering any more'.[36]

A preliminary list was publicly available in 1984, and after considering more than 100 public submissions, LOMHAC recommended a register to ACC in February 1985. In mid-1985, ACC finally approved less than 5 per cent of the city's stock, to comprise the Register of City of Adelaide Heritage Items. The statutory public exhibition of the register was held in late 1985, by which time properties located in the city that were listed on the State Heritage Register had been added, to comprise

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[33] Graeme Davison and Chris McConville, *A Heritage Handbook* (St Leonards: Allen & Unwin, 1991), p.10.

[34] Recommendation 3 of J Mant and Social and Ecological Assessment Pty Ltd, *Legal and Economic Aspects of Heritage Conservation in the City of Adelaide*, Draft Heritage Study, Stage II (Corporation of the City of Adelaide, 1982), page unnumbered (emphasis in original).

[35] AC Archives file 7601, part 1, letter from Cr Dean Fidock to the Lord Mayor dated 5 August 1982.

[36] John Hodgson, personal interview, 18 October 2001.

a list of 419 items.[37] The register contained major institutional buildings, such as those in the cultural precinct of North Terrace, banks, post offices, schools, places of worship, major hotels and stately homes, plus other built structures. Parliament approved it as a schedule to the *City of Adelaide Development Control Act* (1976), along with the 1986–91 City of Adelaide Plan, and gazetted it in December 1987. The register should have been approved as part of the 1981–86 Plan, as recommended by the George Clarke team, but as former Alderman Hamilton said, 'you could be cynical about that. It should be that heritage listing was considered simultaneously with Plan Reviews, but it has always lagged behind'.[38] The consequence was that some of Adelaide's distinctive urban character was lost during the 1980s before this register and local heritage formed part of legislation.

When the city register was made public, Chris Russell of *The Advertiser* reported that 'initial reactions are that the list is conservative. … There is a feeling that the very old humble common houses, factories and so on are not so well represented'.[39] That feeling had intensified by the time the city register was gazetted. Lord Mayor Wendy Chapman had claimed in 1983 that the 'list would not be ongoing … That certainty of knowing a building will not appear on the list in months or years to come would assist with the development of the city'. However, the register did not provide the certainty desired by either developers or the heritage movement. As John Mant predicted in stage II of the Heritage Study, 'there can be no guarantee that a building which has not been placed on an official list or register will not attract the attention of some community group or non-government conservation body if it is threatened'.[40] Nor could the community be certain that a heritage-listing would protect a building, as events proved.

Having approved the register, members of ACC on several occasions sought to remove buildings from it. In May 1987, for example, Councillor Jim Crawford unsuccessfully moved for delisting of the Keith Sheridan Institute in MacKinnon Parade, North Adelaide, one of the few extant buildings listed on the Kingston survey

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[37]   Three hundred and sixty three of the items were buildings. Others were built structures such those listed in the Torrens Lake precinct: the Torrens weir, a band rotunda, a bridge, the Adelaide Oval scoreboard and grandstands and entry gates to the oval. Some items were listed twice if they extended over more than one precinct. SA Government Gazette, 23 December 1987, Schedule to *City of Adelaide Development Control Act* (1976): Approval of Amendment to Principles, pp.289–99.

[38]   Mark Hamilton, personal interview, 17 July 2001.

[39]   *Advertiser,* 1 December 1983, p.7.

[40]   J Mant and Social and Ecological Assessment Pty Ltd, *Legal and Economic Aspects of Heritage Conservation in the City of Adelaide,* p.12.

of 1872. A few months later, ACC approved the demolition of the Working Women's Creche in Gouger St, but the CAPC refused the recommendation. The City of Adelaide Planning Appeals Tribunal later approved demolition (see chapter 7). I describe above and in chapter 6 approval of the demolition of the Commonwealth Bank interior and the gutting of the North Terrace heritage buildings for the REMM project.

The city register remained static for the five years between City Plan reviews, as intended by ACC. By 1989, when an application to redevelop the site of St Paul's church in Pulteney St was lodged, ACC agreed to reconsider the 715 buildings listed in Appendix 2 of the DMS Heritage Study. The consultants had compiled a list of buildings that contributed significantly to Adelaide's distinctive townscape but that they deemed not to meet the LOMHAC criteria. After the city heritage register had been determined, the buildings not accepted for the register were added to the character schedule. This schedule had no legal standing. Consultant Paul Stark bluntly described the character schedule as 'a list of leftovers' from the Heritage Study, adding that the list nevertheless 'festered because people believed it did have status'.[41] By 1990, some of these buildings had been demolished.

In August 1990, after ACC debated two key development applications involving buildings listed on the DMS 1982 Character Schedule, ACC resolved to begin a process of adding buildings to the city's heritage register as part of the five-yearly review of the City of Adelaide Plan. No buildings had been added since the register was ratified in 1987, and the debate reflected changing heritage values since the register was compiled. In September 1990, a City of Adelaide Heritage Advisory Committee (COAHAC) was set up to assist ACC in the initial compilation of the Register. COAHAC comprised representatives of the Building Owners and Managers Association, the Real Estate Institute of SA, the Royal Australian Institute of Architects, the Royal Australian Planning Institute, the Australian Institute of Valuers, the National Trust, AHA, the North Adelaide Society, the Square Mile Residents' Association and four heritage experts.[42] COAHAC gave building owners the opportunity to object to heritage listing. After the first statutory public exhibition of the list of 104 items recommended for heritage listing, mostly gleaned from the Character Schedule, ended in December 1990, COAHAC began considering 40 objections in March 1991.

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[41]   Paul Stark, personal interview, 20 September 2001.
[42]   The members were: K Taeuber (Chairman), P Bell, A Cawthorne, B Close, D Harry, G Lindner, S Marsden, K McDougall, G Pember, J Persse, H Ramsay, B Rowney, P Stephens and D Wallace. ACC minutes 25 February 1991, item 8.2, p.2769.

COAHAC met for the remainder of 1991 and most of 1992. Some of the objections were protracted and extended over more than one meeting. Among the most controversial were objections to the listing of the Star Grocery store at Hindley and Morphett Sts with associations with the Greek community in the post-World War II period, Gawler Chambers (see chapter 5), the Kithers Building in King William St, recommended for its innovation as the first reinforced concrete building in Adelaide rather than its architectural merit, a former dance studio (previously Osborne Hall) in Gouger St, Adelaide, and Eagle House in Grenfell St, a 1968 office building of the International Style. Of these, only the Star Grocery store and the dance studio were not heritage listed, the latter having been significantly altered. ACC considered additional buildings after the public exhibition and some were transferred from the townscape initiative, to be discussed in the next chapter. At the end of the process, 117 items were added to the Register of City of Adelaide Heritage Items, of which 13 were statues, memorials, public gardens and the West Terrace cemetery. This process confirmed ACC's commitment to its register as its list of prime heritage buildings at the same time that ACC recognised the community's desire for protection of the city's character through its townscape initiative.

Heritage Principles

Restrictions on development relating to heritage buildings were contained primarily in Principles 19 and 20 of the 1986–91 City Plan. Principle 19 'Heritage Items' prescribed that:

> Development of items within the City of Adelaide listed on the following, shall conserve the substantial whole of the items:
> - Register of State Heritage Items;
> - Interim List established by the South Australian Heritage Act, 1978;
> - Register of City of Adelaide Heritage Items.
>
> Where adaptation of such items to new uses involves additional construction, part demolition or where alterations are proposed to the fabric of such items, development shall neither detract from nor destroy their cultural significance.

The State Bank Centre and the REMM-Myer project represented the most serious violations of this principle, with the approval of the SHB, the ACC and the CAPC. The former required the demolition of the heritage-listed grand chamber of the Commonwealth Bank in Currie St, one of a few spectacular internal banking spaces

in Adelaide at the time. Rather than argue for retention of the heritage building, ACC quibbled over reuse of the pressed metal ceiling panels in the foyer of the new building, which ultimately replica panels replaced. In the case of the REMM-Myer project, the SHB and ACC argued that renovations had spoiled the original interiors of the heritage-listed buildings in North Terrace and were not worth preserving. In fact, the original interior of Shell House was intact and of significant heritage value.

Principle 20, 'Development Adjoining Heritage Items', provided that 'the design of buildings on a site adjoining the site of an item of city or state heritage should respect and complement the built form character of such item in terms of scale, building form, materials, external finishes and colour'. There are many examples in Adelaide that illustrate how willing ACC was to overlook this principle. Among them are the modern Commonwealth Bank in King William St, the Grenfell Centre and Telecom building in Pirie St and others surrounding the three-storey heritage-listed Stock Exchange building, the SGIC office building next to the former Marine and Harbours building (shifted from its corner position to make way for the SGIC building) at Victoria Square, and the modern office buildings surrounding the Bethlehem Lutheran Church in Flinders St.

These examples illustrate the truism expressed by urban historian Chris McConville: 'The economic factor in heritage conservation is crucial. In each Australian state and territory, heritage legislation and other protective mechanisms are as strong or as weak as the pressure from developers and local interests, and the political will of federal, state and local governments'.[43] ACC often bowed to pressure from the state government and developers and gained economically through fees and increased rates by approving large-scale projects despite their impact on the city's heritage and character, while individual members may have benefited from donations to their election campaigns.

Incentives for Heritage Conservation

When the Register of City of Adelaide Heritage Items was approved, ACC resolved to encourage heritage conservation through financial incentives as recommended in the Heritage Study - Stage II. In her 1985 term of office report, Lord Mayor Wendy Chapman announced that ACC would design a package of financial incentives for heritage conservation along with its heritage register. After considerable correspondence with the state and federal governments seeking taxation and rate

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43   Davison and McConville, p. 60.

concessions, ACC exhibited the package for public comment in 1986. Alderman Harrison had then moved that the amount allocated for heritage incentives in the 1986/87 budget be at least $500,000 to reflect ACC's strong views regarding Adelaide's heritage, but the actual allocation fell far short of that. The final scheme, approved by ACC on 22 February 1988, included a rate rebate and the waiving of all planning and building application fees in relation to conservation work. ACC allocated a total of $100,000 for grants covering up to 60 per cent of the cost of the work for commercial properties and 20 per cent for owner-occupied residences. The maximum value of a grant was $1,000. Clearly, a $1,000 grant would not cover the major costs of maintaining a heritage property. As former Alderman Harrison said, 13 years after the grant scheme was initiated, 'the real truth is there was never enough money allocated to heritage protection and there still isn't'.[44]

Former Lord Mayor Steve Condous concurred and added that the state government had not done enough for heritage either.[45] Neither of these men was a strong heritage advocate as a council member, but once ACC was committed to a heritage register, they professed to believe adequate funding should be provided to maintain the city's heritage. ACC's heritage architect Paul Stark pointed out that while ACC had been at times divided on the degree of heritage protection, 'from 1988 onwards it had not until [the 2001–02] financial year downgraded its positive impact on heritage management and its assistance to private owners in custodial management of heritage places … It was the biggest local government commitment of its type in Australia'.[46]

Transferable Floor Area

Transferable floor area, a measure to provide funds for the restoration and maintenance of heritage places, was adopted in all states in the late 1970s and 1980s. ACC incorporated it in the 1986–91 City of Adelaide Plan along with the city's heritage register. Under Principle 17 of the Plan, ACC was able to approve the sale of unused floor space by an owner of a heritage-listed building if the height limit in the precinct was higher than the heritage-listed building. That is, the owner of a City of Adelaide heritage item located in a precinct where the Plan permits a higher plot ratio could sell the unused plot ratio and any allowable bonus to a developer to increase the plot ratio of a project within the same district. Both sites had to be located within the

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[44]   Michael Harrison, personal interview, 30 July 2001.
[45]   Steve Condous, personal interview, 6 August 2001.
[46]   Paul Stark, personal interview, 10 September 2001.

core or frame district. ACC maintained a register of development rights to record the transferred areas to avoid transfers beyond the permitted limits. It assumed the funds gained from the sale of the floor area would be used for restoration and maintenance of the heritage item, and it could specify conditions in the TFA agreement.

Among the earliest groups to take advantage of the scheme were the owners of Observatory House in Flinders St. They sold all of the TFA entitlements of this heritage property to two purchasers for $166,200 to enable restoration of the building and the construction of a three-level addition at the rear. In the next two years, four churches in the frame district sold portions of their TFA entitlement for maintenance work, and one homeowner sold 50 per cent for $17,000 in 1991 for renovations. Only one transfer under the scheme was effected in the core district, and in that case no major conservation work resulted. As Scarborough and others have found, the increases in basic plot ratios contained in the 1986–91 Plan meant fewer bonuses were necessary for developments in the core district, limiting the need for the acquisition of TFA. ACC effectively destroyed the TFA system with the 1991–96 Plan when all state, city and local heritage buildings were incorporated into the scheme, raising the number of buildings eligible for TFA from 100 to 1000. As a measure to compensate owners of heritage buildings and to ensure the maintenance of the city's built heritage, the TFA scheme was unsuccessful because supply far exceeded demand.

Conclusion

From the 1970s, ACC played a major role in South Australia's heritage debates. As the capital city and the site of the oldest buildings in the state, Adelaide was the setting for key public protests against the demolition of historic buildings. The first City of Adelaide Plan and the subsequent five-yearly reviews prescribed by the *City of Adelaide (Development Control) Act* (1976) were often the catalysts for heritage policy development as ACC and city planners prepared for the next five years of urban planning. ACC was the first SA council to introduce its own heritage register, but by the time it was gazetted in 1987, this register of 419 heritage items, including 363 buildings, was widely considered too conservative and inadequate to protect the built character of Adelaide. ACC then faced the impatience of the Adelaide community seeking to implement more extensive heritage protection in the face of a rapidly changing built environment. Additions to the register were proposed in 1989, and at the same time, ACC began to consider implementing a scheme to protect historic streetscapes that formed the character of Adelaide. Such schemes for

conservation zones had been in place in Melbourne from 1982, and were gradually approved for suburban districts in SA from 1989.

Like all political entities, councils are fluid in nature. In 1984, amendments to the *Local Government Act* resulted in dramatic changes in the membership of ACC. From that time, the number of elected members who resided in a council ward, with a constituency largely comprising residential voters, increased steadily and roughly equalled the commercial representation from 1989. The business sector for the first time faced strong opposition with respect to development, urban design and heritage issues in council as ACC divided into 'pro-heritage' and 'pro-development' factions.

With greater autonomy than other local governments through the *City of Adelaide (Development Control) Act* (1976), ACC tended to act as if it controlled development in the City. Controversial ACC decisions were subject to review by the City of Adelaide Planning Commission, a joint city-state committee, but as noted in chapter 2, the CAPC overturned few of its decisions. On the other hand, significant state government projects during this period — the Adelaide Station and Environs Redevelopment project, the State Bank Centre, Town Acre 86, the REMM-Myer project and the East End Market site — showed the state had the upper hand in negotiating major developments.

When ACC's townscape debates appeared to be too disruptive, the Minister for Urban Development and Local Government Relations took command of the matter in 1992. Parliamentary legislation controls councils, and the Bannon decade ended in 1993 with parliamentary legislation that altered the city-state relationship. The *Development Act* (1993) repealed the *City of Adelaide (Development Control) Act* (1976), bringing Adelaide under the same state planning administration as all other local governments.

The federal government's deregulation of the financial sector and lifting of controls on credit from 1984 led to a speculative building boom throughout Australia. ACC altered its policies by raising height and scale limits on developments, increasing the development potential of sites with low- to medium-density buildings. Rampant speculation in office buildings in the core and frame districts, and to a lesser extent in residential areas, resulted in a rapid loss of Adelaide's older building stock. Heritage activists reacted strongly, contributing to the most inflammatory heritage debate of the decade, ACC's townscape initiative, which is the subject of the next chapter.

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Townscape Protection to Local Heritage

Local government operates within a framework of intertwined alter egos – the elected council and the employed staff … Many councillors see their election as a popular mandate for them to make decisions, regardless of their background or expertise. On the other hand the council staff often view these representatives of the democratic process as a hindrance to the simple and effective working of the council, guided by those fundamental axioms, the building and planning codes.
— Howard Tanner, architect[1]

The first City of Adelaide Plan recognised 'a need to protect, reinforce and enhance many … subtle qualities of townscape throughout the City'. The Plan described 'Desired future character' statements for each precinct of the city, but those statements did not afford adequate protection to townscapes. Such protection could only come from statutory recognition of a concept of heritage beyond the criteria for listing on the Registers of State and City of Adelaide Heritage Items. ACC's townscape initiative aimed to conserve groups of buildings that contributed to the traditional character of the city and reflected past periods and change. They might be mansions or modest villas or rows of workers' cottages, shops or warehouses, corner pubs or minor churches constructed of stone and brick in Victorian and Edwardian styles common to Adelaide and North Adelaide. Owners of designated townscape properties would be required to retain only those portions of their buildings viewable from the street, whereas owners of heritage-listed buildings were required to maintain the whole of their buildings. Contributory and non-contributory items were to be identified within each townscape. The former were to be retained while

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[1]   Howard Tanner, 'The Role of Local Government', *Building & Architecture*, 14, 3, April 1987, p.14.

non-contributory items could have been demolished provided buildings that were 'in keeping with' the character of the townscape replaced them.

By the time ACC held its first public (non-statutory) exhibition of a streetscape concept in 1989, the suburban councils of Unley and Kensington and Norwood had prepared documentation in anticipation of approval of historic (conservation) zones in their areas. Like ACC's townscape initiative, these zones protected the streetscape contribution of designated buildings or groups of buildings within the zone and specified that infill development must be sympathetic to the built character of the zone. The zones were formally established by amendment to the *Planning Act* (1982), effective August 1990, and affected all local government areas except the City of Adelaide. By 1993, when ACC was unable to reach agreement on its townscape initiative, historic (conservation) zones were operating in the local government areas of Burnside, Kensington and Norwood, Port Elliot and Goolwa, St Peters, Unley, Walkerville and Willunga. Because of the nature of city politics and because there was so much more at stake in Adelaide, the Adelaide city planners did not achieve their goal of townscape protection.[2]

The City of Adelaide Townscape Initiative

The DMS Heritage Study of 1982 included in Appendix 2 a list of 715 items suggested for a City of Adelaide Character Schedule. The consultants identified buildings that contributed significantly to Adelaide's distinctive streetscapes but which they deemed did not meet the LOMHAC criteria. The list sought 'to identify the many features which characterise the different parts of the city, in the hope that once these have been identified, efforts can be made to preserve and reinforce them, thereby enhancing the character of the city, in general'. After the Register of City of Adelaide Heritage Items had been compiled, the buildings from the recommended list that were not entered on the register were added to the character schedule, making a list of nearly 1,200 items. This schedule had no legal standing, but heritage activists and ACC members believed it did because it was a published list of buildings chosen for consideration by heritage experts. By 1990, some of the buildings had been demolished.

In 1985, Lord Mayor Jim Jarvis discussed streetscape protection with Premier Bannon, possibly at the instigation of historian and ardent heritage protectionist Councillor Norman Etherington. Bannon said it would be impossible to legislate

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2   North Adelaide was designated an historic (conservation) zone in 2008.

for streetscape protection, given that, as the DMS report put it, the merit of the items on the list emanated from the 'manner in which they reinforce the character of Adelaide',[3] a concept too vague to be acceptable to a court. According to Michael Llewellyn-Smith, townscape protection was debated extensively between state and ACC officials, 'but at the end of the day the council accepted that the government was not going to legislate for it, in which case we were wasting our time trying to get it into legislation on the basis of the work that had been done at that time'.[4] The city manager acknowledged that the list needed more research and documentation, and ACC resolved to put more time and effort into the character schedule during the next Plan Review in 1991. Thus, the first effort to legislate for conservation of the city's traditional character was aborted, and for 1986–91 ACC was limited to protecting the 363 buildings and other items on its heritage register and developing incentives for the maintenance of those items.

Public demand for more extensive heritage protection did not end, however. As former Alderman Jane Rann observed,

it is probably communities that have driven the protection of … the more ordinary buildings that people have a very strong connection to. It's where they have grown up, it's the texture, the backdrop to their community life. In the early 1980s there was a lack of willingness to embrace that community desire for more than just the grand monuments of the nineteenth century to be protected.[5]

In 1989, the state government responded to community demand in several suburbs by amending the *SA Planning Act* (1982) to extend development control powers to local government to conserve the built character in designated historic (conservation) zones approved by the Minister. By that time, ACC had proceeded down a similar track — its townscape initiative — to achieve character protection under the *City of Adelaide (Development Control) Act*.

After the completion of the 1981–86 Plan review in 1987, City Planner Malcolm Challen proceeded to prepare a townscape conservation proposal for the City of Adelaide. To test community opinion, ACC mounted a non-statutory exhibition on Adelaide's streetscapes in March-April 1989 in the new State Bank Centre (a most

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3   Peter Donovan, Susan Marsden and Paul Stark, *City of Adelaide Heritage Study* (Adelaide: City of Adelaide Department of City Planning, 1982), p.79.
4   Michael J Llewellyn-Smith, personal interview, 30 July 2001.
5   Jane Jose (formerly Rann), personal interview, 22 July 2001.

inappropriate venue) in association with Adelaide's Spring Heritage Festival organised by the National Trust. Adelaide's Department of Planning and Development produced a sheet on the purpose of the exhibition, explaining that the Register of City of Adelaide Heritage Items guaranteed neither the setting of heritage items nor Adelaide's unique character of place so another form of protection was considered necessary. Further, 'this process of public participation … will undoubtedly reveal the polarities of comment … Clearly for the eventual result to be justifiable and defensible, the essential balance must be struck … Heritage items and townscape elements must co-exist with the 20th century'.[6]

By August 1990, the administration was prepared to recommend a townscape initiative — this term replaced streetscape protection — to ACC's planning and environment committee. Its report described one option of listing on the heritage register the 1,180 buildings contained in the 1982 Character Schedule plus more recently identified buildings to a total of 1,380. This would necessitate onerous costs of employing researchers to document the buildings fully. The difficulties of listing on the heritage register were compared with the simpler alternative of a townscape initiative that the corporation's staff could undertake: 'The Townscape initiative has the potential to yield a result more in keeping with the conservation objective desired by the community; the recognition and protection of the character of groups of buildings in the context of the street … [and] would avoid the research commitment necessary for additions to the Register, as the Townscape initiative involves designation on the basis of physical, aesthetic or scenic qualities'.[7] The report acknowledged that Adelaide had lagged behind other states in the recognition and statutory protection of the character and townscapes of value to the City. Adelaide also lagged behind several suburbs in the metropolitan area that had introduced similar levels of townscape protection through historic (conservation) zones from 1989.[8]

A second, more extensive non-statutory exhibition in November 1989 – January 1990 was concerned with identifying the important streetscapes in Adelaide and establishing the criteria for streetscape designation within the City of Adelaide Plan. The criteria accepted by ACC for the exhibition were 'groups of buildings of

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[6]   Corporation of the City of Adelaide, 'The Character of the City of Adelaide', Department of Planning and Development, March 1989.

[7]   PEC, 13 August 1990, item 7.2; ACC minutes, 24 October 1990, item 8.3(5), p.2372.

[8]   ACC was not eligible to submit a plan for historic (conservation) zones under the *Planning Act 1982*. Had that Act applied to Adelaide, the townscape debacle could have been avoided.

distinctive aesthetic, cultural, historical and/or architectural interest'. By narrowing the streetscape concept to groups of buildings only, ACC's administration excluded important individual Victorian buildings such as the Somerset Hotel in Pulteney St and the House of Chow building in Hutt St, which were the focus of public protests.

The administration delivered its 1990 recommendations on the townscape initiative to a council membership that had changed considerably from 1980. ACC no longer primarily represented the business community. Eight of the 18 members represented the residential sector, although one of those, Ian Caller, managed a shop in residential North Adelaide. Of the other 10 members, not counting the Lord Mayor, two did not always vote with the so-called pro-development faction. Sam Christodoulou was a planner who tended to vote with the business group provided a development proposal before ACC complied with the principles of the City of Adelaide Plan. Michael Harrison, the most thoughtful of the group, was sometimes an independent voter. Furthermore, two of the pro-development aldermen were in financial difficulty and often failed to attend meetings, which changed the balance of power on those occasions. Similarly, the residential members did not vote consistently as a bloc, the dissenters usually being Alderman Christopher Douglas and Councillor Alan Rye.

Paul Stark has cautioned against depicting the membership of ACC as factionalised on heritage as an issue:

> There was a lot of bi-partisanship on council in terms of heritage up to a point. The city heritage register would never have occurred and agreement to the management and promotion of heritage would not have occurred without the support of council as a whole. … Where divisions started to appear was in … the extent to which the expanded scope of heritage could be defined.[9]

By the 'expanded scope of heritage' Stark meant ACC's townscape initiative, which certainly appeared to drive the members into factions designated 'pro-development' and 'pro-heritage' by the media. But this nomenclature is misleading, because the most ardent pro-heritage members, such as Alderman Jane Rann and Councillor Jane Lomax-Smith, insisted they were in favour of good development provided it did not entail the loss of heritage in the city, and pro-development members voted for the Register of City of Adelaide Heritage Items, heritage conservation grants

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9   Paul Stark, personal interview, 20 September 2001.

and even a townscape concept. The boundaries of heritage listing — how far listing should go — divided the two groups.

The 1991 local government election delivered the first Adelaide City Council in which the heritage faction held a majority, possibly reflecting the community's strong support for further heritage protection, or at least opposition to overdevelopment of the city. Under the headline, 'Heritage faction the winner in the poll', the *City Messenger* reported that 'new councillors Jane Lomax-Smith and Jacqueline Gillen have boosted the faction's numbers to 10', in an example of media validation of ACC factions.[10] The 10 pro-heritage members certainly behaved like a faction, beginning with a seaside retreat on the first weekend after the May 1991 election to discuss their goals for the next two years. The core of the faction comprised Aldermen Jane Rann and Rosemary Boucaut, Councillors Bob Angove, Ian Caller, Francene Connor, Jacqueline Gillen, Michael Gibbs and newly elected Jane Lomax-Smith, with Alderman Christopher Douglas and Councillor Alan Rye at the outer edge. Lomax-Smith soon joined the core group and became one of its leaders. While the protection of Adelaide's townscapes was at the top of the agenda, the goals illustrate the broad range of the faction's interests, which included fundamental planning issues, infrastructure investment, parklands management, a bicycle strategy, and disabled and youth issues. Alderman Douglas did not attend faction meetings.

Two weeks after the 1991 ACC election, early on 19 May 1991, a developer illegally started to demolish the rear addition to his two-storey bluestone building at Wakefield and Hutt Sts in Adelaide. The landmark 'House of Chow' building did not have heritage protection, but possibly because ACC had originally opposed its demolition, a decision overturned by the Planning Appeals Tribunal, Antbros Properties Pty Ltd began to demolish the building without approval under the *Building Act* with respect to safety requirements. The city engineer halted the demolition, but soon afterward a public protest erupted at the site (see chapter 7). A dawn-to-dusk vigil continued for more than two months, the longest public protest against demolition of an Adelaide building.

ACC's townscape initiative was already under way when the House of Chow controversy commenced. Conservationists claimed the demolition illustrated the need for greater protection of Adelaide's built character. Mark Parnell and John Hodgson later commented that 'largely under the impetus created by the "House of Chow" controversy, the council resolved to proceed with a Townscape proposal

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[10]   *City Messenger*, 8 May 1991, p.3.

for the entire city' on 16 September 1991.[11] Heritage Architect Paul Stark agreed that 'it was the House of Chow that galvanised people to seek that new degree of comfort for better management of the lesser rank of heritage'.[12] Elected members were divided on the impact of the protest: some believed it propelled streetscape protection forward at both state and council levels while others believed the protest had little effect because ACC had already commenced its townscape initiative.

Following the House of Chow protest, Minister for Environment and Planning, Susan Lenehan, established an informal working party in July 1991 'to assist with the implementation of a Townscape schedule' in Adelaide that might be similar to the historic (conservation) zones of local government. The working party comprised representatives of her Department, the City of Adelaide, AHA, the National Trust (SA), the Building Owners and Managers Association, and developers. City Planner John Hodgson submitted a report to the second meeting on August 7 outlining issues yet to be resolved. These were the need to provide certainty both to the development industry and to the community regarding the retention of the traditional character of the city, equity issues for building owners, especially in the commercial core and frame districts, defensible selection criteria and legislative mechanisms for identified townscapes. In September, the manager of the State Heritage Branch reported to the Minister on issues and policies emerging from the working party, which coincided with the objectives intended by ACC as it prepared for the statutory exhibition of the townscape proposal in December 1991.

The timing of the townscape initiative was unfortunate as it occurred during a concentrated period of planning reviews. ACC was undertaking its five-yearly review of the City of Adelaide Plan for the 1991–96 version, including a review of its heritage register, amid a periodic review of local government. Premier Bannon had instigated a State Planning Review in 1990 to improve and streamline the SA planning system, which included a review of the *Planning Act*, the *Heritage Act*, the *City of Adelaide (Development Control) Act* and related legislation. The first progress report of the State Planning Review was published in October 1991, while ACC was confirming its townscape initiative. Perhaps because of his involvement with the State Planning Review, without warning in October the chairman of the ministerial working party, Mr David Ellis, steered the committee away from the agreed townscape concept

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11 Mark Parnell and John Hodgson, 'Issues of Planning Law' (University of South Australia School of Geoinform-atics, Planning and Building Working Paper No. 7, the Planning Education Foundation of SA: Dec 1998), p. 35.
12 Personal interview, 20 September 2001.

and toward a local heritage register. This was followed by a letter from Minister Lenehan to the Lord Mayor in which she 'foreshadow[ed] that when the work of the Planning Review is completed, there may be an alternative to implementing the council's proposals'.[13] The Minister was clearly influenced by the Director of the Planning Division of her department and not by members of the working party on the townscape initiative.

Despite the shadow cast by the Minister's September letter, the statutory exhibition of the townscape initiative proceeded from December 1991 – February 1992. When the exhibition was mounted, Councillors Jim Crawford, Bernie Lewis, Roger Rowse, Henry Ninio, Charles Moschakis and Con Bambacas sent an inciteful propaganda letter to the owners of all proposed townscape properties. At the top of the letter in bold Old English Script as a masthead was '*The Advertiser*, Adelaide's only daily newspaper'. *The Advertiser* owned several townscape properties in the frame district, opposed the townscape proposal and may have agreed to the use of its corporate name in the letterhead. The six signatories purported to support the preservation of the city's townscape but referred to 'unexplained hidden injustices' in the proposal. They claimed that 'your property will be listed as "townscape" at some cost to you, with absolutely no right of appeal, and no compensation', and further, 'if you don't mind … your bank saying to you that it now needs more security against what it lent you on your mortgage, then Townscape listing won't worry you'. A questionnaire accompanied the letter, in which the councillors invited the property owners to state their objections to the initiative. Former Lord Mayor Jane Lomax-Smith believes the six opponents of townscape protection were fighting for their own political survival in sending the letter: 'It was a purely politically motivated fight, and it was a very successful one as well. They hired PR consultants and press secretaries; they really went into the whole process with money and determination'.[14]

The letter was extremely misleading with respect to the impact on values of residential properties and the lack of appeal rights and compensation for property owners. Residential properties in residential areas hold and even increase their value as a result of heritage or townscape listing, but it was true that the development potential of properties in the commercial sectors of the core and frame districts

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13   Copies of the memorandum from the Manager, State Heritage Branch, to the Minister regarding City of Adelaide Townscapes, dated 2 September 1991, and the Minister's letter to the Lord Mayor, PLAN 2485/91, are in possession of the author, who was a member of the Working Party.

14   Jane Lomax-Smith, personal interview, 28 July 2001.

might have decreased, depending upon the property, the height limits and the desired future character statements for the precinct involved.

ACC established a process for the appeals of owners who objected to the listing of their property. It was considering the issue of compensation or incentives, particularly for owners of buildings in the core and frame district, at the time the scare campaign was launched. The number of responses to the questionnaire was minimal, but the mischief caused by the letter was momentous. Former City Planner John Hodgson said in an interview that 'the letter sent out by Henry Ninio divided the community and the council. … One man was threatening to shoot several council members. I had to advise members that the threat had been made and reported it to the police'. [15]

Of 612 public responses to the townscape exhibition received by the time it closed on 28 February 1992, 316 were generally opposed to the scheme, 254 generally in favour and 42 ambivalent.[16] Not surprisingly, respondents from the core and frame districts were nearly all opposed to townscape protection because of a perceived loss of development potential in those areas, while those in residential areas were closely divided. ACC held a public meeting in the Adelaide Town Hall to explain the townscape concept. It then established small townscape advisory groups (TAGs) to hear verbal representations by affected building owners and members of the public. The TAGs comprised two elected members and one staff member of ACC. The public hearings, held between March and August, considered objections to listing of some 106 townscape items, of which 24 were deleted from the original Townscape I list on the recommendation of the TAGs. The TAGs were later a target of strong criticism because the hearings were conducted by interested parties associated with ACC and therefore biased. The *Sunday Mail* reported on threats of legal action from property owners who claimed townscape selection was illegal because of a lack of criteria and no right of appeal.[17]

The objections notwithstanding and with pressure to include amendments relating to townscape in the 1991–96 Plan, ACC decided on 11 May 1992 to forward the general principles, desired future character statements and list of townscape buildings as exhibited, designated Townscape I, to the CAPC after ACC approved the following changes:

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15   John Hodgson , personal interview, 18 October 2001.
16   Minutes, Council Meeting 11 May 1992, item 7.1, pp.1819–21.
17   *Sunday Mail*, 12 December 1992, p.3.

- the removal of contemporary (post World War II) buildings and heritage-listed buildings;
- the elimination of the concept of contributory and non-contributory items so that only those buildings which contributed to 'valued character' would be listed, not groups which included both;
- the listing of individual buildings [the administration had approved a concept of groups of buildings only]; and
- a public awareness campaign for a better understanding of the Townscape Initiative.[18]

ACC also considered the possibility of incorporating local heritage in the Plan in future after the state government had established criteria. For the time being, however, the principles and the groups of townscape buildings as exhibited were forwarded to the CAPC in September 1992, after the above amendments were made.

Townscape II

An unexpected outcome of the 1991–92 statutory exhibition was that the public recommended more than a thousand additional properties for inclusion in the townscape initiative. Given that ACC took ten years to convert the original character schedule into a townscape scheme suitable for inclusion in the City of Adelaide Plan, the administration felt it could not cope with documenting the additional 1072 buildings by the end of the year. Nevertheless, ACC agreed to proceed toward exhibiting the items, designated Townscape II, with the statutory exhibition of the draft City of Adelaide Plan 1991–96 at the end of the year, after the list was culled by a small committee of ACC members and expert consultants. ACC resolved in August to add 682 Townscape II items to the draft Plan. This decision proved to be a political blunder. As Alderman Douglas commented,

> the townscape proposal was f….d up, really f….d up. You wanted the process to go with as little fuss as possible and get the system set up. … If it had gone ahead, the character schedule [Townscape I] could have been adopted and given legal protection, then you would have got onto the next stage… As it is, the whole thing had gone backwards, because you have come up with voluntary listing and

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18   ACC minutes 11 May 1992, item 7.1, p.1819.

a general antagonism to heritage listing, and delisting as well.[19]

John Hodgson agreed with Douglas that the attempt to rush through the undocumented Townscape II list was a political mistake: 'It was the administration's view that Townscape I would prepare the groundwork for the more difficult ones for which there would be more objections. … We felt that the credibility of the process, which we had sweated blood on for years, was imperiled by the council suddenly saying that objective appraisal against criteria is not what this is about'.[20]

Douglas blames Alderman Hamilton, chairman of the plan review sub-committee, for the consequences of proceeding with the Townscape II list without delay in 1992. Hamilton's view was that, given 1991–93 was the only term in which pro-heritage members held the majority on ACC, 'we felt we only had one opportunity … [that] we would never get another opportunity, and unless we were really going for a lot we would run the risk of going backwards'.[21] Alderman Hamilton may have been right, not because the next council election could change the political climate in Adelaide but because the state government favoured a different form of heritage protection for local governments that the State Planning Review was developing. Furthermore, by mid-1992 the heritage faction faced a far stronger opposition in ACC, led by Councillor Henry Ninio, because of the lack of credibility of the Townscape II list. Possibly the pro-development membership would have been strengthened at the next election in any case, but the public confusion over the townscape issue certainly gave it a boost.

The Townscape II list was the catalyst for a developers' backlash within and outside ACC. Councillor Ninio flippantly threatened legal action against ACC in July because of the townscape proposal. Instead, he hired media consultants and campaigned tirelessly against the proposal through local Adelaide newspapers to discredit the townscape concept and bid for the lord mayoralty in 1993. Lord Mayor Condous waged a negative campaign of his own, calling on the state government to 'strip council of all power over the controversial townscape proposal'.[22] Some of the state's key property developers, including Con Polites, Ian Quigley

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19 Chris Douglas, personal interview, 21 August 2001.
20 John Hodgson, personal interview, 18 October 2001.
21 Mark Hamilton, personal interview, 17 July 2001.
22 *Advertiser*, 'Govt Must Curb Council – Condous', 13 November 1992, p.4. This and other public statements by the Lord Mayor resulted in his censure by the council at a special meeting on 14 December 1992 (minutes, p.4627). Councillors had called on Condous to resign in June 1992 because of his pre-selection as a Liberal Party candidate in State Parliament, which many believed compromised his negotiations with the Labor Premier.

and Patrick Farrugia, with Councillor Henry Ninio among them, hired a barrister to undertake investigative work to determine whether there was a case for a legal challenge against ACC on behalf of the 'townscape victims'. The case did not proceed. This period of ACC's history substantiated Alderman Harrison's view that councillors are essentially amateurs: 'they tend to be far more emotive because they are not professional politicians'.[23]

The negative media campaign by Councillor Ninio, a member of the ALP, encouraged Minister for Local Government Greg Crafter to intervene by setting up a city/state forum in late October, partly 'to ensure close coordination of the objectives and Strategic Planning processes of the state government and the City of Adelaide'.[24] Crafter did not disband ACC. In a media release dated 18 October 1992 announcing the new forum, he made his position on the town-scape proposal clear:

> the Adelaide central business district is … an economic asset of primary importance. So, we will not countenance dramatic shifts in property values or uncertainty over Adelaide's investment potential … We must separate clearly, items of genuine local heritage value from efforts to manage streetscape and public spaces.[25]

In an interview nine years later, the former Minister explained his action: 'If I recall correctly, there was a lack of resolve within the council to deal with these issues, and there was in fact a handballing of the matter to the state government by the council. The council had a history of being divided and was not resolved to deal with this issue in a decisive enough way, so we stepped in to deal with the issue'.[26]

The forum was announced at the end of October 1992, to be chaired by Dr Raymond Bunker, Professor of Planning, University of South Australia, with businessman Tom Muecke as his deputy, and Michael Lennon (Director, State Planning Review), David Ellis (Department of Planning) and John Ellis (State Planning Review) representing the state government. The four nominees who represented ACC were City Manager Michael Llewellyn-Smith, Alderman Jane Rann and Councillors Jim Crawford and Alan Rye. The only members of the forum who were in favour of townscape protection, Jane Rann and Alan Rye, were a minority of two on a committee of nine.

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23   Michael Harrison, personal interview, 30 July 2001.
24   AC Archives file A13946, City/State Forum Pt I.
25   AC Archives file A13946, doc 1, 'Crafter to Sort Out Townscape Wrangle', 18 October 1992.
26   Greg Crafter, personal interview, 21 July 2001.

At the first meeting on 11 November 1992, City Planner John Hodgson submitted a discussion paper in which he outlined the history of the townscape initiative and identified the following issues as unresolved:

(1) equity issues where potential property values might decline,
(2) townscape vs. local heritage listing,
(3) consistency of listing (possibly reviewing the entire Townscape I and II lists), and
(4) clarification of criteria.[27]

At the same meeting, John Ellis of the Department of Premier and Cabinet described the draft Development Bill and Heritage Bill and provisions for local heritage. The record of this first city/state meeting shows 'it was suggested that local heritage and townscape lists should be merged to effectively become a local heritage list within the City of Adelaide Plan'.[28] The agenda of the forum was thus made clear immediately. Two weeks later the City Planner reported that ACC had received 'legal advice to the effect that a proposal involving at least partial retention of the physical fabric of listed buildings cannot be distinguished in its purpose from that of a Heritage Listed building, and therefore that the total townscape proposal should be translated into a Local Heritage List'.[29] The legal advisor did not refer to the historic (conservation) zones then in place in suburban districts and the criteria for conservation in those zones, and the Minister appears to have disregarded them in opting for a local heritage register.

Meanwhile, ACC addressed inconsistencies between townscape principles and desired future character statements in the Plan. At its meeting on 9 November 1992, two-thirds of the buildings on the Townscape II list were deleted, which removed many of the one-storey cottages and houses in the city because townscape control of development of the sites conflicted with the Plan which might allow two- or even four-storey buildings in their precinct. ACC was apparently concerned about legal

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27 Memo to Members of City/State Forum from John Hodgson dated 10 November 1992. AC Archives file A13946, doc 9(6).

28 Record of Meeting of City/State Forum 10 November 1992, item 6. AC Archives file A13946, doc 9.

29 Memo from City Planner to Members of City/State Forum, Townscape – Resolution of Outstanding Issues, dated 28 November 1992. AC Archives file A13946. Paul Stark later said 'the expression was coined, "you may not have the bun, you may only have the currants in the bun"', personal interview, 20 September 2001. That is, groups of buildings were not to be protected, only individual buildings.

action in cases where townscape protection will limit the development potential allowed in a precinct under the Plan.

The forum continued to favour local heritage over townscape protection, and on 24 November 1992 participants agreed that 'criteria for Local Heritage should be decided by the state to achieve some consistency across the metropolitan area'. The minutes show 'that there remained a perception that parts of the assessment process [the TAGs] was (*sic*) seen as biased. It was suggested that if outside experts (not only in heritage conservation, but also people of commercial, property and valuation expertise) had been used without the involvement of the council administration or elected members, there may have been a different perception'.[30] The forum shifted the criteria from the contribution to Adelaide's character of groups of buildings of townscape amenity to the local significance of individual items. Crafter wrote to ACC on 11 December 1992 seeking approval of the forum's recommendations, and two days later he issued a media release announcing that the forum had resolved the open conflict between developers and various members of the community over townscape preservation. Attached to the release were these criteria for local heritage assessment:

A place may be designated as a place of local heritage value if:

(a) it displays historical, economic or social themes that are of importance to the local area; or

(b) it represents customs or ways of life that are characteristic of the local area; or

(c) it has played an important part in the lives of local residents; or

(d) it displays characteristic construction techniques traditional to the local area; or

(e) it is associated with a notable local personality or event; or

(f) it is a notable landmark in the area; or

(g) it is regarded with high esteem or affection in the local area.

NOTE: a place may include land and buildings as a group in more than one ownership.[31]

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[30] Record of Meeting of City/State Forum 24 November 1992, item 6, AC Archives file A13946, doc 17(1).

[31] Minister's media release 'Townscape Being Dealt with on Much Sounder Footing', dated 13 December 1992, in AC Archives file A13946.

ACC agreed to the forum's recommendations at a special meeting on 14 December 1992. What began as a proposal for townscape protection ended as another register to protect individual buildings, a list that had lesser status as perceived by ACC than the Register of City of Adelaide Heritage Items but based on similar criteria. Local heritage listing of individual buildings would not protect the traditional townscapes of Adelaide that form the built environment in which heritage buildings are located. The acquiescence of the heritage faction to the Minister's proposal seems difficult to understand more than a decade later since they retained the majority in ACC until May 1993. John Hodgson's analysis is probably correct: 'We set out to achieve one objective and we ended up achieving another. … My feeling at the time was that political expediency resulted in a local heritage register'.[32] As early as May 1992 the townscape issue was described in an ACC meeting as a 'nine-year drip torture', and it appears the elected members were weary of the political struggle. A decade later Mark Hamilton spoke very positively about the outcome, describing it as 'a step along a tortuous path which resulted in more buildings listed in the 1991–96 Plan'. At the time, however, the participants welcomed an end to the most divisive period in the history of the modern Adelaide City Council.

On 14 December 1992, ACC agreed to the introduction of a local heritage register and to the appointment by the Minister of an independent review panel to consider objections to listing by property owners. The Local Heritage Review Committee was established in April 1993 to be chaired by businessman Tom Muecke, who had no professional background in heritage but considerable experience as chairman of the Advisory Committee on Planning. The committee members were architects David Gilbert and Brian Polomka, valuer Wayne Butcher and Tim Russell, all experienced in architecture, planning or property. Some 350 objections to townscape listing had been made during the statutory exhibitions, with 37 withdrawn, and the committee received more than 100. The objectors were to have the opportunity to have their cases heard, many for a second time. The local heritage review committee was a new procedural entity and was painstaking in its work over 18 months, making on-site inspections of all the properties involved. While it made piecemeal recommendations in late 1993 regarding buildings that did not meet the criteria, the committee had not submitted its final report to the Minister by the time the state election returned a landslide victory for the Liberal Party on 11 December 1993. The new Minister for Urban Development and Local Government Relations, John Oswald, supported the review committee, which concluded its work by mid-1994.

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32   John Hodgson, personal interview, 18 October 1991.

Henry Ninio was elected Lord Mayor in May 1993 and continued his attack on the townscape/local heritage processes for property owners who had objected. He wrote to Minister Oswald on 30 August 1994, expressing his 'extreme concern, on behalf of the people [named on a document attached], regarding their properties being listed on the Local Heritage List'. He stated the property owners' objections were valid because the original townscape process was 'fundamentally flawed', with no precise criteria, and the owners could sustain financial loss without provision for compensation.[33] In accordance with a motion passed on 12 September 1994 by his casting vote in the council, the Lord Mayor asked Minister Oswald not to list 301 properties on the Adelaide local heritage register that were the subject of owners' objections, even though they were recommended for listing by the Local Heritage Review Committee. The Minister replied indignantly that ACC's move was 'divisive and unconstructive'. He asked that ACC reconsider its motion on the grounds that the local heritage review committee was established by agreement with council and that it made its recommendations after a painstaking and professional process of inspecting every property, designating the properties in accordance with the criteria for Local Heritage and thereafter hearing objections. The Minister pleaded specifically for ACC to satisfy the wishes of the owners of 37 properties who had withdrawn their objections. However, the Crown Solicitor had advised the Minister that his power to list the properties notwithstanding ACC's objections was 'dubious'.[34] In January 1995, the Lord Mayor informed the Minister that ACC resolved to take no further action to include on the list of Local Heritage Items those properties whose owners originally objected to the listing. In other words, listing on the local heritage register was to be voluntary.

ACC upheld the policy of voluntary listing as late as 2001, when Lord Mayor Alfred Huang publicly supported the delisting of local heritage buildings at the owners' requests, a continued aggravation for proponents of heritage principles, and again in 2004 after a heritage survey was conducted in North Adelaide. Former Lord Mayor Jane Lomax-Smith was particularly infuriated by voluntary listing and delisting, saying the voluntary issue was the most objectionable. On the initial list,

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[33] Letter from Lord Mayor to Minister Oswald 30 August 1994. AC Archives file D3554. The Lord Mayor persisted in ignoring the fact that the properties were re-evaluated by an independent committee under accepted criteria for local heritage and were better documented than most of the other buildings on the original townscape list.

[34] The Minister concluded that ACC should recompense the state government for the $138,000 costs incurred by the committee, but there is no record of such a payment in the archival file. AC Archives file D3554, doc 2/770.

people had the opportunity to object, and that should have been the end of it. ACC's planning staff opposed the voluntary listing policy, as explained by City Manager Michael Llewellyn-Smith: 'To open it up so that owners could have it repealed at any time was never in my view envisaged. To delist for reasons other than irreparable damage cannot be maintained and was never from a professional planning point of view a criterion' for local heritage listing.[35] Indeed, the criteria for townscape or local heritage listing did not include a provision that owner objection or financial loss were grounds for exempting a property from the register, but it became an ACC policy.

Lord Mayor Ninio's opposition to local heritage was limited to the voluntary listing issue. On 6 December 1993, ACC, with his support, adopted a package of incentives for local heritage maintenance, which showed that $30,500 had already been allocated and that $500,000 was allocated for local heritage incentives in the budget for 1993–94. The budget was mainly disbursed in small grants, but it demonstrated a commitment by ACC to local heritage at a time when the state government provided nothing in its budget for heritage maintenance.

Conclusion

The City of Adelaide townscape initiative was long overdue by 1989, as former Alderman Michael Harrison maintained, because townscape conservation had been foreshadowed 15 years earlier in the 1974 City of Adelaide Plan and because Adelaide lagged behind other states in the protection of the less significant buildings and streetscapes that formed the traditional character of the city. The scheme would have protected items and areas of special character identified as contributing to the environmental, social or cultural heritage of the City, although the items and areas would not individually merit entry on the Adelaide heritage register. While it would have conserved the traditional features of areas such as North Adelaide, the stringent controls of heritage listing would not apply to buildings that contributed to the townscape. Initially buildings within each townscape area were designated as either contributing or not contributing to the townscape. Non-contributing items were later dropped from the townscape concept. Only the frontages of designated properties to a specified depth that could be seen from the street would be protected. Owners of such properties could alter the rear and interior of their buildings as they wished, provided the alterations did not impact on the streetscape. This contrasted

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35   Michael J Llewellyn-Smith, personal interview, 30 July 2001.

with state and city heritage listing, which in principle protected the substantial whole of the listed item.

The first steps in introducing the townscape initiative were a non-statutory public exhibition in early 1989 to gauge community reaction to the proposal, followed by a second statutory exhibition in November 1989 – January 1990. The scheme was accepted by a council that no longer primarily represented the business community. In May 1991, the residential and pro-heritage faction of ACC gained a majority, shortly before the unlisted House of Chow building in Adelaide was threatened with demolition. A vigorous public campaign to save that building impressed upon the state government and ACC the need to expedite townscape protection in Adelaide. The Minister for Environment and Planning set up a working party to accelerate progress on the scheme, but later in 1991 she followed the direction of the State Planning Review and supported local heritage listing as an alternative.

While state politicians and planners were moving away from townscape conservation, ACC became increasingly divided on the issue, particularly when more than a thousand additional buildings had been proposed by the public for inclusion in the scheme. It decided to proceed with the first exhibited townscape buildings and to examine the others separately, as a Townscape II group, in order that they could forward the principles of the scheme to the CAPC with the draft 1991–96 City of Adelaide Plan. In 1992, Councillor Ninio led a campaign against townscape protection on the grounds that the buildings had not been properly assessed and the scheme lacked credibility, although it was not intended that the buildings would be assessed as thoroughly as heritage buildings. The heated debates in council and anti-townscape lobbying led Minister for Local Government Crafter to intervene to resolve the matter through a city-state forum. The forum resolved to establish a second heritage register in Adelaide in lieu of townscape conservation, under criteria for local heritage prepared by the forum. A local heritage register meant that the townscape settings for heritage would not be protected, only individual buildings within them.

The Minister appointed a local heritage review committee to consider objections to the listing of buildings on the local heritage register. The process of accepting objections to listing established ACC's new policy of voluntary listing of items entered on the local heritage register. With respect to the Register of City of Adelaide Heritage Items, property owners were able to object to listing, but the decision continued to rest on whether the property met the criteria, not on the owner's objection.

From its inception, the Adelaide townscape initiative was out of step with urban planning in South Australia at the time. Had it begun earlier, as envisaged during

the review for the City of Adelaide Plan 1981–86, it might have been a model for local government historic (conservation) zones throughout South Australia. Had it begun a little later, ACC might have adopted the historic (conservation) zone scheme introduced in 1989 for suburban areas under the *Planning Act* through an amendment to the *City of Adelaide (Development Control)* Act. In the event, from 1991 the State Planning Review, which culminated in new legislation — the *Development Act* (1993) and the *Heritage Act* (1993) — overtook the townscape scheme. The government informed ACC in 1992 that the *City of Adelaide (Development Control)* Act would be repealed with the introduction of an integrated planning system for South Australia as a whole. That planning system included local heritage registers for ACC areas, not townscape protection. Developers preferred lists of individual buildings, as they could be certain that all unlisted places were available for development. Through the townscape process, the state government developed its local heritage criteria and the model for the local heritage advisory committee.

For a time in 1991–92, the pro-heritage majority in ACC and its planning staff progressed toward a scheme of protecting the nineteenth and early twentieth-century character of Adelaide. In the end, however, the city and state governments chose to heed the objections of some 450 property owners rather than triple that number who did not object to townscape or local heritage listing. By so doing, they supported developers over conservationists and the commercial sector over the residential sector. Those dedicated to townscape protection to conserve the built character of Adelaide felt defeated by the local heritage solution, but as former Alderman Jane Rann noted,

> in the end … 1,492 properties were listed and less than 100 buildings of the original townscape initiative were not listed. That gives you a very clear view that most people didn't mind and were happy to have their properties listed. A small, vocal minority opposed it vehemently.[36]

That vocal minority included developers and their representative organisations, some property owners, some architects, *The Advertiser* and others in the commercial sector who were successful in their campaign against townscape conservation.

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[36] Jane Jose (formerly Rann), personal interview, 22 July 2001. Ms Rann's figure does not take into account the buildings that were not listed because of owner objections.

6

Case Studies in Heritage Politics: Major Projects

It therefore looks tragically as if appropriate priorities have somehow been lost in the political and financial processes: concern over the state's financial crises (perhaps now waning) and the construction industry's low ebb… Such matters seem to have overwhelmed the proper environmental concerns.
— Professor David Saunders[1]

Previous chapters have shown that governments often gave consent when developers proposed building projects that would contravene heritage legislation or principles of development control affecting heritage buildings. Moreover, governments themselves sometimes initiated such projects. The Bannon Government was first elected during the state's deepest recession since the Great Depression, and the Premier sought economic growth through major events and building projects. Local governments also stretched the boundaries of development approval, often granting concessions to the developers of major projects that spoiled the character and streetscapes of Adelaide the most. Many Adelaide councillors expressed the view from time to time that the constraints of the City of Adelaide Plan were not intended to apply to major projects. For example, in a debate on the REMM-Myer development, Lord Mayor Condous spoke of a 'too rigid maintenance of the City of Adelaide Plan', indicating a willingness to bend the rules for the largest commercial project of its day. Developers of major projects invested large sums of money, and many on the council believed they deserved special consideration. In the 1980s, as heritage registers were being developed, heritage protection was

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1   *Adelaide Review,* October 1984, p 3.

subordinated to economic growth at both state and local government levels. This chapter will look in detail at some of the major examples of such practices in Adelaide during the 1980s and early 1990s.

Adelaide Station and Environs Redevelopment Project (ASER)

The redevelopment of the railway yards between the northern side of North Terrace and the Torrens River, an eyesore in the inner city, had interested state governments since 1970. In 1983, the Bannon government secured a $158 million development comprising an international hotel, a convention centre and an office tower to be located immediately west of the heritage-listed railway station in North Terrace. The ASER project was the largest single project in Adelaide involving the most complex heritage and planning issues at the time. The partners in the project were the South Australian Superannuation Fund Investment Trust (SASFIT) and the Japanese consortium Kumagai Gumi, forming the ASER Property Trust with equal shares, and underwritten by the state government. Through special legislation, the project progressed under the direction of the state government, bypassing the planning processes of the City of Adelaide.

During the debates in Parliament on the ASER Bill in 1984, the Opposition supported the project but objected to the style of the Bannon government in negotiating the contract, particularly its secrecy and sweeping powers. There were accusations of secret deals, negotiations behind closed doors and failure to consult the public and relevant public agencies. The Opposition also objected to the generous concessions extended to the developers: no land tax for 10 years, no other state charges or taxes, such as water, power, access roads, gas and sewerage during construction, and no stamp duty on any transaction for a five-year period. Further, the ASER Property Trust would own the new buildings, not the state government, when they repaid the loans.

The release of the hotel design in 1984 met public outcry from architects, planners, politicians, city councillors, heritage activists and journalists. Among many others, David Saunders, Professor of Architecture at The University of Adelaide, objected to the height and scale of the 23-storey hotel and adjacent conference and office towers crammed up against the heritage railway station, creating 'an environment of the hungry commercial kind, crowding for profit'. With the project occupying only 40 per cent of the site, he claimed, it could have been spread out with a height and density compatible with the railway station and Festival Centre environment,

and it could have allowed a good connection to the River Torrens bank.[2] In other words, the height of buildings should have reinforced the scale and character of the railway station site, and the design of the adjacent hotel should have respected and complemented the built form character of the heritage-listed railway station, as provided in principles 14 and 20 of the City of Adelaide Plan.

Adelaide Railway Station. AHA collection

Adelaide's two daily newspapers were divided on the ASER project. *The Advertiser* consistently opposed it, while *The News* editor condemned the 'Luddites', saying it would 'give a new look to the Adelaide skyline'. The editor added, 'this state needs the ASER project. It needs the investment. It needs the jobs. It needs the visitor capacity it will provide … The scheme will enhance the appearance of the parklands and access to them'.[3]

Conservationists objected to the construction of commercial buildings on the Adelaide parklands. Except for the educational and cultural precinct of North Terrace, Government Surveyor Colonel William Light laid out the green belt of

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2   David Saunders, 'The Best Address in Adelaide', *Adelaide Review,* October 1984, p.3.

3   *News,* 26 September 1984, p.6.

parklands around Adelaide and along the River Torrens in 1837. Governor Gawler purchased the parklands in 1839 for the citizens of Adelaide. Their plan of open space around the city has been more or less maintained since, with some notable exceptions.[4] The ASER buildings were a marked departure from this plan, as noted by Professor Saunders' colleague Judith Brine:

> The bulk and height of its buildings constitute a direct assault on the form of the City of Adelaide … and on the visual character of the parklands. … The highly commercial nature of the ASER buildings cannot be seen to be compatible with other uses that have, in the past, been introduced into this zone of the parklands. The buildings proposed are neither those of civic dignity of purpose, nor have they the cultural value, nor do they enhance the function of the parklands as parklands.[5]

The Government intended to grant use of public property to a private trust, alienating the public land. Although the area was Crown land, critics perceived it as parklands intended for the 'healthful recreation of the inhabitants of the city', as described in the City's Parklands Strategy. Public access to the river bank would be cut off, a criticism denied by Premier Bannon, who noted that North Terrace was already cut off from the Torrens by ugly railway yards and had been for 100 years. He said the plaza in front of the Hyatt Hotel would increase public areas and access to the Torrens would be improved, a claim disproved by the completed project.

The 1974 and 1977 City Plans had specified that 'no major commercial, administrative or residential development should be permitted on the north side of North Terrace' where the ASER project was located, but this provision was omitted from the 1981–86 Plan. AHA claimed it was deleted due to pressure on ACC to clear the way for the ASER project. In any case, to allow fast-tracking of the project, s.5(2) of the *Adelaide Station Development Act 1984* provided that 'no consent, approval or other authorisation [was] required under the *City of Adelaide Development Control Act, 1976*, in respect of the proposed development'.

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[4]   By 1983, exceptions were the Adelaide Oval, Adelaide Zoo, Victoria Park Racecourse, Adelaide High School, Hackney Bus Depot with an administration building and tram barns, the Festival Centre and restaurants. Sporting clubs have been permitted to erect small buildings at their venues.

[5]   Judith Brine, 'The Plan of Adelaide and the ASER Scheme', *Australian Planner*, 22, 4, December 1984, p.8.

ACC strongly criticised the Bannon government for its failure to consult effectively with either ACC or the CAPC. In 1984, the criticisms met an Orwellian reply from the Premier: 'while the Government welcomed constructive views by the Council on aspects of the project such as parking and street facilities it was "just not on" to suggest fundamental changes to the project such as the location of the proposed building … [T]he final decisions rested with the Government'.[6]

The CAPC could only write to the Minister for Environment and Planning objecting to the size and bulk of the hotel and office tower plus the inadequacy of pedestrian access, public space and parking. Judith Brine, the public representative on the CAPC, later said, 'I clearly remember that letter [to the Minister] because it was a humiliating experience trying to get something out of an impossible situation. I remember the government coming down heavily on us. The government wanted approval and support and I am greatly sorry it got it'.[7]

All of the planning interest groups objected to the project. AHA and the Adelaide Residents' Society organised a public meeting, chaired by MLC Ian Gilfillan, in Edmund Wright House on 17 October 1984 to enlist public support for changes to the project. Among the 80 people who attended were architecture, planning and heritage experts — such as Architecture Professor David Saunders, the President of the Royal Australian Planning Institute SA Branch, the executive director of the National Trust — plus councillors and alderman of ACC, representatives of AHA and the Adelaide and North Adelaide residents' societies. Graham Inns, Director of Tourism and chairman of the ASER co-ordinating committee, represented the government and was the only person to support the project. With only one dissent, the meeting resolved to write to the Premier seeking amendments to the plan: 'A small delay at this stage may save years of recrimination and regret later', was the prescient theme of the letter. However, the plans for the project were contained in regulations to the ASER Bill, and it was unlikely the developer would incur the costs of changing them unless required to do so.

When the *ASER Act* passed in the Legislative Council soon after the public meeting, the only remaining avenue for NGO objections was the Joint Parliamentary Committee on Subordinate Legislation. Criticisms of the project plans contained in the regulations to the Bill were submitted by ACC, the CAPC, AHA, the National Trust, the SA Civic Trust, the Royal Australian Planning Institute, the Local Government Planners' Association and several architecture academics.

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6   *Advertiser*, 11 September 1984, p.14.
7   Judith Brine, personal interview, 18 June 1998.

The committee appeared not to grasp the significance of objections to the height, scale and density and the commercial nature of the project in the parklands, and those who testified left the meetings in despair.[8] The Joint Committee, dominated by government members, recommended that the regulations be allowed. The Premier did not address publicly the criticisms about the building designs, saying repeatedly in Parliament and to the media, 'I am guided by the developers'.[9]

The recycling of the railway station for the purpose of a casino, with its Marble Hall as a grand foyer, began in 1985. After the criticism engendered by the other plans, response to the casino was more favourable, and the Premier's tone was upbeat when he spoke in 1985 of 'this extraordinary palace'. He went on to say: 'This is the only casino in Australia to use a Heritage building,' and added, 'the Adelaide Railway Station building was a fine example of 1920s public architecture, decorated with a unique level of opulence — with its rich blackwood timber panelling, massive pillars and delicate chandeliers — by a railways commissioner who appreciated quality'.[10] He did not acknowledge the irony of the statement alongside the criticisms of the ASER buildings.

When plans for the 10-storey office tower were unveiled, the new Lord Mayor of Adelaide, Jim Jarvis, reacted strongly to the Premier's assertion that he was guided by the developers. Charging that the government had 'cast aside its responsibilities', Mr Jarvis said he believed such guidance should come from the CAPC, which was the official body overseeing the City of Adelaide Plan. *The Advertiser* affirmed Jarvis's charge: 'it is a disappointing and curious sort of leadership that is prepared to be guided by developers rather than by the City of Adelaide Plan, the Adelaide City Council, the City of Adelaide Planning Commission and other such bodies, by a body of distinguished architects, planners, aesthetes, conservationists and concerned citizens, and even by the spirit of Colonel Light'.[11] The government responded by approving the developer's plan for the office tower.

After construction work on the hotel began in January 1985, the developer proposed to connect the hotel to the casino by a glass-enclosed bridge. Rebuffed by the government when it recommended changes to plans for the three commercial buildings, ACC aggressively opposed the pedestrian walkway, and the CAPC refused to allow alteration of a state heritage item to accommodate an entrance from the

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8   Recollection of the author, who testified at a hearing.
9   *Advertiser* 7 June 1985, p.1, and *Parliamentary Debates*, Vol. 3, p.3237.
10   *News,* 21 June 1985, p.14.
11   *Advertiser*, editorial*,* 7 June 1985, p.7.

bridge into the building. The ASER Trust appealed to the Planning Appeals Tribunal, but the Tribunal rejected this appeal in a minor victory for ACC in what was a long and otherwise losing battle.

The ASER project was an extreme example of the ways in which political power was used to circumvent heritage and planning legislation during the Bannon decade. The government's autocratic style and disdain for principles of the City of Adelaide Plan spurred a widespread protest that involved people who would not ordinarily criticise a government publicly, a protest so strong that the Bannon government did not use the device of special legislation for a major project in Adelaide again. The working relationships of the state government with ACC and CAPC became antagonistic, and the effectiveness of the CAPC was weakened. The outcome of this public resistance to global modernism that was to replace so much of Australia's heritage in the following decade added to the growing community cynicism about government leadership in planning matters.

State Bank Centre

At the end of 1985, the directors of the reconstituted State Bank of South Australia approved plans for a head office building that would, as Greg McCarthy put it, 'tower over the Adelaide skyline as a symbol of the new corporate and global image of the bank'.[12] The site designated for the tower at King William and Currie Sts was behind a prominent group of commercial buildings that formed one of the most important streetscapes in the Adelaide CBD. All of the buildings affected were listed in the Register of State Heritage Items, except the Adelaide Steamship building, which was to be demolished. The main objections to the proposal were the height of the office tower and the destruction of all but the façade of the heritage-listed Commonwealth Bank building in Currie St. As Greg McCarthy wrote, 'what was of concern to local planners and historians was that the bank was seeking a special privilege to override Adelaide planning regulations to build six (*sic*) storeys above the height restrictions. … [Managing Director Tim Marcus] Clark took it on himself to openly lambast the South Australian heritage lobby saying the choice was between their backwardness and modernisation'.[13] While the heritage and planning issues surrounding the project were not as complex as those of the ASER project, the approval processes for the State Bank Centre similarly

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[12]   Greg McCarthy, *Things Fall Apart* (Melbourne: Australian Scholarly Publishing, 2002), p.195.
[13]   *ibid.*, p.196. The completed building was eleven storeys above the height limit for the precinct.

involved pressure from the state government, secrecy and government willingness to disregard planning and heritage legislation.

The bank engaged the services of Melbourne heritage consultant Richard Falkinger, who assured the State Heritage Branch and ACC that the heritage streetscapes would be retained. Portions of the rear of the State Bank and National Mutual buildings and all but fifteen metres of frontage of the Commonwealth Bank building would be removed to make way for the office tower. Heritage lobbyists objected to the loss of the grand interior space of the Commonwealth Bank chamber. AHA spokesman and architect Hamish Ramsay suggested to ACC a reconfiguration of the project, relocating the proposed State Bank tower near the corner of King William and Currie Sts in order to retain the chamber. Another AHA architect, Gerry Patitsas, later sketched the tower at the rear of the State Bank building in King William St to avoid demolition of the heritage chamber. In early 1986, ACC requested that the applicant submit 'clearly presented material to support the claim that it is necessary to remove the former banking chamber in order to achieve a viable development on the site'. The bank's Administrative Services Manager, KP Rumbelow, asserted that the Commonwealth banking chamber had undergone considerable changes since it was first constructed and at present has little architectural merit other than scale. He further claimed that no alternative site for the office tower was possible.

None of the ACC members had architectural training, although many had planning experience through their membership of ACC, and they did not challenge claims made by the bank's administrative services manager that no alternative to the site chosen for the tower would be viable. Meetings were held behind closed doors at which members and ACC staff saw slides and models of the proposal. The record shows that 'during extensive discussions with the applicant's design team and the State Heritage Branch, it was ascertained that considerable effort had been directed toward the development of a proposal which would permit the retention of the former banking chamber. Many alternatives had been conceived and tested, but for a variety of reasons, were not viable'.[14] No NGO heritage consultant in favour of retaining the banking chamber was asked to attend the meetings. The manager of the State Heritage Branch, acting with delegated authority of the Minister, advised that the development should be approved and did not object to the destruction of a heritage building. Thus, the case for the State Bank Centre was made.

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14   ACC File 2997/0044 doc. 5(16), letter to Acting Chief Planner, 20 March 1986.

During the course of negotiations, the proponent amended the plan to re-establish the scale and special qualities of the chamber in the form of a Grand Lobby, thus 'enhancing' the chamber. The lobby would contain lifts to the office tower and some columns, so it would no longer have the open space form of the bank chamber. ACC seemed impressed by this amendment, or at least by the term 'Grand Lobby', particularly with the offer by the proponent to remove the chamber's pressed metal ceiling and mount it in the ceiling of the new lobby. Unfortunately, the proponent later advised ACC that it was impractical, both physically and economically, to remove all the ceiling panels of the existing bank chamber and reinstate them onto a lightweight, fire-resistant frame for installation in the new lobby. The solution was to recast the panels from moulds made from the original and create a replica ceiling. In their view, this solution would comply with the spirit of the proposal.

An issue of concern to ACC was whether a precedent would be set if it approved the partial demolition of a building on the heritage register, in contravention of principle 34 of the City of Adelaide Plan. Solicitors for the bank allayed these concerns, citing Judge Roder's decision in the Kingsmead case[15] and saying, 'If each case is properly considered "on balance" and on "the evidence" before the planning authority, it is extremely difficult to see, as a matter of fact and law, that any particular "PRECEDENT" is established which could in any way be binding or embarrass the Planning Authority in future decisions'.[16] Reassured on the matter of precedent, even though it was advice from the bank's solicitors and not their own, ACC was prepared to recommend to the CAPC that the project be approved.

In recommending approval of the project, the council justified a considerable bonus plot ratio of 14,200 square metres on the grounds that the heritage buildings in King William St and the entry foyer of the Commonwealth Bank building would be retained and the grand lobby would be created where the heritage banking chamber stood. The logic of being granted a bonus for destroying a heritage place escaped an AHA member, who wrote ironically in its newsletter: 'Oh, by the way, the tower was allowed to be 11 floors taller because the project is being so good to our heritage. That makes it 30 storeys high, plus the parametal roof and spire'.[17] In April, in a

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[15] *Borthwick v City of Adelaide*, (1985) 18 APA 435. In that case, Judge Roder ruled against the plaintiff and in favour of retaining Kingsmead, which was heritage listed.

[16] ACC File 2997/0044, Doc. 5/57, letter from Ward & Partners to Acting City Planner 20 March 1986.

[17] *Aurora* newsletter, May 1986, p.1.

remarkably swift decision the CAPC concurred with ACC's recommendation to grant approval to the proposal.

Adelaide now has an unsuitable building in one of its finest heritage streetscapes. State Bank Royal Commissioner SJ Jacobs reported with hindsight that the project turned out to be a commercial failure, if not a disaster. Journalist Chris Kenny was more scathing in his summary of 'the State Bank centre — the pretentious landmark that not only burdened the state with a cost blow-out, but ridiculously contributed to the glut of office space that helped to undermine some of the bank's loans'.[18]

REMM-Myer Project

The REMM-Myer project was first proposed in 1987 as a commercial venture comprising retail and office buildings and associated car parking in Rundle Mall, Stephens Place and North Terrace. It became the largest and most consequential risk undertaken by the State Bank and had the strong backing of Premier Bannon. The development was proposed in two stages, first as a retail complex occupying the site of the Myer Department Store in Rundle Mall and extending to North Terrace for office development. Originally two heritage-listed buildings were to be gutted, with only their facades in North Terrace remaining, then two more were added later to enable the widening of Stephens Place to improve car park access, a major concern of ACC. The Rundle Mall façade was also amended. Heritage activists and unionists opposed the project because a department store building of major historic significance to the character of Rundle Mall would be demolished and heritage buildings would be gutted, contravening sections of the *City of Adelaide (Development Control) Act* (1976), the City of Adelaide Plan and the *SA Heritage Act* (1978). There was apprehension about economic issues as well, particularly as the development progressed, but the State Treasurer ignored all of these concerns.

ACC breached its parking policy in August after REMM argued persuasively that Myer must have parking on site to compete with two other department stores in Rundle Mall, which had their own car parks. Furthermore, ACC was not troubled about gutting the heritage buildings. Its minutes record the view that the image of the heritage buildings in North Terrace was most important, and the majority of members favoured retaining only their facades, even though the heritage listings meant the entirety of the buildings. The manager of the State Heritage Branch, as the Minister's delegate, had advised the City Planner that he recommended approval of the project,

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[18]   Chris Kenny, *State of Denial* (Kent Town: Wakefield Press, 1993), p.72.

on the conditions that the office tower atop Shell House and Goldsbrough House be redesigned and set back and that the lift arrangement in Shell House be maintained. ACC then approved the development, subject to the concurrence of the CAPC, noting that the facades of the North Terrace heritage buildings would be retained and the Rundle Mall building demolished. The extraordinary advice of the manager of the State Heritage Branch that two heritage-listed buildings should be gutted, without comment from the SAHC, was combined with the willingness of ACC to disregard principles of the City of Adelaide Plan and its own heritage register, as well as desired future character statements for the Beehive Corner and Rundle Mall precincts. As with the State Bank Centre, these government bodies demonstrated that heritage protection was tenuous when a developer proposed a major project on the site of heritage buildings.

In approving the project, ACC granted the maximum plot ratio for the site of 23,370 square metres above the standard bonus plot ratio. The grounds for this generosity were the huge scale of the development (not normally a criterion for a bonus), the pedestrian links to streets through the buildings, leisure and entertainment facilities, space water fountains in the atrium, landscaping and sculpture, heritage conservation and pedestrian cover over footpaths. The inclusion of heritage conservation as a ground for granting the maximum plot ratio must surely have been ironic.

Activists first objected to the demolition of the Myer Department Store, a conglomerate of buildings in Rundle Mall. The older neo-classical portion was designed by prominent architect Edmund Wright in 1882 for Adelaide's largest drapery, J. Marshall & Co., and was extended in 1908 to Stephens Place. The Myer group took over the Marshall store to create the Myer Emporium in 1928. When ACC considered the REMM proposal, AHA called for retention of the Myer building on the ground that the City of Adelaide Plan provided that 'historic and architecturally interesting facades should be preserved wherever possible' in the Rundle Mall Precinct. AHA spokesman Gerry Patitsas wrote, 'There is no evidence that it is not possible to preserve the Myer frontage'.[19] He asserted in an interview that the façade could be retained with a new building inside: such an approach would 'ease the trauma of its four- to five-year construction on Rundle Mall'.[20]

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[19]   ACC minutes, 7 September 1987, item 8.4 report of PEC meeting of 31 August 1987, item 5, p.434, Attachment O.

[20]   *Sunday Mail,* 6 September 1987, p.17. Marcus Beresford of the Conservation Council of SA supported Patitsas' view in another article on the same page.

ACC minutes described the new façade as echoing the composition and height of the existing façade and reinforcing the human scale of Rundle Mall. In this, as in so many other cases, AHA wondered why an imitation was acceptable when the developers could modify and retain the original building.

The AHA gained the support of some building unions willing to impose a green ban on the Myer building. The most outspoken was Ben Carslake of the Building Workers' Industrial Union and Plasterers' Federation of SA, who said that the façade of the Rundle Mall Myer building was unique and that the development should retain it. Some unions supported him but others were against a ban because the building was not heritage listed. Among the latter were the Amalgamated Society of Carpenters and Joiners and the important Australian Building Construction Workers Federation, whose state secretary, Ron Owens, said the redevelopment was vital to the state's economy and would provide up to 300 jobs for his membership. In November 1987, the Building Trades Federation, which represented all state building unions, resolved to ban demolition of any part of the heritage-listed buildings in North Terrace. It also called on ACC to conduct a poll to determine whether the public wanted the Myer façade retained, a move initiated by Ben Carslake. ACC did not conduct a poll, and the building was demolished. The architect described a new design for the Myer Centre in late 1987 as 'a glass and steel cathedral-like building', suggesting a shrine to capitalism. Andrew Cawthorne of AHA regarded it as 'a bland, mostly glass, prefabricated structure more appropriate to a suburban shopping mall than to the city's premier shopping district', [to replace] 'the only remaining Victorian/Edwardian façade of such a magnitude, rich in detail and contributing significantly to the character of Rundle Mall'.[21]

In late October 1987, AHA set up an information picket in front of the North Terrace side of the project in an effort to demonstrate public support for protection of the heritage-listed buildings. A petition with 2,150 signatures collected in nine hours at the picket asked the CAPC not to approve gutting of the heritage buildings. The National Trust and the CCSA joined the AHA in their protest. At the time, Cawthorne exclaimed that the buildings should be fully retained if the State Heritage Register was to have any meaning: 'If they are demolished it would mean the register is just a joke'.[22] Nevertheless, the CAPC concurred with ACC's approval of the project, subject to 56 planning conditions. As the chairman of the CAPC,

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[21]   *Aurora* Newsletter, March 1988, p.1.

[22]   *ibid.*

Lord Mayor Condous said there should be some leeway in the planning process when the cost of the development is so high.

The plans were revised in December 1987, when two additional heritage buildings in North Terrace were added to the scheme after their purchase by the REMM Group the previous month. The development also required the gutting of the Verco and Liberal Club, along with the narrowing of the footpaths in Stephens Place to create three lanes for traffic entering and exiting the car park. The developers shifted the office building with a new clock tower in the plan back from North Terrace and east over the Verco building, where they deemed it obtruded less on the heritage buildings. This yellow tower is visible from many vantage points around Adelaide and stands in sharp contrast to the masonry heritage facades beneath it.

Since the Lord Mayor and others were willing to disregard heritage principles because of the large scale of the REMM project, it is worth looking briefly at the financial issues involved. From the beginning, the REMM group required substantial local finance to undertake the project, having no net worth because of over-commitments in Brisbane. The Bannon government gave the REMM-Myer project its unequivocal support, and the State Bank agreed in July 1988 to be the lead financier, underwriting the project while seeking additional investors. In August, the REMM group told Lord Mayor Condous the project would not be viable without waiver of state and ACC taxes, rates and fees of about $50 million. The Lord Mayor refused because it would set a precedent other city developers would expect, and the matter was dropped. When the SBSA began financing the project, the construction costs were $120 million. They could find no other backers and created no financial syndicate. Costs soared due to industrial disputes and other delays until the total liability to the bank reached $900 million at the completion of the project in 1991. In 1996, the Myer complex sold for $152 million at a loss of over $750 million, borne by the taxpayers.

In addition to the direct financial loss, the disruption to Rundle Mall during construction of the REMM project resulted in the loss of business to many of its traders. In 1990, Alderman Etherington correctly warned that the huge complex would send traders to the wall during its construction. Three years earlier, the SA Mixed Business Association had expressed concern about a glut of shops in Adelaide as developers rushed to take up new investment opportunities. Indeed, after the Myer Centre opened with many Mall traders succumbing to offers of low rent, the number of vacant shops in Rundle Mall was notable. Councillor Ninio conceded in 1993 that the forecast of a Myer-led boom in the city was mistaken, and in fact,

Verco Building, North Terrace, with REMM-Myer office building and
clock tower on top. Courtesy John Emerson

the project had caused a loss of customers in the Mall not regained since construction
of the Myer Centre.[23]

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[23]   ACC minutes, 17 June 1991, agenda item 4, p.89. Cf. *Aurora* newsletter, February 1993, p.2.

Workers too bore a financial burden. The state government partly supported the REMM-Myer project because of the number of jobs it would create. While it is true that the project employed many workers, some sub-contractors were not paid, and nor were their workers, as REMM's balance sheet went into the red.

It is perhaps fitting that the Premier had to resign because of the State Bank's financial exposure in the REMM-Myer project, given that he encouraged this commercially non-viable project. The precedent of gutting heritage buildings was a major concern to conservationists, who were to witness more heritage vandalism during the building boom of the next few years. The approval processes demonstrated that legislation would rarely protect the built heritage if governments supported a development and that governments were more likely to listen to developers than to conservationists when large projects were involved. Local developers had also opposed the project to no avail, according to Karidis, Maras and Walker, who each believed it permanently weakened retailing in the city.[24] The REMM project also reinforced the AHA's contention that councils should insist upon evidence of a developer's capacity to finance a project before granting approval. In 1987, the SA Mixed Business Association went further by claiming that the only solution to over-building would be for the council to demand an economic impact assessment before approving any major shopping complex, which should have been a measure of the viability of office buildings in Adelaide as well. Such a requirement never became part of the planning system.

The East End Market

At the height of the building boom in 1987, the two city produce market sites in East Terrace either side of Rundle St East were vacated to attract the most complex series of development proposals of the Bannon decade. Most of the proposals grossly exceeded the height and scale limits defined for the precinct by the City of Adelaide Plan and impacted badly on adjacent heritage buildings, yet they were approved by ACC and the CAPC in a demonstration of the maxim that development controls are meaningless if governments have no desire to enforce them. At the end of the boom, however, in an unusual outcome, the state government purchased the southern Adelaide Fruit and Produce Exchange site and this time was unwilling to compromise the principles of the City of Adelaide Plan or the *SA Heritage Act.*

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[24] Personal interviews with Gerry Karidis 18 July 2003, Theo Maras 19 June 2003 and Joe Walker 25 July 2003.

The history of redevelopment of the East End Market thus includes both the worst and the best responses by governments to development proposals involving heritage buildings.

Market gardeners had been congregating in northern East Terrace since the 1850s, until the *East End Market Act* (1875) set aside a town acre for market stalls behind the shops in northern Rundle St and East Terrace. The town acre soon proved too small, and the state government designated additional land south of Rundle St through the *Adelaide Fruit and Produce Exchange Act* (1903). The new market area (AFPE) was enclosed by distinctive two-storey red brick buildings in local Federation style, with ornate plaster decorations and half-timbered gables over arched entrances in East Terrace and Grenfell St, later extending to Union St.[25] With these permanent markets, the precinct became a village within the city, offering trade other than produce for the market users. In 1987, as development proposals for the site were being lodged, the AFPE buildings were described by the Minister for Environment and Planning, Dr Don Hopgood, as 'one of South Australia's few heritage items of national importance'.[26]

The exterior buildings of the AFPE site were listed on the Register of State Heritage Items, but redevelopment would entail the clearing of original market sheds within its walls. At that time, the East Terrace shops and the East End Market Hotel fronting the northern market site were not listed until three of the buildings were placed on the Interim Register in 1987. Heritage activists, particularly the National Trust, watched anxiously as seven development groups in succession submitted proposals for the two sites to ACC from 1986.

The first proposal in early 1986, by Ian Quigley and Associates (who later combined with Pak-Poy and Kneebone), was to redevelop the market land on the northern side of Rundle St. ACC responded favourably to the initial letter of intent and an amended proposal in 1987 for an international hotel and an 'all-suites apartment' building that was five storeys over the height limit specified in the state government's conservation study for the site. The Premier, the Minister for Environment and Planning and the Lord Mayor met with the developers to try to achieve a compromise, but Quigley refused, saying his project had been changed three times already and he would not be making any more changes. The Emmett

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25   The exterior buildings were designed by Henry James Cowell and built over six months in 1903–1904, a speedy development in contrast to modern attempts to redevelop the site. Michael Page, *Sculptors in Space* (Adelaide: RAIA[SA], 1986), p.126.

26   Letter from the Minister to the Secretary, CAPC, dated 6 August 1987; DEP 11722 TC.2, CAPC File 17/86, vol. 2.

AFPE section of East End Market in East Terrace.
Courtesy of Gerasimos Patitsas

Group and Metrocorp subsequently purchased the site with planning approval without ground being broken, making Quigley a considerable profit.

In 1987, ACC received the first of three unsuccessful proposals to develop the AFPE site south of Rundle St. North East Adelaide Redevelopment Pty Ltd (NEAR) submitted an 'East End Gardens' development proposal, a commercial complex with a 12-storey international hotel, a discount department store, a 'junior department store', medium-rise office blocks, luxury apartments, specialist shops, restaurants, a 'festival market' and a four-cinema centre. Protracted negotiations between the developer and the planning bodies ensued because of its excessive height and its small residential component. In early 1987, the State Heritage Branch had commissioned a conservation plan, favouring substantial residential development, which formed the basis for negotiations with the developer. Minister Hopgood had become firm in upholding principles of the City of Adelaide Plan relating to the East End Market site. In June 1987, he recommended to the CAPC that 'the application should be refused because of its incongruity with the heritage significance of the State Heritage items involved and its lack of conformity with Principles 25 and 34 of the current Plan'.[27]

NEAR sold the AFPE site to a new East End Market Company Ltd formed in May 1988 by joint venturers the Emmett Group and Beneficial Finance. The developers proposed a $300 million commercial development of office and retail buildings, an exhibition centre, a cinema complex, residential accommodation, and underground parking for almost 1,300 cars. The proposal included restoration of the market facades and limiting the height of the buildings to eight storeys. A modified plan without the cinema and exhibition centre was approved by ACC and by the CAPC in September 1988, with certain conditions that would protect heritage values, but it failed when the Emmett Group withdrew from the stalled venture and moved to develop the northern site with Metrocorp. Beneficial Finance and Ayers Finniss Ltd, the third owners, submitted their development proposal in December 1989.

ACC approved the new AFPE proposal in March 1990. It comprised three office buildings on Grenfell St that were above the height limit, two apartment blocks for short-term and residential occupation, a central retail area and basement car parking. ACC approved the project on the casting vote of the Lord Mayor, subject to an agreement with the developer that the residential component as described

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27 Letter from Don Hopgood, Minister for Environment and Planning, to Secretary, CAPC, dated 6 August 1987, ref. DEP 11722 TC.2m. CAPC file 17/86, vol. 2.

in the plans and the heritage buildings would be retained and pedestrian access provided, among other details. After strong lobbying by the National Trust, the CAPC concurred with conditions regarding transferable floor area for the additional height of the office buildings, conservation of heritage items and completion of the southern office building only after substantial commencement of the residential buildings. However, by early 1991 Beneficial Finance was showing massive financial losses and sought to commence the project without the residential component, a proposal unacceptable to ACC. As Beneficial Finance went into receivership, the project lapsed in 1992.

The National Trust among others then put pressure on the state government to purchase the AFPE. The prospect of state government ownership came as a great relief to Rundle St traders and conservationists who had been lobbying for mixed use but primarily residential development at the AFPE site. While the cost to the taxpayer would be nearly $46 million, owning the site meant the government could control heritage conservation and the type of project to be developed. The downturn in the commercial building sector had occurred; office and retail development would be risky but residential development might be profitable. Even Lord Mayor Henry Ninio, who voted for the BFC project, said, 'the best thing that could have happened is that nothing has happened'.[28] Comments of the chairman of the East End Market Steering Committee, Dr John Mayfield, were more to the point: 'The fact that the Beneficial scheme did get approved (twice, in 1988 and 1989) shows how the planning system can fail. In today's context it would have been quite wrong; those office developments can be taken elsewhere in the city'.[29]

The state government purchased the site in May 1992 and immediately formed a steering committee of government and interest groups to prepare guidelines for a mix of sustainable buildings of commercial, cultural, educational and residential purposes. The Sydney-based Liberman Group, which had developed other sites in South Australia, won redevelopment of the residential AFPE site, and the local Mancorp Pty Ltd won the southern side of Rundle St. The AFPE site, revalued in 1993 at less than $10 million, would comprise 300 residential apartments, a square and public laneways. By agreement, the government would receive a percentage of the income from property sales and rentals. Stage One was approved in May 1994 and the remainder completed over the next five years. The final 'walled village', acclaimed by Lord Mayor Ninio as the 'most exciting residential enclave in Australia,

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28 *Advertiser*, 20 August 1991, p.6.
29 *Advertiser*, 13 June 1992, p.11.

if not in the world',[30] was neither as exciting as the National Trust and AHA had wished nor as incompatible with its surroundings as earlier commercial plans had threatened to be.

The renovations and redevelopment of the hotel, shops, cinema and restaurants along and behind the southern side of Rundle St, from the Stag Hotel to Union St, by Mancorp received the highest praise. Two-storey buildings at the rear of the Rundle St shops abut the linear 'village square' of the internal AFPE site. Mancorp aimed for a blend of food, art, design, entertainment, retail, heritage and tourism in their section of the East End while retaining the character of the precinct. Patrick Farrugia of Metrocorp was earlier credited with bringing life back into the moribund East End by renovating shops on the northern side of Rundle St and scrapping the Quigley/Pak-Poy plans for a hotel at the East Terrace corner. In 1991, Farrugia introduced a three-day undercover market behind the renovated shops, to establish a 'Lygon St-style' precinct. The markets ceased when he attracted two cinemas to the site six years later. By the mid-1990s, both sides of Rundle St continued to display their blend of colonial architecture and contemporary multicultural ambiance through the Mancorp and Metrocorp renovations.

Adelaide businessman Theo Xenophou took over the residential component of the northern site, overlooking East Terrace. ACC approved an eight-storey complex comprising 98 apartments and two levels of carparking in 1993, although according to the City Planner it was incompatible with heritage buildings on three sides. The approval lapsed on financial grounds but ACC reapproved the project in 1995. Construction began the following year, a decade after the original Quigley proposal was submitted. Of all components of the East End Market area, this building was criticised most as overdevelopment of the site, looming over heritage-listed East Terrace shops and hotels, the Botanic Hotel and Botanic Chambers in North Terrace and Ayers House to the west. The National Trust, which occupied Ayers House, had lodged strong objections on the ground that the project contravened the City of Adelaide Plan regarding plot ratio, building height and setbacks. Not only was the height incompatible with surrounding heritage buildings, but also 'its imposing bulk, being a single mass taking up virtually the whole site', allowed no open space as stipulated in the Plan.[31] This was another East End building that ACC and CAPC should not have approved, but the state government did not intervene in the redevelopment of this site.

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30   *Advertiser,* 24 September 1993, p.15.
31   *Aurora* Newsletter, October 1993, p.2.

The early East End Market proposals were submitted at a time of a commercial building boom, when a majority of ACC members bestowed approval on developer colleagues although their commercial projects were grossly above the height and scale limits allowed for their precincts in the City of Adelaide Plan. City Planner Harry Bechervaise resigned his position in part because of conflicts with elected members of ACC over the East End Market, and the National Trust became politically assertive in city developments as never before. The collapse of State Bank subsidiary BFC was partly due to its commitment to the East End Market Company, which 'proved to be one of the tentacles around the neck of BFC, slowly strangling it to death, and materially contributing to the downfall of the other joint ventures'.[32] As a result, South Australians were indebted $46 million through the State Bank. Substantial private funds were wasted in abandoned development proposals when developers would not conform to the principles governing the precinct. The involvement of the state government from 1992 through its ownership of the AFPE site proved that developers such as Max Liberman and Mancorp can profitably undertake a major project within heritage and planning principles.

Working Women's Creche, Gouger Street (1898)

Of much less capital value than the above projects, redevelopment of 13-21 Gouger St, Adelaide, including the state heritage-listed Working Women's Creche, nevertheless involved a disregard of heritage legislation and planning principles. The creche was a charming two-storey stuccoed building associated with the history of Adelaide's children and the robust women's movement of the 1890s. It was heritage listed because of its historic significance as well as its architectural merit.

In 1985, businessman Myer Solomon gained approval to redevelop the creche and adjacent buildings, leaving only its heritage-listed façade to the depth of one room, in order to construct a seven-storey office building with shops at ground level. Beforehand, the foundation stone and two original friezes of plaster cherubs and oak leaves had been defaced. Solomon proceeded with the demolition of the rear of the building and then abandoned the project. The site remained as an enormous hole opposite the Central Market for two decades, partly because of the heritage encumbrance and partly because of changing economic circumstances.

The State Government Insurance Commission (SGIC) purchased the site with the creche remnant in 1986. In 1987, ACC approved SGIC's application to build

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32   *Royal Commission into the State Bank*, First Report, p.140.

Working Women's Creche with detailing removed, 1986.
Courtesy Andrew Cawthorne, AHA

an eight-level carpark with ground-level shops and to demolish the creche. ACC had decided it was pointless to retain the remaining section of the creche. The AHA, CCSA and women's groups, who claimed the building was an 'icon in the women's movement', strongly opposed the demolition, the conservationists on the grounds that 'it undermine[d] the credibility of heritage listing' and that it contravened

Building that replaced Working Women's Creche. AHA collection.

planning guidelines for the precinct.[33] The City Planner also opposed the demolition because the remaining part of the building was a significant element of the Gouger St streetscape and should be restored because of its proximity to the heritage-listed Samuel Way Building, the Supreme Court and Jeffcott Chambers.

The CAPC overturned ACC approval. SGIC then appealed to the Planning Appeals Tribunal, which upheld ACC's recommendation, claiming the historic significance of the building had been lost when Solomon had demolished all but the facade and 9m depth in 1986. Thus, a planning authority in 1985 approved demolition of the rear of the building on the ground that the façade was a sufficient remnant of the cultural heritage and then another authority in 1988 approved demolition of the remnant on the ground that its historic significance had been lost by the demolition of the rear of the building.

Surprisingly, the next month Lord Mayor Steve Condous made a bid on behalf of ACC to save the creche by requesting that Premier Bannon advise SGIC to

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[33]   *Aurora* Newsletter, September 1987, p.1.

reconsider its decision to demolish the 92-year-old facade. Shadow Planning and Environment Minister Jennifer Cashmore also called on the Premier to intervene to prevent a statutory body from demolishing the facade of a historic Adelaide building, adding 'it begs the question: What is the point of having heritage listing of buildings if council and governments can ignore them at whim?'[34]

SGIC did not proceed with the project before its development approval lapsed in June 1990. It submitted a similar carpark proposal in September but ACC's PEC responded unfavourably to the application. SGIC then proposed to refurbish the creche and construct a four-level building of law chambers and basement car parking, which the PEC considered favourably. Before proceeding with the development, SGIC decided to sell the site because of poor economic conditions. Its CEO Denis Gerschwitz denied reports that the state government had pressured SGIC not to proceed with the project and reiterated an allegation of many developers that one of the problems in South Australia is that minority groups tend to hold up good, honest development. In fact, SGIC bought the site with the encumbrance of a heritage-listed building and had an obligation to preserve it under the *SA Heritage Act* (1978).

The Gouger St site remained derelict until the Kambitsis Group of developers purchased it in 1994. The ACC and State Heritage Branch removed the creche from their heritage registers on the condition the bricks were numbered and stored. The developer dismantled and stored the remains of the building in 1996. Kambitsis promised to memorialise the creche through public art and an historic record when ACC approved a $30 million seven-storey office, retail and residential complex on the site in 2004. The complex has been completed, after height limits for the precinct were increased.

Conclusion

The story of these major projects in Adelaide illustrates that the planning system failed to protect Adelaide's historic precincts during the 1980s and early 1990s. Planning legislation was loosely constructed and allowed elected members of ACC and the CAPC too much discretion. Governments were willing to waive height and density limits contained in the City of Adelaide Plan and restrictions on altering or demolishing heritage buildings for the sake of economic growth. Many in government expressed the view that planning and heritage legislation was not intended to apply to large projects: 'It was the multiplier effect that everybody was looking at from all

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34   *Advertiser*, 26 August 1987, p.10.

this new investment, the jobs, the employment, and of course the Premier said local government and council were holding back development in the City'.[35]

At the time the REMM-Myer project was proposed, the editor of *The News* expressed the view that the 'heritage debate in Adelaide too often gets dangerously out of hand … As the Premier said, legislation and regulation should ensure that a sensible degree of architectural heritage is retained. The emphasis should be on the sensible'.[36] Over two decades, heritage or historic buildings that were lost one by one added up to a sizeable number. All of the sites discussed in this chapter involved heritage-listed buildings. The sites were purchased (or granted, in the case of the ASER project) with the encumbrance of heritage buildings, and yet the developers succeeded in circumventing the heritage restrictions. Plaques or art objects that celebrate a demolished heritage building do not provide the same experience as a streetscape with a three-dimensional building.

During the building boom, with credit freely available, developers often submitted ambit claims in the hope of gaining approval for buildings above the allowable plot ratios. Often they succeeded. Once one developer gained concessions, they all expected and often got them, partly on the ground of the large capital investment involved. Yet developers Theo Maras and Patrick Farugia proved they could profit from developments within planning guidelines.

Unfortunately, not all developers were able to complete their projects. With high interest rates and a glut of office space by 1990, developers abandoned some projects they had commenced. Among these were the Australis building in Grenfell St, the Le Cornu site in North Adelaide and the Working Women's Creche site in Gouger St. In two of those cases, unsightly vacant lots were exposed in their streetscapes for more than a decade. One such case was the Le Cornu site, which the Makris Group bought in 2001. A major donor to both political parties in South Australia, Con Makris succeeded in having a massive residential/retail/entertainment complex approved by the Rann government over objections by local residents and despite its exceeding development limits for the site. The development had not proceeded by the end of 2010.

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35   Robert A Angove, personal interview, 16 November 2001.
36   *News*, 4 September 1987, p.12.

7

Case Studies in Heritage Politics: Small Projects

Who should make decisions about which historic structures and precincts should survive and whose interests should be represented in the decision-making process? Should we accept the judgement of architects or historians about which buildings should remain?
— Peter Spearritt[1]

While major projects wrought the most dramatic changes to Adelaide's built character during the Bannon decade, smaller residential and commercial developments occasionally attracted considerable public protests that sometimes brought about changes to heritage policy. The first major protest of the period was the lengthy campaign to save the Aurora Hotel in November – December 1983, which raised public consciousness of the built heritage and resulted in the formation of the AHA lobby group. Other controversial small projects of the period were:

- multiple dwellings to replace the heritage-listed Kingsmead and Belmont House in North Adelaide in 1983
- office developments at the St Paul's Church and Somerset Hotel sites, Pulteney and Flinders Sts, in 1989
- office development at the House of Chow site, Wakefield and Hutt Sts, in 1991
- redevelopment of Gawler Chambers in North Terrace as a 10-storey hotel in 1991.

Some of these buildings were saved from demolition and I consider them here because of the issues they generated and because they prompted changes in government policies. The Adelaide community showed through direct action that the loss of these

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[1]   Peter Spearritt, *Sydney's Century* (Sydney: UNSW Press, 2000), p.257.

buildings mattered deeply, and as a result the concept of heritage was broadened from past buildings of architectural quality and/or historical significance to buildings that were local landmarks or parts of streetscapes that were the backdrop to community life.

Aurora Hotel

The Aurora Hotel was located at the eastern side of Hindmarsh Square and Pirie St, Adelaide. By 1982, ACC had purchased the entire block facing the square between Grenfell and Pirie Sts, except the Aurora Hotel, for promoting a low-rise office development with underground parking, to be known as CitiCom. ACC intended the project to compete with new office developments driven to suburbs that fringed the city along Greenhill and Fullarton Rds because of ACC's zone X parking policy (see chapter 3). Except for the Aurora Hotel site, ACC designed the buildings in detail and then encouraged developers to tender for separate parcels of the integrated design, helping them to make money out of buildings that were under the allowable plot ratio, to show they could profit as much from such office development in the city as they could elsewhere. Thus, ACC had a strong stake in the site, and its right to approve the development is open to question.

Aurora Hotel, Hindmarsh Square 1983. AHA collection

NatWest building that replaced Aurora Hotel. AHA collection

The 1982 City of Adelaide Heritage Study had included the Aurora Hotel in its items of heritage significance recommended to the Lord Mayor's Heritage Advisory Committee (LOMHAC), but the committee twice refused to place the building on its proposed heritage register. As noted above, LOMHAC and the SAHC tended to refuse to list heritage buildings if they were the subjects of imminent development.

The desired future character statement for Hindmarsh Square contained in the 1981–86 City of Adelaide Plan included the following: 'the Square should incorporate restaurants, exhibition areas, and spaces for both formal and informal outdoor theatrical and musical performances, within a park setting'. Office buildings did not conform to that statement. Nevertheless, ACC approved a plan by Vensa Pty Ltd to demolish the Aurora Hotel and replace it with a six-storey office building on 27 June 1983. Although the hotel was not part of ACC's development scheme, 'important sections of the city council and administration believed that saving the Aurora would endanger every other part of the interlocking jigsaw of development'.[2] Within the area targeted for demolition were the Australian Broadcasting Commission (ABC)

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2   Aurora Heritage Action, Inc., *Time Gentlemen, Please!!* (Adelaide, 1984), p.19.

buildings, located in an old church with even greater heritage value than the Aurora Hotel. If the hotel was listed, the ABC buildings were also likely to be listed, thus spoiling a cohesive development proposal.

ABC Building. AHA collection

An author of AHA's publication pointed out that 'the developer [Roger Cook] who sat on the Lord Mayor's Heritage Advisory Committee worked for a company (Collier's International) interested in marketing the remaining section of the zone. There were, therefore, three representatives of the council and one developer [on LOMHAC] who were going to be very hard to convince about listing the Aurora'.[3]

In October, a notice of the auction of the Aurora's furniture and equipment inflamed Andrew Cawthorne, a teacher who had lobbied against demolition of the hotel and had enlisted the support of many sympathizers in the community. With the Adelaide Residents' Society, he organised a lunchtime gathering in front of the Aurora, intended to be a brief public protest. On a rumour of its imminent demolition on October 27, the protesters organised a spontaneous round-the-clock vigil at the hotel, where passersby signed petitions to ACC and state parliament. Just four days after the campaign began, ACC received a petition with 1,049 signatures asking it to postpone demolition of the hotel pending a review of ACC's decision regarding its heritage significance.

The Building Construction Workers Federation honoured the vigil as a residents' picket, with a green ban imposed on the site in the style of their NSW

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[3]   *ibid.*, p 17.

BLF colleagues of the 1970s. The Aurora picketers naively believed that a public campaign highlighting the hotel's historical importance might persuade councillors to rescind their commitment to include the Aurora Hotel site in the CitiCom office project. They felt ACC and the public did not fully understand its heritage value and the strength of community feeling about its retention.

The core of the hotel originated as the Black Eagle in 1859, making it one of the earliest Adelaide hotels extant. Historian Norman Etherington emphasised the historic importance of the building, arguing that LOMHAC should consider listing Adelaide's old pubs as a complete collection on the heritage register. The Aurora campaigners also publicised the hotel's long association with German migrants, many of whom had lived nearby and attended meetings at the German Club and formed part of the congregation of the Bethlehem Lutheran Church. Artist Hans Heysen was a regular, and his paintings had hung on the pub's walls.

The campaigners underestimated the determination of ACC to proceed with the office project, as no amount of information about the historic value of the Aurora Hotel would dissuade the council. Protesters did not realise that once ACC approved a large project such as CitiCom, they would not rescind their decision without pressure from the City of Adelaide Planning Commission or the state government. As Jack Mundey noted in his biography, 'in my experience in countless environmental organisations, I have found a certain middle class attitude to prevail, which is marked by a naivety about where real power resides'.[4]

During the 35-day Aurora campaign, the public response was heartening for the protesters, and prominent Adelaide media personalities were convinced of the historic value of the hotel. Several signed a notice published in *The Advertiser* during the campaign affirming their opposition to demolition of the hotel, and cartoonist Michael Atchison wrote a short article supporting its retention. *The Advertiser* gave the protest almost daily coverage, and letters to its editor on both sides of the debate abounded during the campaign. Regular architecture columnist John Chappel led the debate in favour of demolition of the hotel, arguing for owners' rights and architects' assessments of built heritage. The pro-business tabloid *The News* rarely mentioned the Aurora campaign except in interviews with developer John Roche, chairman of Vensa Pty Ltd. *The News* editor Tony Baker wrote, 'rare, indeed, is the

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4   Jack Mundey, *Green Bans and Beyond* (Sydney: Angus & Robertson, 1981), p.148. Wilfrid Prest concluded in his Forward to Aurora Heritage Action, Inc., *Time Gentlemen, Please!!* that 'conservationists have some chance of success against private developers, or local government, but face very heavy odds when developers and city councils combine in unholy alliance' (p.1).

building worth preserving no matter what' and concluded that the Aurora Hotel was not one of those rare buildings.[5] *The Advertiser* editor claimed that because the Aurora Hotel did not 'appear on the State Heritage List, indicating that it is not an outstanding building, architecturally or historically …the Aurora campaign was doomed to failure'.[6] The editor appeared not to understand the politics of heritage registers. In an *Advertiser* interview, John Roche said 'the heritage business is not an exact science. It comes back to a few people's opinions'.[7] Roche did understand the politics of heritage, and he understood that prominent people and institutions could influence heritage committees.

The state government had no official involvement in the CitiCom project, except through its representation on the CAPC. Local Government Minister Terry Hemmings spoke at the first public meeting of the campaign to save the hotel but Premier Bannon later criticised him for apparently encouraging the building union to impose a work ban on the site. The Premier had earlier declared the SA government was not in a position to save the Aurora Hotel because the developer had complied with all planning conditions and because the Aurora Hotel was not heritage listed. The campaigners tried to enlist the help of the SA Housing Trust, but the Trust could not purchase the property.

While it was true that the hotel was not heritage listed, it had been recommended for listing on the Register of City of Adelaide Heritage Items by heritage consultants and might have been listed if ACC had not owned the site and had included the register in the 1981–86 City of Adelaide Plan as resolved in 1976. The Prince Albert Hotel in Wright St was one of 29 hotels listed on the first city register gazetted with the 1986–91 Plan. The entry in the glossy guide to its heritage-listed buildings commissioned by the city describes the Prince Albert, built in the 1850s in a corner design, as 'similar to the development of the now demolished Aurora Hotel … [and] like the Aurora Hotel, the Prince Albert Hotel had German associations'.[8] The differences between the two hotels in 1983 were that ACC did not own the site and that no one had applied to develop the Prince Albert site. The latter remains on the heritage register. In the choice between the community's right to preservation of the built heritage and the owner's right to maximise profits from a site, the community usually lost.

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5   *News*, 2 November 1983, p.6

6   *Advertiser*, 1 November 1983, p.7.

7   *Advertiser*, 7 November 1983, p.2.

8   Peter Donovan, Susan Marsden and Paul Stark, *City of Adelaide Heritage Study* (Adelaide: City of Adelaide Department of City Planning, 1982), p.198.

By late November, the builder, AW Baulderstone Pty Ltd, harassed the Aurora picketers, and on 29 November the Supreme Court granted injunctions against leaders of the protest and the Building Construction Workers. Two days later, demolition of the hotel began, ending the longest public campaign against the demolition of a building in Adelaide's history.

Kingsmead and Belmont House

North Adelaide is South Australia's oldest residential suburb, with a diversity of vernacular architecture ranging from two-storey terraced houses and grand mansions to Victorian worker's cottages. Except for a major high-rise hotel, its two commercial thoroughfares, Melbourne and O'Connell Sts, mainly comprised a mix of small Victorian and modern shops and restaurants in 1978. However, from the 1960s the historic character of many of North Adelaide's streets was gradually eroded by new developments: modern shops, motels, units, townhouses and apartment blocks of a style which did not suit the Victorian environment. The 1986–91 City Plan attempted to curb modernist development by specifying, for example, that 'western Upper North Adelaide should remain one of the most impressive, historically intact residential areas in South Australia' and 'the conservation of the existing residential environment is the prime criterion for assessing development'. Despite a conservationist trend in city planning, and although groups such as AHA and the North Adelaide Society objected to the demolition of historic buildings, small residential projects rarely were the subjects of public protest in the way that commercial projects were during the 1980s and 1990s. Two mansions in Brougham Place, Kingsmead and Belmont, were the exception.

Kingsmead, at 78 Brougham Place, was designed by leading Adelaide architect Edmund Wright, built in 1865 for Charles Jacobs and was later the home of EM Bagot, an early pastoral pioneer. It was described by the State Heritage Branch as 'a two-storey Regency stone house with two single-storey wings added to each side'. Belmont, adjacent to Kingsmead at 72 Brougham Place, was originally built as a Masonic Hall in 1858, 'a rare example of early classical styling' in a residential area. Dr J Woodforde, surgeon to Colonel Light's survey party in 1836, City Commissioner JB Neales, and AJ Tolley, founder of a major wine and spirit firm, were successive owners of the house, which thus had historic links to Adelaide's elite community. Both buildings were recommended for inclusion on the Register of State Heritage Items in 1980, but the SAHC deferred its decision to allow time for the Heritage Conservation Branch to prepare documentation for the listing of

Kingsmead ca. 1983. Courtesy Adelaide City Archives

Belmont House ca. 1983. Courtesy Adelaide City Archives

the Palmer Place/Brougham Place precinct as a state heritage area, an intact area of spacious homes built for early wealthy residents of North Adelaide, including the Anglican Archbishop. In 1982, the Lord Mayor's Heritage Advisory Committee also approved both buildings for listing on the City of Adelaide Heritage Register, to take effect in 1987, and ACC requested that the Minister list them immediately on the Register of State Heritage Items. The Minister complied by placing the buildings on the interim register.

John Borthwick, an elderly property developer, owned the mansions and lived in a section of Kingsmead. He had received planning approval from ACC in 1982 to erect a low-rise residential building on the site, subject to retention of Kingsmead. He lodged another development application in 1983, this time seeking demolition of Kingsmead and its replacement by a six-level apartment block, extending to the rear of Belmont. Lord Mayoral candidate Wendy Chapman led a protest of about 30 North Adelaide Society members at the site in the week before the election. Her opponent, John Chappel, was the architect for the new development and a defender of property owners' rights. Chapman won the election, and ACC subsequently refused the development. However, Chapman's reputation as a champion of heritage was short-lived as she voted in favour of the controversial demolition of the Aurora Hotel soon after her election.

In 1984, Borthwick lodged an appeal with the City of Adelaide Planning Appeals Tribunal (CAPAT) as a test case of the *SA Heritage Act*, the first time a heritage-listed item was the subject of a demolition appeal (but not the last). The appeal attracted extensive media coverage, partly because John Chappel, who wrote occasional columns on architectural issues for *The Advertiser*, sought publicity for what he considered the loss of Borthwick's property rights, adding that Kingsmead was structurally unsound and its heritage value had been lost when it was converted to flats in the 1930s. However, he had a vested interest in the matter as the architect for the proposed replacement building. He admitted that there was a stronger case for listing Belmont. Several prominent Adelaide figures testified at the appeal hearings, with former Lord Mayors Sir James Irwin and JVS Bowen supporting the appeal, historians John Tregenza and Norman Etherington attesting to Kingsmead's historic significance, and ACC and State Heritage Branch professionals confirming its heritage value. Judge JR Roder decided against the appellant in December 1985, stating that 'to demolish "Kingsmead" … would be a private advantage [only] and not be of advantage to the common weal according to the evidence put before me'.[9]

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9   *Borthwick v City of Adelaide,* (1985) 18 APA 435, 9c. Cf. *Advertiser*, 24 December 1985, p.9.

The matter did not rest there. The irascible Borthwick refused to restore the badly neglected buildings, as he was obliged to do under the Act, or to sell them. In 1987, Minister Hopgood compulsorily acquired the properties to save the buildings. It was an experience fraught with difficulties for the state government. Borthwick refused to vacate the premises, indicating to the Lord Mayor, among others, that he would continue to let the buildings rot, forcing the government to gain a court order obliging him to vacate the premises. After the uncomfortable experience of evicting a 92-year-old man from his home, the government sought to sell Kingsmead and Belmont on condition they be restored. At a public auction in May 1989 Kingsmead sold for over $1 million and Belmont for $845,000, about $400,000 more than the government paid Borthwick for them, but court costs more than offset the government's gain.

The CEO of the REMM Group purchased Kingsmead while the Oberdan Group of developers bought Belmont. Both developers were soon struggling to meet their restoration commitments under the agreement with the state government because of overextended property loans. The state government and ACC granted several extensions to the owners for commencement of restoration, in addition to granting them funds for conservation work. Kingsmead's owners resold it in 1992 and the owners have restored it. Belmont continued to deteriorate as the Oberdan Group failed to meet the terms of the heritage agreement. The manager of the State Heritage Branch wrote in 1994 that the SHB preferred to continue to work with Belmont's owner rather than compulsorily repurchase the property that was the subject of 'this unfortunately protracted case'. The developer undertook some work to stabilise the building, which became a local eyesore, but it remained vacant and sometimes occupied by squatters. The owner sold Belmont to another developer in 2003, who undertook major restoration, but the building still remains vacant more than two decades after it was acquired by the state.

The SHB had prepared documentation in 1980 that showed that Kingsmead and Belmont qualified for state heritage listing on architectural, historical and street-scape grounds, but the SHB moved very slowly in submitting the documentation to the SAHC. However, given the determination of the buildings' owner to redevelop the properties, the delay probably made no difference. No doubt, Borthwick would have lodged a planning and demolition application and then appealed against the refusal no matter when the listing had occurred. The challenge in the CAPAT strengthened the *SA Heritage Act* by confirming the authority of the government to protect heritage properties. The Kingsmead and Belmont case also tested the limits of the government's powers under s.3 of the Act. While the government could

and did acquire the properties compulsorily, it had limited funds for compulsory acquisition and heritage conservation. The state government did not want to restore the buildings itself, and having acquired them once, the government was reluctant to repurchase the properties, particularly during a period of economic downturn. Ultimately, private owners restored Kingsmead. State and local authorities continued to extend the deadlines and to grant funds for restoration work on Belmont House with little effect, demonstrating how limited were their powers to compel owners to restore heritage buildings.

St Paul's Church, Pulteney Street

St Paul's Anglican Church at the northeast corner of Pulteney and Flinders Sts, Adelaide, was built in 1860 'of the ugliest stone ever found in Adelaide', according to Alderman Chris Douglas.[10] The congregation could not afford to complete the building, and its northern tower was never built. The manse in Flinders St had been listed on the Register of State Heritage Items, but the church itself was passed over for listing on both the state and city heritage registers in 1983. Instead, it was included in Appendix 2 of the 1982 City of Adelaide Heritage Study as an item on the city's Character Schedule.

With Adelaide's population declining since the 1930s, the congregation of St Paul's dwindled until it was nonviable. The church was deconsecrated and sold in 1982. Three years later it reopened as a nightclub,[11] but the owner went into receivership and was forced to sell the building. In 1989 the developer Moore Corporation applied to demolish the former church on behalf of its new owner and to replace it with a four-storey office complex, with the manse converted into a tavern.

ACC refused the application in a stunning vote of 14 to 2, even though the church building was not heritage listed, on the grounds that it was a prominent part of the streetscape and listed in the Character Schedule. All of the pro-development members of ACC voted for refusal except Councillor Charles Mouschakis (the other dissenter was Alderman Chris Douglas). ACC held that the proposal would be contrary to principles 19 and 20 of the City of Adelaide Plan and to its desired future

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10   *City Messenger*, 6 September 1989, p.1.
11   Adelaide's only Tiffany stained-glass windows were removed and are now owned by the Art Gallery of South Australia. A mezzanine floor was fitted without compromising the building in a remarkable design and engineering feat by award-winning architectural firm KMH Neighbour Lapsys. *Advertiser*, 19 November 1988, p.26.

St Paul's Church, Pulteney St. AHA collection

character statements for the Pulteney St and Frome St precincts. Those principles restrict development of heritage buildings and new development adjacent to heritage buildings, in this case the manse in Flinders St.

The developer lodged an appeal with the CAPAT in December 1989, while ACC sought ways to preserve St Paul's. Pro-development Councillor Jim Crawford moved that the Lord Mayor establish a public fund to save the building. ACC also sought its interim listing on the Register of State Heritage Items and even considered purchasing St Paul's. Sentiment in ACC and in the community for saving the building was high. A residents' 'Petition to save St Paul's Church' with four pages of signatures was presented to ACC in June 1990. In August, AHA mounted an information picket outside St Paul's and garnered 1500 signatures on another petition presented to the SA House of Assembly by Greg Crafter, MP. Lord Mayor Steve Condous predicted at the time that public pressure would save St Paul's in the end.

In June 1990, ACC learned that the developer had won his appeal, which gave Moore Corporation 18 months in which to commence the project. The developer then negotiated with ACC and the Minister for Environment and Planning for

concessions in return for retaining St Paul's, including a five-year rate holiday and $500,000 compensation. Consistent with its response to the demands of the REMM-Myer developer, ACC refused to grant the concessions. Without these concessions, the developer could not proceed with the project, and ultimately put the building on the market. This enabled the Minister for Environment and Planning to place St Paul's on the interim list of the Register of State Heritage Items and to issue an urgent conservation order for its protection in December 1990. ACC followed the Minister's lead by adding St Paul's to the City of Adelaide Heritage Register in March 1991 after public hearings by an ACC committee. The St Paul's experience had revealed the truth in a remark by AHA spokesman Gerry Patitsas that the fate of heritage buildings still rests in the hands of the development lobby. In this exceptional case, the pro-development members of ACC favoured heritage listing, but ACC and the Minister could only act to save the building when the development application lapsed.

The concerns of many councillors and the Adelaide community about the possible destruction of St Paul's Anglican Church impelled ACC to protect other items on its 1982 Character Schedule. In August 1990, ACC voted to begin a process of reviewing all of the buildings on the schedule to consider whether they met the criteria for heritage listing, a move opposed by the development lobby, but the vote on the motion occurred at a meeting when the residential members were in the majority due to six absences. While the review of heritage items was undertaken by the City of Adelaide Heritage Advisory Committee (COAHAC), ACC also began its prolonged and bitter campaign to protect the built character of Adelaide through its townscape initiative (see chapter 5).

Somerset Hotel

Across Pulteney St from St Paul's Church stood another building listed on the Character Schedule, the Somerset Hotel. Along with St Paul's, the imminent demolition of this hotel and its impact on Pulteney St caused ACC to revisit its heritage policies.

The Somerset Hotel was rebuilt in 1878, during an economic boom, on the site of its 1850 predecessor. The 1982 City of Adelaide Heritage Study described the hotel's 'picturesque overtones', including its 'distinctive windows, coupled chimneys, gable and verandah/balcony'. The consultants added, 'it is a distinctive building due to its prominent corner site … and notable stylistic departure from more usual Italianate hotel genre. …The environmental significance of this item is high because

Somerset Hotel in Flinders St with St Paul's in Pulteney St. AHA collection

of its positive contribution to the streetscape'.[12] By 1989, the exterior of the 1878 hotel was intact, with an undistinguished extension in Pulteney St, but its interior had been significantly altered. In March 1989, an application by the Australian Taxation Office (ATO) to demolish the building led to a review of its heritage value. Four members of ACC opposed its demolition while others felt it was not worth saving. They argued that there had been ample opportunity to have the building placed on either the city or state heritage registers but it had failed because it lacked historical merit.

By May 1990 the builder was experiencing financial difficulties which were delaying the development. At a meeting on 28 May 1990 Alderman Mark Hamilton moved that ACC seek interim heritage listing of the hotel by the state government to protect it from demolition before the development proceeded, a move supported by the National Trust, CCSA, AHA, the Square Mile Residents Association and the Federal MP for Adelaide, Dr Michael Armitage. The residents association had submitted a petition to ACC asking that the Somerset not be demolished. Not surprisingly, the owner of the hotel, the Church of England Collegiate School

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12   Department of City Planning, *City of Adelaide Heritage Study*, DMS Summary Volume 2 – listing requests, August 1984, pp.107–09.

of St Peter's, opposed its heritage listing. The college stood to gain considerably from a leasing arrangement involving a large office building. In response to ACC's motion, the college's secretary, Michael Evans, said the Somerset was just another old corner pub: 'They are preserving things on sentiment now rather than on architectural merit'. Mr Evans' dismissive remark acknowledged the direction of heritage politics by the 1990s.

After planning approval for the ATO building lapsed in November 1990, the developer lodged another application for a five-storey office building. Minister for Environment and Planning Lenehan then rejected the pleas of ACC and heritage groups to interim list the building, leaving the hotel vulnerable to demolition. ACC's planning and environment committee (PEC) recommended to council that it refuse the proposal, but on 19 November 1990 ACC voted by a narrow margin to approve the development. Nearly a year later the plans were stalled again, this time because the commonwealth government decided to freeze taxation office development during the State Planning Review. Also in September 1991, an ACC committee moved to ask the Premier to request the federal government to relocate the planned ATO building, possibly to a vacant office building, to prevent erosion of the city's heritage. Office vacancies were then reportedly 13.5 per cent but the percentage was far higher (see chapter 3). This move also failed.

Although there was wide-ranging support for retaining the hotel, even if only incorporated in the new office building, and concerned parties employed a variety of political tactics to try to save it, the Minister for Environment and Planning again refused to interim list the Somerset. She pointed out that ACC had twice given the building demolition approval: 'Having done that, they then call upon the minister responsible for heritage to come in on some sort of white charger and save the building, not withstanding that … the [ACC's] heritage committee had not recommended these buildings be placed on the [city] heritage register'.[13] The Minister's indignation in the matter was understandable, particularly if the SHB had advised her that the building did not meet the criteria for state heritage listing. The hotel was demolished in October 1991. The ATO building gave a modernist face to the corner of Pulteney and Flinders St and reduced further the nightlife of the area. To show its appreciation of the Somerset, ACC required that the developer erect a plaque inside the entrance of the ATO building, which bore the legend:

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13   *Advertiser,* 19 September 1991, p.16.

ATO building that replaced Somerset Hotel. AHA collection

Somerset Hotel
Corner Flinders and Pulteney Adelaide
(Demolished 1991)

The Somerset was a typical corner hotel in the City dated from 1851 when nine hotels graced Pulteney St. At the time it was rebuilt in 1879, over 120 pubs existed in the City of Adelaide. The Somerset was a distinctive corner pub with a substantial balcony added in 1925. The architect, Thomas English, was a former Mayor of Adelaide who also designed many of the corner hotels rebuilt during the boom period in the 1870s.

The ATO vacated the building in 2003.

The 'House of Chow' Building

At the time that St Paul's Church was being rescued and the Somerset hotel was facing its demise, a two-storey bluestone building at an eastern gateway to Adelaide became the site of the longest residents' heritage picket the city has known. The House of Chow building, named for the Chinese restaurant that occupied the former residence at Hutt and Wakefield Sts, was scheduled to be razed in 1991. Developers Antbros Properties Pty Ltd had endured two refusals of their proposed three-storey office development in 1987–88 by the ACC and CAPC because of the building's streetscape value, before they won an appeal in the CAPAT at the end of 1989 that allowed them to erect a building to house a Commonwealth Bank branch and other offices with undercroft parking.

In March 1991, ACC tried to save the unlisted House of Chow building by asking the Minister for Environment and Planning to issue a conservation order to prevent its demolition. Minister Lenehan sought from ACC 'indemnification against any legal action by the building's owners which might arise from the issuing of an urgent conservation order in respect of a building for which a lawful planning approval to demolish had already been issued'.[14] She added that 'if the House of Chow had gone on the register for its character, about 20,000 other buildings would also fit the bill and have to go on', and urged ACC instead to 'step up' its streetscape [townscape] scheme.[15] ACC did not accede to her request, but resolved to negotiate with the owners for a project that would incorporate the House of Chow building into the plan. The developer's response was to attempt a quick and stealthy demolition before 7am on Sunday, 19 May 1991. The city engineer halted this without serious damage to the original part of the two-storey building.

An angry public protest erupted at the site that morning over the potential loss of the House of Chow. A combination of interest groups and local residents gained the cooperation of building unions not to carry out any further demolition as long as a residents' vigil continued in front of the property. The dawn-to-dusk vigil continued for more than two months, during which the protesters collected 4000 signatures to a petition calling upon ACC to retain the building.

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14 Mark Parnell and John Hodgson, 'Issues of Planning Law' (Working Paper No. 7, Planning Education Foundation of SA, University of South Australia, December 1998), p 30; letter from Susan Lenehan, Minister, to City Manager, n.d. 1991, D0352-10, vol. 2.

15 *City Messenger*, 26 June 1991, p.3. Eighty-nine buildings and monuments had just been added to the State Heritage Register, well short of the 20,000 comparable to the House of Chow that the Minister mentioned.

House of Chow building, Hutt St, 1991. AHA collection

Bocelli Café and offices that replaced House of Chow. Courtesy Sharon Mosler

ACC offered several times to fund an architectural feasibility study to determine whether the House of Chow could be retained within the development, but each time the developer refused to cooperate or to negotiate with ACC. With expiry of the planning approval looming, the developer made a second attempt to raze the bluestone building on 23 July 1991, using non-union workers, damaging it beyond repair and ending the residents' vigil before a clash between union and non-union labour again brought proceedings to a halt.

Antbros then served injunctions on three councillors, AHA and two of its members and five local residents alleging loss of income during the vigil. Some of the people named in the injunction had taken no part in the protest. Among those was Councillor Jane Rann, who was overseas for much of the time. The injunctions obliged Councillors Rann, Alan Rye and Michael Gibbs to leave the chamber whenever council discussed the House of Chow site, altering the vote in favour of the developer. This led to fears that other developers would use the ploy of seeking injunctive relief in order to assure a favourable vote, but these fears proved groundless as the business sector regained control of ACC in 1993. All of the defendants were deprived of their freedom to discuss the development publicly during the period of the injunction until the civil action was settled out of court in 1992.

Jack and Bill Antonas, directors of Antbros Properties Pty Ltd, were caught up in heritage history. In 1982, when they purchased the building, there was no City of Adelaide heritage register and business interests controlled ACC. During the building boom of the 1980s, AHA, the National Trust and other groups garnered public support for greater protection of Adelaide's built environment than had been afforded by the city and state heritage registers. By 1991, when Antbros moved to demolish their unlisted building, the residential and pro-heritage members held a majority in ACC and the townscape initiative was underway. Given that the House of Chow building was unlisted and the developer had been granted planning approval, ACC could only try to negotiate with an unusually intractable developer. All attempts failed. Antbros was able to silence protesters temporarily, but it lost millions of dollars in court and holding costs because of the years that elapsed before redevelopment of the site commenced, and Jack Antonas's health was seriously affected. The Hutt St property remained a ruin while the CMEU maintained the black ban on it until 1993, when the union agreed to clear the site. A retail/office project was built on the corner site by the end of the millennium.

Conservationists asserted that the destruction of the House of Chow illustrated the need for greater protection of Adelaide's character. City Planner John Hodgson

commented that 'largely under the impetus created by the "House of Chow" controversy, ACC resolved to proceed with a townscape proposal for the entire city' on 16 September 1991, and heritage architect Paul Stark agreed.[16] The elected members were divided on the impact of the protest: some believed it influenced the Minister to proceed with local heritage protection, while the Lord Mayor and other councillors said the protest had little effect. The townscape initiative was already underway at the time of the protest, but the controversy spurred ACC into expediting the process of identifying the groups of buildings that formed Adelaide's character at a time when the political climate was right for such a move.

Gawler Chambers

As noted above, in response to applications to demolish St Paul's Church and the Somerset Hotel, in 1990 ACC established the advisory committee COAHAC to review more than 800 buildings in the 1982 Character Schedule to determine whether any or all of them should be listed in the Register of City of Adelaide Heritage Items. About 100 buildings on the schedule had been demolished in the eight years following the study. Gawler Chambers in North Terrace was among the first group of buildings COAHAC reconsidered in March 1991, along with St Paul's Church. The five-storey red brick building was part of a distinctive group that formed the streetscape in southern North Terrace from Gawler Place to King William St. Built in 1913, it differed from its Victorian neighbours as one of only a few Edwardian buildings in the Adelaide CBD. Nevertheless, in height, scale and materials it blended with the streetscape. Its façade had been altered and a floor added in 1935, so its streetscape and historic significance, not its architectural merit, were deemed most important in recommendations for heritage listing by DMS in 1982, the State Heritage Branch in 1985, the City's Planning Department and the State Heritage Committee in 1991.

Before the COAHAC meeting, the owner, former Lord Mayor John Roche's Adelaide Development Company, had an opportunity to respond to the recommendation for its heritage listing. He had lodged an application to demolish the building and erect a 10-storey hotel on the site on 24 December 1990, but ACC had not considered the application when COAHAC met three months later. Mr Roche also hired a bevy of architects, engineers, planners, solicitors and an historian to prepare a case against the heritage listing.

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[16]   Parnell and Hodgson, p. 35; Paul Stark, personal interview, 20 September 2001.

Gawler Chambers, North Terrace. Courtesy John Emerson

At the March 1991 COAHAC meeting, the developer's consultants claimed it was not a heritage building. Gawler Chambers had been the headquarters of the South Australian Company Pty Ltd, which provided the economic infrastructure of the colony of South Australia from its foundation in 1836 and established its first bank. The consultants argued that the 1913 building, constructed on the site of the original SA Company headquarters, was built at a time when the company had a diminished role in the development of South Australia. Therefore, they argued, it lacked historic significance because it was not the building that housed the original company. The consultants ignored a letter signed by 13 medical specialists that pointed out the building's long association with the provision of health care in Adelaide. COAHAC, on the other hand, emphasised its streetscape as well as its historic significance and recommended that the building be included on the Register of City of Adelaide Heritage Items. The Minister for Environment and Planning then placed an urgent conservation order on the building at the request of ACC to protect it until procedures were finalised to list the building on the city's heritage register. Minister Lenehan showed she was willing to give interim protection to buildings when ACC demonstrated it was prepared to protect them. In the Somerset Hotel

and House of Chow cases, the Minister would not issue conservation orders because ACC would not act to list the buildings on its heritage register.

In May 1991, ACC deferred the developer's application to demolish Gawler Chambers and construct a 10-storey hotel on the site. The developer had also appealed against the conservation order, which the Supreme Court revoked in October 1991 on procedural grounds. ACC still refused the developer's application to demolish the building, and the Minister responded by placing the building on the Interim Register of State Heritage Items on 4 November 1991. The developer had again lodged an appeal, this time with the CAPAT, but a decision two days later by the State Cabinet to list the building permanently on the State Heritage Register made the appeal redundant. The building was finally protected under the *SA Heritage Act* and could not be demolished legally without its removal from the Register.

Conclusion

The small projects described in this chapter demonstrate the changing heritage values in Adelaide during the 1980s. The protests they engendered precipitated changes in heritage policies. ACC originally formed its first heritage register in 1982 with 419 items in the City of Adelaide (gazetted with the 1986–91 Plan). At the time, architect John Chappel and others said ACC had 'gone overboard on heritage'. He added that, 'Some people, including experts deeply involved in conservation, are concerned that this scale of preservation is grossly excessive'.[17] He included JVS Bowen in that category, contending that the former Lord Mayor had tried to reduce the first list to 50 buildings. Kingsmead and Belmont were among the buildings listed on the first register, but LOMHAC rejected St Paul's Church and Gawler Chambers as buildings not worthy of heritage protection. By 1991 ACC approved both of the latter buildings for heritage listing, along with 87 others contained in the Character Schedule. These were immediately placed on the state interim register at the request of ACC, a practice that became more frequent after the St Paul's Church controversy in 1990, and the remaining buildings in the schedule formed the core of the initial townscape list.

The attempt by the owner of Gawler Chambers to prevent interim heritage listing exposed the lack of clarity in the *SA Heritage Act* (1978) regarding the Minister's powers to impose urgent conservation orders on threatened buildings. It led to a review of the Act, initiated by the SHB rather than the State Planning Review, which

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[17] *Advertiser*, 21 June 1991, p.13.

culminated in the *SA Heritage Act* (1993), creating a State Heritage Authority with greater powers than those of the SAHC (see chapter 8).

Not all of the protests described in this chapter resulted in conservation of the buildings concerned. The House of Chow building and Somerset Hotel were demolished despite community objections. Both cases were very costly to their owners. The ATO building on the Somerset Hotel site was vacated at a time of a high rate of office vacancies and remained under-tenanted for some years. The developer of the House of Chow site incurred unnecessary court costs and was unable to commence the development for nearly a decade after demolishing the building.

The townscape initiative of ACC emerged after the St Paul's and House of Chow protests. While the city planners had already been working on the initiative in 1989, those protests demonstrated the strength of the community desire to preserve more of Adelaide's historic buildings and prompted the Minister for Environment and Planning to urge its speedy progress. The outcome of the muddled politics involved was the establishment of a second Adelaide register, for local heritage, with more than 800 buildings listed. Adelaide's historic buildings had altogether greater protection by 1995. Heritage values had shifted toward more emphasis on the historic and streetscape significance of buildings, and it was Adelaide's smaller projects that reflected that trend. In the process, the newly established heritage policies were incorporated into the *SA Heritage Act* (1993) and *Development Act* (1993).

8

Conclusion

The heritage debate will never be settled, will never go away.
Indeed, in relative terms, it has only just started.
— Peter Ward[1]

When John Bannon formed his first government in November 1982, he inherited heritage legislation he may not have wanted because of his plan to encourage major building projects for growth in a crane-led recovery from economic recession. Moreover, he would soon learn that debates about historic buildings would not end with the enactment of heritage legislation. Debates about incentives for heritage listing, including compensation for building owners whose properties were heritage listed, were ongoing. Debates also continued about the boundaries of heritage: whether the *SA Heritage Act* (1978) was intended to protect only iconic buildings of significant architectural merit or whether buildings should also be protected because of their historic or cultural significance, whether historic conservation zones and local heritage registers should be added as a second tier of protection and whether local heritage listing should be voluntary. The debates extended further in the decade as suburban councils gained planning controls through conservation zones and adopted local heritage registers.

These debates began to trouble the SA Heritage Committee, in recommending entries on the Register of State Heritage Items, and the Adelaide City Council as it considered nominations for listing on its register and later during its townscape campaign. While parliament and ACC were committed to protecting the built heritage by 1986, the boundaries of heritage listing remained contested and they

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[1]   *Adelaide Review*, January 1992, p.5.

divided ACC into pro-heritage and pro-development factions for the remainder of the millennium and beyond. These debates are still not fully resolved, as changing governments profess differing heritage values.

The pro-development faction of ACC comprised developers and businessmen who, with their supporters, upheld the right of property owners to develop their properties as they wished, more or less within the principles and guidelines of the City of Adelaide Plan (or whatever deviation from the Plan ACC could be persuaded to approve). Their supporters consisted of the Building Owners and Managers Association, the short-lived Property Owners and Ratepayers Association (1992) that formed to oppose the townscape initiative, development companies and often leaders of the Institute of Architects and financial institutions, as well as businesspeople of all kinds. They wanted certainty of development for the future growth of Adelaide. They believed the Register of City of Adelaide Heritage Items would provide that certainty because all buildings not on the register would be available for redevelopment. Many also maintained that the register should be limited to about 150 iconic buildings. The faction's leaders in and out of ACC described Adelaide as a 'parochial backwater' for which modernisation was overdue, claiming their development proposals would benefit the city. They attacked heritage activists for wanting to 'place a glass dome over Adelaide',[2] making it a 'museum city' that would permit no new buildings if demolition of old stock were involved.

The pro-heritage faction and heritage activists outside ACC wanted to preserve more than Adelaide's architectural icons. They wanted to preserve the traditional built character of Adelaide. The activists and heritage protectionists included Aurora Heritage Action, Inc., the National Trust (SA Branch), the Conservation Council of SA, the Civic Trust of SA, the Royal Australian Planning Institute, residents' associations and ad hoc groups. While architect John Chappel claimed that Adelaide's character comprised copies of second-rate English buildings, 'the architectural mediocrity of the past century' (overlooking the vernacular bluestone villas with verandahs inspired by India), heritage protectionists asserted that Adelaide's Victorian and Edwardian style constituted its built character and that this character was worth preserving. They asked why imitation Victorian buildings should be accepted, as had become a trend in residential areas, when the original building could be restored

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2   Premier Bannon first used the phrase 'environmental extremists who … want to put Adelaide under some imaginary perspex dome' in a 1984 speech at a Chamber of Commerce and Industry dinner (*News*, 5 November 1984, p.6), and the 'glass dome' metaphor was used frequently by development spokesmen in the following years.

and/or modified and retained. Further, the modern structures that were replacing the city's character were themselves often second-rate generic buildings, the products of speculative developers concerned more with financial returns than with architectural quality in both the residential and commercial sectors. Heritage advocates asserted the right of the community to preserve its urban landscape for the benefit of future generations, a right that they believed superseded private property rights. They claimed they were not anti-development but advocated good building design that would complement Adelaide's historic character.

The financial reforms of the Hawke government from 1983 advanced the speculative boom that occurred in the late 1980s. Insurance companies, superannuation funds and government financial institutions had joined large development companies and individual developers in property investment even before the major share market downturn of 1987, and more intensely thereafter. Managers of banks and financial institutions, unrestrained by reserve requirements or other restrictions on lending, lent capital freely, not to say recklessly, in a highly competitive market, mostly for office buildings. Interest rates soared and there was soon a vast oversupply of office space. Vacancy rates rose above 20 per cent by 1990. The boom was finance driven and ended by 1991 primarily because of an oversupply of office space that lowered property values and secondarily because of rising interest rates and foreclosures as speculators defaulted. Several development companies were forced into liquidation when they could not repay their loans on property which they could not lease or sell and which declined rapidly in value. The history of Kingsmead and Belmont House, the REMM-Myer development and the 'House of Chow' building, among other projects, illustrates the changing fortunes of property developers during this period. All states, through their government banks, along with corporate and private investors, suffered enormous financial losses that they might have avoided if lending had been regulated during the building boom. The downturn might not have been so severe or might not have occurred at all had the banks been more prudent in their lending practices instead of this small-scale version of the global financial crisis that erupted in 2007. The demands of AHA and the SA Mixed Business Association for evidence of capacity to finance a project and an economic impact assessment of a project have never been implemented, like many calls for tightening of planning legislation that remain unheeded.

Pressure on all governments by developers would have been intense in the late 1980s, much more so than previously, as developers gained easy access to finance for building projects. The state government promoted the ASER project in North Terrace, the State Bank Centre in Currie St and the REMM-Myer project at Rundle

Mall, financed through SASFIT, SAFA, SGIC, and/or the State Bank, despite the loss of heritage those projects entailed. The projects I describe in this book show how heritage politics were played, with the Premier and his Minister (or the State Heritage Branch manager acting with the Minister's delegated authority) exercising power over bureaucratic structures in the state government, and with the elected members of ACC rejecting recommendations of its planning staff in favour of development proposals that did not comply with principles or desired future character statements in the City of Adelaide Plan. For example, as chapter 6 describes, ACC willingly approved several development proposals for the East End Market sites even though these projects would have breached recommendations of the conservation study for the site and extended considerably above the plot ratios provided in the City of Adelaide Plan. At that time, third parties had no appeal rights, so decisions of ACC and City of Adelaide Planning Commission favourable to developers were final. On the other hand, in several cases in which ACC refused demolition of unlisted historic buildings, the buildings were later heritage listed, among them St Paul's Church and Gawler Chambers, as heritage values evolved.

Heritage politics in ACC took a nasty turn after its planners commenced their 'townscape initiative'. Heritage values had shifted toward greater emphasis on the historic and streetscape significance of buildings, and townscape protection of selected groups of buildings that contributed to Adelaide's character reflected that trend. The initiative would have been implemented under rules that were less stringent than those rules for buildings listed on a heritage register. It would have been a method for maintaining the built character of the city, 'its cultural soul' according to former Premier Don Dunstan, who supported the initiative, not unlike the schemes for historic (conservation) zones that were approved under the *Planning Act* (1982) for suburban districts from 1989. In 1989, city planners recommended for townscape listing the unlisted and surviving buildings contained in the 1982 DMS Character Study plus about 400 additional buildings that were later deemed to meet the criteria. Had the initiative been limited to those 1200 buildings, ACC may have approved the proposal. However, following the public display of the initiative in 1989–90, individuals and lobby groups recommended more than a thousand additional buildings. These were compiled into a Townscape II list, but after considerable debate, ACC removed two-thirds of the buildings from the list l because they were lower than the maximum height limits specified in the Plan for their precinct and thus had development potential. For example, ACC removed cohesive rows of single-storey Victorian cottages and houses in small streets from the list because the desired future character for their precincts permitted four-storey buildings. ACC disregarded its

heritage values. Townscape listing would have limited the development potential of the sites and their owners might have claimed compensation.

Before the second public display of the townscape initiative in 1990–91, ACC's pro-development faction under the leadership of Councillor Henry Ninio instigated a public propaganda campaign denigrating the proposal, and they waged weekly battles against it in council meetings. While this campaign failed to engender the desired public response, it successfully created the impression of a dysfunctional council, prompting Minister for Local Government Greg Crafter to step in to resolve the matter, in a move that demonstrated the state's ultimate control over ACC. He established a special city/state forum in 1992 to assess the townscape initiative, expressing grave concern about its effect on Adelaide's property values. Professor of Planning Raymond Bunker of the University of South Australia chaired the forum. It comprised four representatives of the state government, all of whom opposed the townscape initiative, and four representatives of ACC, only two of whom supported it. Not surprisingly, the forum rejected the townscape initiative and favoured a local heritage register in its place. It then drafted criteria for identifying local heritage throughout the state. In December 1992, ACC yielded to the Minister's recommendation for a second Adelaide heritage register.

Having resolved the conflicts over the townscape initiative, in 1993 the Minister established an independent review panel to consider some 350 objections to local heritage listing by Adelaide property owners. Despite the panel's findings that only 37 of the properties not be listed, Lord Mayor Henry Ninio insisted that all 350 buildings remain off the register. Because the state government could not enforce local heritage listing, ACC's preferred list was accepted and the Adelaide policy of voluntary listing of local heritage (only with the owner's consent) was born. Several residential buildings that met the criteria for local heritage listing according to the panel but were not listed because of the owners' objections, have subsequently been demolished, and some listed buildings have been subsequently delisted at their owners' request. The debate over voluntary listing was repeated after a North Adelaide heritage study undertaken in 2003 recommended additions to the local heritage register as well as an historic (conservation) zone for the area. ACC recommended that 142 new local heritage places be listed on the basis of the study, but upheld its policy of voluntary listing and refused to recommend 54 buildings after their owners had objected to listing. The Minister resolved the matter the following year by listing the 33 remaining buildings that had not been demolished in the interim. ACC approved the zone, which recognises the historic character and heritage values of North Adelaide, in 2008.

As the debate on townscape protection was heating up, the South Australian government initiated a State Planning Review in 1991 to examine all planning legislation in the state through a complex process of public consultations. The review aimed to establish an integrated and streamlined planning system with statewide planning objectives, as outlined in its draft report *2020 Vision: a planning system.* The legislative outcome was the *SA Development Act* (1993), which replaced the *City of Adelaide (Development Control) Act* and several other Acts*,* to bring planning in Adelaide into line with other council areas in South Australia. The 1991–96 City of Adelaide Plan became the Development Plan for Adelaide under the new Act. The Development Assessment Commission (DAC) replaced the State Planning Commission and the City of Adelaide Planning Commission. The Minister appointed DAC's membership, which did not include representation of ACC. A Local Heritage Advisory Committee was established as a sub-committee of DAC, a formal process developed during the townscape review period. Local heritage and character protection through conservation zones were deemed forms of development control covered by the *Development Act*, not the *Heritage Act*, because they were outside the purview of the state government. These Acts were the final mark of the Bannon government on planning in South Australia.

The *Development Act* did not radically change the state planning system, except in the following ways:

- the Minister must report annually to the parliament on community consultation regarding the Planning Strategy [s.22(6)(c)], involving government more in development policy
- three categories of development for public notification and consultation purposes are specified according to the development plan for an area (s.38). Category 1 (complying) development requires no public consultation; category 2 development applications require that notice of the proposal be given to owners of adjacent land and other relevant persons; category 3 development applications, for non-complying development, require that notice of the proposal be given to owners of all properties affected and to the public generally. Third parties may make representations to ACC on category 2 and category 3 development applications
- third parties who make representations to ACC in relation to a category 3 development application may lodge an appeal against a decision with the Environment, Resources and Development Court
- major developments may be recommended by the Minister for consideration by

a special panel (s.46), by-passing planning procedures under the *Development Act* such as local government scrutiny. Under this provision, controversial developments in the parklands have been approved, as well as the metropolitan area's first foreshore development, a high-rise apartment building at Glenelg. The overwhelming majority of developments recommended by the Minister under s.46 have been approved[3]

• the establishment of a new court under the *Environment, Resources and Development Court Act* (1993) to replace planning appeals tribunals with increased powers. Third parties who have been given notice of a proposal may appeal local government development decisions to this court.

The planning system failed to protect Adelaide's historic precincts during the 1980s and early 1990s and would continue to do so, although new developments occured at a slower pace in the 1990s because the building boom had ended.

The *SA Heritage Act* (1978) was replaced by the *Heritage Act* (1993) [now the *Heritage Places Act* (1993)] and affected only state heritage places. A major change was the establishment of a State Heritage Authority (now Heritage Council) (s.4) to replace the toothless SAHC. The Authority is more than an advisory body. Its role is to administer the State Heritage Register, that is, to enter places on or remove places from the register, a role formerly exercised by the Minister under the 1978 Act (the term 'item' in the 1978 Act was replaced with 'place'). This government intended that this change would remove politics from heritage listing. However, ministers have on occasion exercised their right under the Act to declare a provisional entry in the Register to be contrary to the public interest (s.18), that is, the minister may override a heritage decision of the Heritage Council.

Developers gained certainty through the introduction of the certificate of exclusion (s.22), which would guarantee a property owner that his or her property would not be entered in the State Register within five years of the date of the certificate. The 1993 Act also provided for heritage agreements (s.32) between the Minister and owners of land to conserve the property. Fines for intentional damage of a registered place were substantially increased. These amendments had been proposed mainly by the State Heritage Branch, rather than the State Planning Review, after the SHB's

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[3]   See list of 10 development applications attached to agenda for Major Development Panel Public Forum 2000. Of applications assessed by the panel for environmental, social, and economic impacts, 98 per cent were approved before 2000. Cf. <http://www.planning.sa.gov.au/ go/development-applications/major-development-projects/previous-projects-assessed>, accessed 13 February 2006.

15 years experience of administering the *SA Heritage Act* (1978). The new Acts were proclaimed in January 1994.

This book has shown that after 1980, Adelaide's built heritage was lost on a scale previously unknown in SA, ironically at a time when international, national and state legislation had been enacted to protect the built heritage. The building boom that caused the heritage devastation was driven by 1980s 'corporate cowboys', fuelled by the deregulation of monetary policy and encouraged by state and local governments to create employment, increase revenue and modernise cities. In these circumstances, local governments were encouraged to disregard planning and heritage principles. The outcome was ruinous for the Bannon government, banks and financiers, development companies and their contractors. Sykes reports that 'total write-offs and provisions by banks and financiers amounted to $28 billion' across Australia.[4] It was also ruinous for the character of many of Adelaide's historic precincts. A follow-up to Michael Burdon's pictorial book *Lost Adelaide*, published in 1983, would show the devastation of historic precincts during this period.

This study may not have emphasised the progress in heritage listing at the same time. In 1982, the Register of State Heritage Items consisted of 446 items and increased to 1831 items in 1993, when Labor lost government. While the Bannon government cut the budget of the State Heritage Branch drastically by the mid-1980s, the SAHC became less 'elitist' in its choice of recommendations for entry on the register. From 1980 through 1990, the average number of entries on the register was about 116 per year. The exception was 1986, when the number of listed items increased from 842 to 1,190 to satisfy the Minister's direction that the Adelaide buildings on the Register of State Heritage Items match those on the new City of Adelaide Register, accounting for an unusually large increase of 348 items in that year. In the final two years of the Bannon government, only 40 items were entered on the state register.[5] In 1989, the Minister approved historic (conservation) zones for suburban council districts, to be managed by the councils. ACC similarly changed its heritage values from 5 per cent of the building stock, entered on its first register, based largely on architectural merit, to a small increase of 104 items in 1993 and a further 805 items on its local heritage register listed in the Adelaide Development Plan 1996–2001. Despite the increases, state funding for heritage

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[4]   Trevor Sykes, *The Bold Riders* (St Leonards: Allen & Unwin, 1994), p.1.

[5]   SA Department of Environment and Land Management, *State of the Environment Report for South Australia*, 1993 (Adelaide: Community Education and Policy Education Group, 1993), pp.263–65.

conservation dropped dramatically from 1988, but ACC maintained its heritage conservation fund throughout the period.

The Bannon government was no more cavalier with respect to heritage than any other state government. The financial and heritage losses occurred in all Australian states at the same time and for the same reasons. Premiers in Victoria, WA and SA were brought down because of property dealings. Queensland was notorious for the midnight demolitions of the Belle Vue Hotel and Cloudland Ballroom in Brisbane in 1982, part of the heritage-annihilation spree of the Bjelke-Peterson era in that state. Historic buildings in the major cities of New Zealand were demolished during a building boom at the same time, despite public protests by members of the Historic Properties Trust.[6] Many of these events have been recorded, but much research remains to be undertaken on the heritage and heritage politics of suburban districts, country areas, river and coastal areas and recent migrant heritage. The latter would include not just cultural artefacts but the streetscapes, shops, places of worship, hostels and detention centres with which migrants and refugees have been associated.

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[6] See Michael Hall and Simon McArthur, *Heritage Management in New Zealand and Australia* (Auckland: Oxford University Press, 1993).

APPENDIX A

ADELAIDE CITY COUNCIL ELECTED MEMBERS 1981–95

	1981–83	
Office	**Name**	**Occupation**
Lord Mayor	Arthur John Watson	Surgeon
Alderman	Graham A Black	Accountant
	JVS Bowen	Company director
	WJ Chapman	Property developer
	Steve Condous	Property developer
	James Jarvis	Property developer
	William Manos	Solicitor and businessman
Councillor	Robert Angove[*]	Statistician
	Constantinos Bambacas	Jeweller, property developer
	Rosemary Boucaut[*]	Nurse counsellor
	Christopher Douglas[*]	Antique dealer
	Dean Fidock	Engineer
	Mark Hamilton[*]	Solicitor
	Charles Moschakis	Bank manager
	LM Ravesi	Pharmacist
	JB Sellick	(resigned Feb 1983)
	Eileen Sharman[*]	Education administrator
	Ellis Wayland	Financial consultant

	1983–85	
Lord Mayor	Wendy Jennifer Chapman	Company director
Alderman	Graham A Black	Accountant
	JVS Bowen	Company director
	Steve Condous	Property developer
	James B Jarvis	Property developer
	William Manos	Solicitor, company director
	Arthur John Watson	Physician

Councillor	Robert A Angove*	Public servant
	Constantinos Bambacas	Jeweller
	Rosemary Boucaut*	Nurse counselor
	Christopher F Douglas*	Antique dealer
	Dean Fidock	Transport engineer
	Mark Hamilton*	Solicitor
	Michael Harrison	Company director
	Charles Moschakis	Bank manager
	Henry J Ninio	Businessman
	LM Ravesi	Pharmacist
	Eileen W Sharman*	Retired
	KL Shaw	Architect

1985–87		
Lord Mayor	James Bickford Jarvis	Property developer
Aldermen	Ross Davies	Managing director
	Dean Fidock	Engineer
	Michael Harrison	Company director
	William Manos	Solicitor and company director
	Louis Ravesi	Pharmacist, company director
	Arthur Watson	Surgeon
Councillors	Brian Anders	Managing director
	Robert Angove*	Statistician
	Constantinos Bambacas	Jeweller
	Rosemary Boucaut*	Hospital counselor
	James Crawford	Managing director
	Christopher Douglas*	Antique dealer
	Norman Etherington*	Historian
	Mark Hamilton*	Solicitor
	Charles Moschakis	Bank manager
	Henry Ninio	Pharmacist, perfumer
	Roger Rowse	Businessman
	Eileen Sharman*	Retired

1987–89		
Lord Mayor	Steve Condous	Property developer
Aldermen	Ross Davies	Managing director
	Christopher Douglas*	Antique dealer
	Con Bambacas	Jeweller, Property developer
	Norman Etherington*	Historian
	Dean Fidock	Engineer
	Michael Harrison	Company director
Councillors	Brian Anders	Managing director
	Bob Angove*	Statistician
	Rosemary Boucaut*	Hospital administrator
	Sam Christodoulou	Planner
	Jim Crawford	Retired; property developer
	Mark Hamilton*	Solicitor
	Mary-Lou Jarvis*	Solicitor
	Charles Moschakis	Bank manager
	Henry Ninio	Pharmacist, perfumer
	Marlene Powell	Businesswoman
	Roger Rowse	Taxi driver
	Alan Rye*	Public servant

1989–91		
Lord Mayor	Steve Condous	Property developer
Aldermen	Brian Anders	Businessman
	Constantinos Bambacas	Businessman
	Rosemary Boucaut*	Hospital counselor
	Christopher Douglas*	Antique dealer
	Mark Hamilton*	Solicitor
	Michael Harrison	Company director
Councillors	Robert Angove*	Statistician, public servant
	Ian Caller*	Small businessman
	Sam Christodoulou	Planner
	Francene Connor,* 1990 by-election	Tourism Department

	Jim Crawford	Retired
	Elizabeth Gordon	Small businesswoman
	Bernie Lewis	Financier, company director
	Charles Moschakis	Bank manager
	Henry Ninio	Pharmacist, perfumer
	Jane Rann*	Journalist
	Roger Rowse	Taxi driver
	Alan Rye*	Public servant

1991–93

Lord Mayor	Steve Condous	Property developer
Aldermen	Brian Anders	Businessman
	Con Bambacas	Jeweller
	Rosemary Boucaut*	Hospital counselor
	Chris Douglas*	Antique dealer
	Michael Harrison	Company director
	Jane Rann*	Journalist
Councillors	Bob Angove*	Public servant
	Ian Caller*	Small businessman
	Francene Connor*	Tourism Department
	Jim Crawford	Managing director
	Michael Gibbs*	Artist, teacher
	Jacqueline Gillen*	Architect
	Alfred Huang	Engineer
	Jane Lomax-Smith*	Pathologist
	Charles Moschakis	Bank Manager
	Henry Ninio	Pharmacist, perfumer
	Alan Rye*	Scientist

1993–95

Lord Mayor	Henry Ninio	Businessman
Aldermen (5)	Rosemary Boucaut*	Hospital counselor
	Sam Christodoulou	Planner
	Christopher Douglas*	Antique dealer
	Michael Harrison	Company director
	Jane Rann*	Journalist

Councillors (10)	Bob Angove*	Statistician
	Francene Connor*	Public servant
	Jim Crawford	Retired
	Alfred Huang	Engineer
	David Johnson	Solicitor
	Jane Lomax-Smith*	Pathologist
	Charles Moschakis	Bank Manager
	Geof Nairn	Architect
	Albert Taylor	Retired
	Philip Thorpe*	Accountant

* designates pro-heritage members of ACC.

APPENDIX B

Membership of Lord Mayor's Heritage Advisory Committee 1981–84

The Rt. Hon. The Lord Mayor of Adelaide (JVS Bowen, Esq.), Chair[1]

Alderman John Chappel (Architect)[2]

Roger Cook (Colliers International, President, Building Owners and Managers Association)

Professor John Cooper (School of Architecture and Building, SA Institute of Technology)

Geoffrey Dutton, AO (Historian and Editor, Sun Books Pty. Ltd.)[3]

Ray Harrison (Head, South Australian Heritage Unit)[4]

Jack McConnell (Architect)

Professor David Saunders (Faculty of Architecture, University of Adelaide)

Dr Alan Spry (Senior Consultant, Australian Mineral Development Laboratories)

Dr John Tregenza (Curator, Historical Collections, Art Gallery of South Australia)

Gavin Walkley, C.B.E. (Architect and Chairman, Architects Board of S.A.)

Alderman John Watson (Deputy Lord Mayor)

Dr Derek Whitelock (Assistant Director, Continuing Education, University of Adelaide)

[1]Replaced by Lord Mayor Dr AJ Watson in 1982
[2]Replaced by Alderman William Manos, 1982
[3]Replaced by Dr Norman E. Etherington, 1982
[4]Replaced by Barry Rowney, December 1981

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    2997/0044 and 10424 State Bank Centre

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    A14150 and D3774 City-State Forum

    BF582 City of Adelaide Plan Review

    D0019-15/01 City of Adelaide Heritage Advisory Committee (COAHAC)

    D0228-05 and D3462 St Paul's Church

    D0352-10 House of Chow building

    D0740-05, D0740-20, D0740-30 and D31/0402 Kingsmead

    D0740-25 Belmont House

    D4231 Instructions out of Council

    D3528 REMM-Myer Project

    D3617 Review of City of Adelaide Heritage Register

    D5800 City of Adelaide Heritage Register Survey

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Angove, Robert A., 16 November 2001, councillor and alderman, ACC 1980 – present

Bannon, John, periodic informal conversations, 1998–2003, former Premier,

Bell, Peter, 17 July 2000, 24 October 2000, 9 March 2001 and 28 May 2002, architectural historian, formerly with State Heritage Branch

Beresford, Marcus, 6 February 2003, Executive Officer, CCSA, 1985–95

Birdsey, Peter, 2 July 2003, architect and founding member of Adelaide Residents' Association

Brine, Judith, 29 November 2000, former member and Chair of SAHC and member of CAPC

Condous, Steve, 6 August 2001, councillor and alderman, ACC, 1968–87 Lord Mayor 1987–93

Connor, Francene, periodic informal conversations, 2001–2010, councillor and alderman, 1990–97

Crafter, Greg, 31 July 2001, former Minister for Urban Development and Local Government Relations, among other portfolios, in Bannon Governments

Donaldson, Don, 7 February 2011, Manager, City Planning, ACC

Douglas, Christopher F., 21 August 2001, councillor and alderman, ACC, 1987–95, 1997–98

Hamilton, Mark, 17 July 2002, councillor and alderman, ACC, 1982–89, 1989–90, 1992–93

Harrison, Michael J., 30 July 2001, councillor and alderman, ACC, 1983–95

Hodgson, John, 18 October 2001, City Planner, ACC, 1988–94

Jose, Jane Margaret (Rann), 22 July 2001, councillor and alderman, ACC, 1989–95

Kambitsis, George, 24 June 2003, developer

Karidis, Gerry, 18 July 2003, developer

Kooyman, Rob, 12 August 2003, lecturer, business studies, University of South Australia (former board member of (BOMA, later Property Council)

Llewellyn-Smith, Michael J., 30 July 2001, City Planner, Town Clerk and City Manager, ACC, 1974–94

Lomax-Smith, Jane, 28 July 2001, councillor, ACC, 1991–96, Lord Mayor 1997–2001

Maras, Theo Steven, 19 June 2003, developer

Reynolds, David, 15 July 2004, Auckland Area Coordinator, New Zealand Historic Places Trust

Rowney, Barry, 13 December 2000 and 14 December 2000, former heritage architect with State Heritage Branch

Stark, Paul, 20 September 2001, co-author, City of Adelaide Heritage Study, 1981–83; former Principal Heritage Architect, ACC, 1988–2003

Stratmann, Jim, 20 November 2003, architect

Walker, Joe, 25 July 2003, developer, Harmony Corp. P/L

Wigg, Carol, 6 December 2000, architect, former heritage architect with State Heritage Branch

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