

SA Heritage Register

Submission form

South Australian
HERITAGE COUNCIL

South Australian Heritage Council

Submission on whether the entry of the Place **Gladstone Bulk Grain Handling Complex** should be confirmed in the South Australian Heritage Register

A place is eligible for entry in the Heritage Register if it meets one or more of the criteria in Section 16(1) of the *Heritage Places Act 1993* (Act). Using the table below, please explain why you believe the place should or should not be entered into the Register, using the said criteria. The South Australian Heritage Council invites your submission regarding the entry of this place. For help in making a submission, please refer to the Guidelines for Interpreting State Heritage Criteria (**Attachment E**) and also available online: [Guidelines-for-Interpreting-State-Heritage-Criteria-2024.pdf](#)

Criteria

Criteria under the <i>Heritage Places Act 1993</i> , section 16(1)	Provide evidence or other information to support your submission
a) it demonstrates important aspects of the evolution or pattern of the State's history	See enclosed submission.
b) it has rare, uncommon or endangered qualities that are of cultural significance	See enclosed submission.

c) it may yield information that will contribute to an understanding of the State's history, including its natural history	See enclosed submission.
d) it is an outstanding representative of a particular class of places of cultural significance	See enclosed submission.
e) it demonstrates a high degree of creative, aesthetic or technical accomplishment or is an outstanding representative of particular construction techniques or design characteristics	See enclosed submission.
f) it has strong cultural or spiritual associations for the community or a group within it	See enclosed submission.

(g) it has a special association with the life or work of a person or organisation or an event of historical importance	See enclosed submission.
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Declaration

The South Australian Heritage Council is committed to transparency in relation to the listing process and wishes to enhance public confidence in the nomination, listing and decision-making process. The Council's policy is to make nominations for State heritage listing and submissions on provisional entries publicly available via webpage or to interested parties. The Council will adhere to the Privacy Principles and your name and personal details will not be released.

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The Council will adhere to Privacy Principles. Names, identifiers and personal details will be redacted, unless you, the author, indicate otherwise.

☐ I opt for my **name only** to remain unredacted and visible to the public when this nomination / submission is posted to the DEW Heritage SA webpage. Please specify below, if you would like any other details unredacted.

I/We, [REDACTED] wish to make a written representation regarding the provisional entry of **Gladstone Bulk Grain Handling Complex**. The information I have provided is correct to my knowledge.

- ☐ I **support** the confirmation of this provisional entry.
☒ I **do not support** the confirmation of this provisional entry.

I **do** / ~~I do not~~ wish to appear personally before the Council to make oral representations.

Signature: [REDACTED] Date: 2/10/2025

[REDACTED]

Please attach any relevant documents and be aware that a heritage officer may contact you to discuss your submission.

Please provide your contact details here:

Phone: [REDACTED]

Email: [REDACTED]

Address: [REDACTED]

This form must be received by 5pm on **2 October 2025**.

Please return completed submission form to the
Board and Policy Officer, South Australian Heritage Council
Via email: **DEWHeritage@sa.gov.au**
Or via post: **GPO Box 1047, Adelaide SA 5001**

[REDACTED]

2 October 2025

Board and Policy Officer
South Australian Heritage Council
GPO Box 1047
Adelaide SA 5001

[REDACTED]

Dear Sir/Madam

Submission on entry of Gladstone bulk grain handling complex on the Register - 16251 Horrocks Highway, Lot 6 Horrocks Highway and Lot 14 Gladstone Street, Gladstone (SHP 26603)

[REDACTED] Gladstone bulk grain handling complex (**Gladstone Complex**) located across three separate parcels at 16251 Horrocks Highway (CT 5912/49 and CT 5855/563), Lot 6 Horrocks Highway (CT 5834/834 D7491AL8 and CT 5834/834 D7491AL9) and Lot 14 Gladstone Street (CT 6142/183), Gladstone.

On 26 June 2025, the South Australian Heritage Council (**SAHC**) resolved to provisionally list the Gladstone Complex on the South Australian State Heritage Register (**Register**) on the basis that it satisfies section 16(1)(a) and (g) of the *Heritage Places Act 1993 (Act)*.

For the reasons that follow, the Gladstone Complex does not satisfy any of the criteria specified in section 16 of the Act. As a matter of law, the SAHC cannot confirm the place as it simply does not meet the criterion in section 16.

Confirmation at odds with objects of the Act

1. The powers of the SAHC are only those specified in the Act. As a body created by statute, the SAHC only has those powers and only in those terms as the Act dictates.
2. Relevantly, the SAHC is now considering the exercise of the discretion in section 18(4) whether to confirm the entry of the Gladstone Complex in the Register.
3. Section 17(2) of the Act vests a discretionary power in the SAHC which "may" provisionally enter a place on the Register. Similarly, section 18(4) is discretionary in that the SAHC "may" (but is not obliged to) confirm the entry of a place¹.

¹ See section 11(1) of the *Legislation Interpretation Act 2021*.

[REDACTED]

4. We explain why the Gladstone Complex does not satisfy the criteria in s16 of the act below. However, even if it did satisfy one or more of the criteria, confirming the Gladstone Complex on the Register is not necessary nor is it consistent with the objects of the Act. The SAHC should exercise its discretion to decline to confirm the entry.
5. The Gladstone Complex is industrial agricultural infrastructure necessary for agricultural production in the State. As an item of agricultural infrastructure, it is inappropriate to confirm it on the Register. Confirmation is not conducive to any of the objects in section 2 of the Act. In particular, confirmation on the Register will not -
 - (a) Assist in "recognising the importance of South Australia's heritage places...in understanding the State's history";
 - (b) Provide for the "identification (or) documentation of a place of heritage significance";
 - (c) Provide for or promote the conservation of a place of heritage significance"
 - (d) Promote an understanding or appreciation of the State's heritage" or
 - (e) "...encourage the sustainable use and adaptation of heritage places...[or] the retention of their significance".
6. Confirming the listing of the Gladstone Complex on the State heritage Register is a perverse outcome. It is as needless and at odds with the purpose and objects of the Act as would be the listing of other infrastructure of importance to the State. It is akin to listing King William Street which could equally be said to satisfy criterion (a) and (g). It would be equally absurd to list King William Street as plainly inconsistent with the objects of the Act and the proper exercise of the discretion in s18(4).

Nature of the s16 test

7. The discretionary powers are only enlivened if the SAHC validly forms the opinion that the place "*is of heritage significance*".
8. The Act specifies that a place is "*of heritage significance*" if it satisfies one or more of the criteria set out in section 16 of the Act. This is the express test the SAHC must validly determine under the Act.
9. The criteria in section 16 rely on adjectives that in turn involve some contextual or relative assessment ("important", "rare", "uncommon", "outstanding", "high degree", "strong", "special").
10. As a matter of statutory interpretation, the criteria in section 16 must be interpreted and applied in accordance with their text, context and purpose.²
11. In making its determination, the SAHC is obliged under the law to -
 - (a) adhere to the process under the Act (particularly the public notice and hearing requirements of section 18 of the Act); and
 - (b) apply the usual rules of administrative law in particular –
 - (i) to afford procedural fairness in its decision making process;
 - (ii) to properly interpret and apply the legal test;³
 - (iii) to take into account all relevant matters;
 - (iv) to disregard irrelevant matters; and
 - (v) to ensure the decision is not unreasonable or arbitrary or capricious.⁴

² SZTAL v Minister for Immigration and Border Protection [2017] HCA 34 at [14].

³ See Craig v South Australia [1995] HCA 58 at [14].

⁴ See Minister for Immigration and Citizenship v SZMDS [2010] HCA 16.

Important aspects of the Gladstone complex

12. The Gladstone site consists of various structures across two locations, being the Town Site (Lot 6 Horrocks Highway (CT 5834/834 D7491AL8 and CT 5834/834 D7491AL9) and Lot 14 Gladstone Street (CT 6142/183)) and the Bunker Site (16251 Horrocks Highway (CT 5912/49 and CT 5855/563)).
13. The large and complex operational facility known as the Gladstone Complex today, was not established in 1957. It is more accurate to say that in 1957 a structure, consisting of 4 connected vertical silos, was built on what is now referred to as the Town Site. This original site has an area of approximately 0.1 hectares. An additional silo structure was established in 1965. In 1969 the first structure was established at the Bunker Site. Overtime, further structures were erected. The total area of the Gladstone Complex site is now approximately 60 hectares, being significantly larger than what was established in 1957.
14. The Gladstone Complex is part of a larger network of similar grain facilities which network contributes significantly to the grain handling and processing industry in South Australia.
15. The Gladstone Complex was one of more than 100 similar facilities in South Australia which made up the bulk grain handling, storage and processing network established by the South Australian Co-operative Bulk Handling Ltd (**SACBH**) in the State at the time.
16. Since 1980, the Gladstone Complex has undergone a number of upgrades to improve its functional capacity as a grain facility, including the construction of bunker storage and two 45,000 tonne paired sheds connected to two 1,000 tonne out loading bins.
17. In 2019, further upgrades were funded to improve efficiency, safety and service, including:
 - (a) a new state-of-the-art classification centre;
 - (b) automatic grain probes;
 - (c) a fully automated 40 metre weighbridge; and
 - (d) shed re-sealing.
18. The Gladstone Complex is a significant facility within its locality and has been upgraded and expanded over time based on market and customer demand.
19. The facility that exists today is vastly different from that which was originally constructed in 1957. As a fully operational facility it will continue to be progressively upgraded and improved over time, as necessary. This is critical to respond to market developments and evolving needs of [REDACTED] grain growers, transport operators and the grain industry generally.

Heritage listing criteria

Does not demonstrate important aspects of the evolution or pattern of the State's history - section 16(1)(a)

20. To satisfy section 16(1)(a) of the Act it is necessary that the place –
 - (a) demonstrates
 - (b) important aspects of either
 - (i) the evolution of the State's history; or
 - (ii) the pattern of the State's history.
21. The meaning of those words and section 16(1)(a) are determined according to their text, context and purpose. None of those terms are defined in the Act therefore the ordinary English meaning applies as follows-
 - (a) **demonstrates** means "*to manifest or exhibit*".

- (i) **manifest** means “*readily perceived by the eye or the understanding; evident; obvious; apparent; plain*”
 - (ii) **exhibit** means “*to manifest or display; to place on show*”
 - (b) **important** means “*of much significance or consequence; of more than ordinary title to consideration or notice*”
 - (c) **evolution** means “*any process of formation or growth; development*”
 - (d) **pattern** means “*style or type in general*”.
22. Applying those words in the context of the Act it is apparent that criterion (a) has a high bar to clear, particularly by the requirement that a place “demonstrate” and because the demonstration must be of an “important” aspect.
23. Such an approach is consistent with the Guidelines for Interpreting State Heritage Criteria:
- “...the product of, or is an example of, or was influenced by, or has influenced, or is associated with, or has a symbolic association with, or is the site of - an event, phase, period, process, function, movement, custom or way of life...which has made a **strong, noticeable or influential contribution to the evolution or pattern of the settlement and development of South Australia**.”⁵*
- (our emphasis)

No "demonstration"

24. The Gladstone Complex is not demonstrative of anything. It does not manifest nor evidence, nor is it readily perceived as, nor is it plain that it has any bearing whatsoever on any aspect of the State's history. It certainly does not display or place any aspect of the State's history on show.
25. Mere observable existence is not sufficient for the test in section 16(1)(a). The place itself must demonstrate at least one important aspect of history. Given that everything constructed in a city or town is observable, the Act patently requires that before the law qualifies a place for entry on the Register, that place must do more than exist. It must positively demonstrate the aspect of historical importance.
26. The aspect of historical importance must, under this criterion: be evident; manifest; observable; on show; readily perceived by the eye or the understanding; evident; obvious; apparent; plain. This requirement is particularly difficult for matters of the evolution or a pattern of history.
27. The site is substantial - at over 60 hectares. It has been developed most substantially since 1980. At best this site demonstrates modern (not historically important) agricultural industrial infrastructure.
28. A particular form or layout of a facility and its physical characteristics, such as the various storage forms exhibited at the Gladstone Complex, does not demonstrate a pattern or evolution of history.
29. This is particularly so where the Gladstone Complex only draws its significance from being one of a great many similar facilities that formed part of a broader network. It is the broader network as a whole, and not the individual parts of it, which potentially exhibit an evolution or a pattern of history in South Australia. No one facility in this network can be said to demonstrate the significance of historical evolution of grain storage as a whole.
30. As a matter of fact and law, the Gladstone Complex therefore does not demonstrate any aspect of history.

⁵ Guidelines for Interpreting State Heritage Criteria - Assessing Places for State Heritage Listing, South Australian Heritage Council, 14 March 2024, page 8 (**Guidelines**).

Not an aspect of the evolution or pattern of the State's history

31. Assuming that the Gladstone Complex demonstrated anything, the demonstration cannot be said to be of an aspect of evolution or pattern of development in the State's history.
32. To demonstrate an aspect of the "evolution" of the State's history a place must, in some way, demonstrate an aspect of the formation, growth or development of the State's history.
33. To demonstrate an aspect of the "pattern" of the State's history a place must, in some way, demonstrate a particular style or type that emerged from the historical context (eg what went before and what followed this place in that particular historical path, shape or formation).
34. The Statement of Heritage Significance, contained on page 2 of the Summary of State Heritage Place of the Provisional Register Entry (**Provisional Entry**) states:

Despite twenty-first century upgrades to the classification and weighbridge facilities, the place retains a high level of intactness and integrity which allows the evolution of SACBH and bulk grain handling in South Australia to be understood and appreciated.

35. It is not possible to readily understand or appreciate, based on the physical appearance of only one facility in a network of over 100 similar sites, the work carried out by SACBH and the evolution of bulk grain handling in South Australia. The work of SACBH and the evolution of bulk grain handling in South Australia is more complex than this.
36. The network established by SACBH in South Australia and which evolved over time was significant in its capacity as a collective. As bulk storage design and technology progressed, the sites within the network were upgraded to improve storage capacity and by 1980, the network had a storage capacity of more than 4 million tonnes. In the 1990s, 33 strategic sites within the network were designated according to their locality to give effect to some concentrated upgrades to storage capacity in each of the precincts comprised in the network.
37. Put simply, the SACBH designed and gave effect to a complex network of facilities which was carefully considered to meet the evolving needs of the grain market in South Australia. It was the network as a whole which worked to develop the bulk grain handling market in South Australia. No one facility itself can demonstrate the nature and complexity of this scheme and how it has evolved over time.
38. The facility and various structures that constitute the Gladstone Complex site do not demonstrate an aspect of the evolution nor a pattern of any aspect of the State's history.

Not "important" aspects either

39. Even assuming that the Gladstone Complex demonstrated any aspects of evolution or pattern of development in the State's history, the demonstration cannot be said to be of an important aspect of history.
40. Having been significantly upgraded and expanded in the later half of the 20th century and more recently in 2019, the Gladstone Complex does not demonstrate anything that exhibits a "strong, noticeable or influential contribution" to the evolution or pattern of settlement and development in South Australia. Notably, a large portion of the Gladstone Complex site was established in the 1990s.
41. Further, it was the collective network as a whole and its corresponding capabilities which potentially exhibited a "strong, noticeable or influential contribution" to the evolution or pattern of settlement and development in South Australia.
42. With respect, it is a romantic overvaluation of the Gladstone Complex to say that this facility alone exhibits the significant history associated with the grain storage network comprised of over 100 similar facilities in South Australia. What was "important" in the evolution or pattern of settlement and development in South Australia was the gradual development and expansion of the network as

a whole rather than any one facility. It was what the collective was able to achieve rather than any individual site.

43. Criterion (a) is not satisfied.

No rare, uncommon or endangered qualities of cultural significance - section 16(1)(b)

44. There is no evidence that the Gladstone Complex has any particularly “*uncommon, rare or endangered qualities*”⁶ of cultural significance.
45. Criterion (b) is not satisfied.

Does not yield information contributing to an understanding of the State's history - section 16(1)(c)

46. There is no evidence that the Gladstone Complex will “*provide, or demonstrate a high likelihood of providing, tangible evidence that will contribute significantly to our knowledge of the past.*”⁷
47. Criterion (c) is not satisfied.

Not an outstanding representative of a particular class of places of cultural significance - section 16(1)(d)

48. “Outstanding representative” is defined in the Guidelines for Interpreting State Heritage Criteria as encompassing any of the following:

*An **exceptional example** – the place displays a large number or range of characteristics that is typical of the class. The place displays characteristics that are of a higher quality, intactness or historical relevance than are typical of places in the class, and displays the principal characteristics of the class in a way that allows the class to be understood/appreciated.*

*An **influential example** – the place contains physical characteristics of design, technology or materials that were copied in subsequent places/objects of the class (direct physical influence), or other places/objects were created, altered or used in response to the characteristics of this place.*

*A **pivotal example** – the place encapsulates a key evolutionary stage in the development of the class.*

49. There is no evidence that the Gladstone Complex is an “outstanding representative”. Criterion (d) is not satisfied.

Does not demonstrate a high degree of creative, aesthetic or technical accomplishment nor an outstanding representative - section 16(1)(e)

50. There is no evidence which demonstrates that the Gladstone Complex has:
- (a) a high degree of creative, aesthetic or technical accomplishment; or
 - (b) be an outstanding representative of particular construction techniques or design characteristics.
51. Criterion (e) is not satisfied.

No strong cultural or spiritual association for a community or group - section 16(1)(f)

52. There is no evidence that the Gladstone Complex has a strong cultural or spiritual association for the community or a group within it.
53. Criterion (f) is not satisfied.

⁶ Guidelines, page 11.

⁷ Ibid page 14.

Does not have a special association with the life or work of a person, organisation or event of historical significance - section 16(1)(g)

54. Page 3 of the Provisional Listing states that:

[Gladstone's] remaining structures, representing a variety of storage types, demonstrate the evolution and success of the SACBH and their bulk grain handling network throughout the second half of the of the twentieth century, in particular their response to various challenges such as market deregulation, increased grain production and diversification and expanding market demand.

55. The test to satisfy this criterion is not whether the Gladstone Complex represents a variety of storage types or demonstrates the evolution and success of the SACBH.

56. To satisfy this criterion, it is necessary for a place to have a special association with the work of a person, organisation or event of historical importance. The Guidelines frame this with the determination of the following questions:

- (a) *"To what extent had the person, organisation or event made a strong, notable or influential contribution to the course of South Australia's history?"⁸*
- (b) *"How well does the place represent those associations when compared to other places with similar associations?"⁹*

57. The Guidelines define "special association" *"as being distinct or particular to the person, organisation or event and/or distinguished and/or different from what is considered to be **ordinary**, including places where the fabric was influenced by a person, organisation or event; and/or where some sort of close interaction can be demonstrated and/or where there is evidence to demonstrate the association."*¹⁰ Further, the contribution of the place must be towards the course of South Australian history as a State rather than being limited to a local level.

58. "Ordinary" is defined by the Cambridge Dictionary as *"not different or special or unexpected in any way; usual."*

59. The Gladstone Complex is part of the class of facilities that comprised the network of bulk grain handling facilities established by SACBH in South Australia.

60. The network was made up of more than 100 similar facilities. The network was designed so that these sites would operate together in an effective scheme to meet the market demand. No one facility was more important than the other, but rather all had different roles within the broader network.

61. There is therefore nothing about the Gladstone Complex which elevates it to the level of having a "special association" with SACBH over and above that of any of the other facilities within the network. Such association is not special at all, but rather ordinary.

62. Criterion (g) is not satisfied.

Conclusion

In all the circumstances, the Gladstone Complex does not satisfy any of the criteria that must be met under section 16 of the Act to warrant entry of the building on the Register. Listing this item of agricultural infrastructure is at odds with the objects of the Act and the SAHC should not exercise its discretion to confirm the entry.

The provisional listing of the Gladstone Complex should be removed from the Register.

⁸ Ibid page 31.

⁹ Ibid.

¹⁰ Ibid.

Our client requests the opportunity to be heard at the meeting of the SAHC to consider submissions and any confirmation of the entry.

Yours faithfully

