

Rundle Street in Adelaide features many Local Heritage Places

MAY 2019



COMMUNITY GUIDE TO HERITAGE & CHARACTER IN THE NEW PLANNING SYSTEM

EQUAL PROTECTION, MORE CONSISTENT DECISION-MAKING

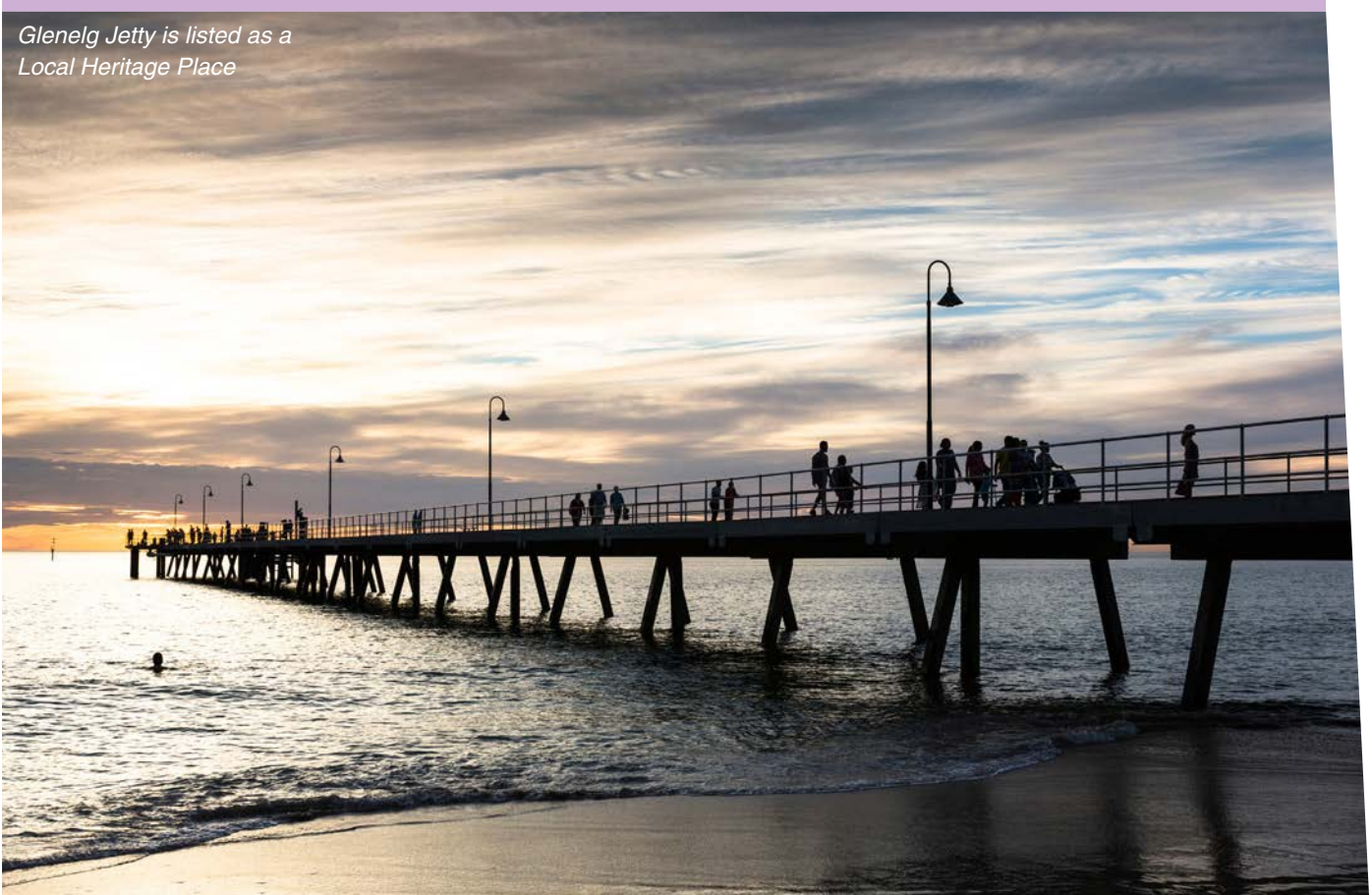
Heritage and character is important to the social and cultural fabric of our community. It is a big part of what makes Adelaide and some of our regional towns unique.

We have 17 State Heritage Areas and 2,295 State Heritage Places identified under specific legislation. There are another 7,000 Local Heritage Places.

There are also a number of historic, streetscape and character 'areas' across council regions that have similar sounding names and that aim to conserve community character. In addition to this, there are approximately 12,000 sites that have been identified as 'contributing' to this character.

Currently the way all these items are treated varies across the state, and the results are similarly inconsistent. Some heritage and character policy works well, other heritage and character policy does not. This has also been identified in the State Parliament's recent heritage inquiry.

*Glenelg Jetty is listed as a
Local Heritage Place*



The State Government believes it is crucially important to ensure heritage and character places and spaces receive the protections they deserve, and that there is better and more consistent guidance as to how these places are conserved, maintained and enhanced over time.

With the introduction of South Australia's new planning system, we have a chance to identify the best approach to heritage and character preservation and embed this in future planning policy.

For the first time we will be able to map all of our heritage and character places accurately and thoroughly and treat the same types of places consistently – while still allowing for unique local differences.

How this will be achieved is identified in this Community Guide.

Heritage and character in the Planning and Design Code

The Planning and Design Code (the Code) is the cornerstone of South Australia's new planning system, and will offer a single set of planning policies ('rules') for

assessing development applications across the state. The Code will replace all of the individual planning policies held by councils (called Development Plans) by mid-2020.

The Code is being progressively introduced across South Australia in three phases, commencing in land outside of council boundaries (outback and coastal waters) in mid-2019 before moving to rural council areas with small towns and settlements in April 2020 and concluding in urban councils and councils with regional towns and cities in mid-2020.

The community will have multiple opportunities to preview and comment on proposed planning policy that relates to heritage and character in the new Code throughout 2019, prior to each implementation phase (outlined above).

Further information

For more information on the Planning and Design Code or upcoming opportunities to have your say, please see the SA Planning Portal at www.saplanningportal.sa.gov.au.

Main Street, Hahndorf



STATE HERITAGE AREAS

WHAT HAPPENS NOW

State Heritage Areas are clearly defined regions with extensive natural or cultural elements significant to South Australia's identity.

Examples of State Heritage Areas include the township of Hahndorf, Belair National Park and Moonta Mines. There are currently 17 State Heritage Areas listed in the South Australian Heritage Register.

Although State Heritage Areas are protected under the *Heritage Places Act 1993*, places within these Areas may be altered or developed as long as the work is sympathetic to the heritage of the area. Currently most councils maintain a record of their own State Heritage Areas in their Development Plans.

Any proposal to undertake development within a State Heritage Area must be referred to the Heritage Minister. Exemptions to this include certain types of simple development that have no bearing on the heritage value of the Area. However the Heritage Minister is only empowered to provide advice on such development proposals, not a final direction. This means that the ultimate decision regarding new development within a State Heritage Area rests with the council.

At the moment, councils have their own individual policies and assessment processes to guide development within a State Heritage Area, as there is not currently a single, state-wide policy for the treatment of such Areas.

WHAT WILL HAPPEN IN THE NEW SYSTEM?

In the new planning system, our current State Heritage Areas will continue to be protected under the *Heritage Places Act 1993*. They will also continue to be listed in the South Australian Heritage Register.

However, instead of councils maintaining a record of their own State Heritage Areas, these will now be accurately mapped in the state-wide **Planning and Design Code** (the Code) and the **State Atlas**.

The Code will contain a single, universal policy for State Heritage Areas that will apply across South Australia. Such a policy does not currently exist. This will bring consistency to the way that State Heritage Areas are addressed by councils.

Further, although any proposal to undertake development within a State Heritage Area will continue to be referred to the Heritage Minister, the Minister will now have greater authority to direct decision-making (i.e. if the Minister recommends that an application be refused, the application cannot progress).

Port Pirie Museum



STATE HERITAGE PLACES

WHAT HAPPENS NOW

State Heritage Places are places that embody important aspects of the state's history and/or are of significant cultural value.

Examples of State Heritage Places include the Port Pirie Museum, the Old Gum Tree at Glenelg and the Adelaide Festival Theatre. There are currently 2,295 State Heritage Places listed in the South Australian Heritage Register.

For a site to be recognised as a State Heritage Place, it has to meet certain criteria in the *Heritage Places Act 1993*. Currently most councils maintain a record of their own State Heritage Places in their Development Plans.

Any proposal to alter or demolish a State Heritage Place must be referred to the Heritage Minister, however the Heritage Minister is only empowered to provide advice, not a final direction. This means that the ultimate decision regarding the alteration or demolition of a State Heritage Place rests with the council (or sometimes the **State Commission Assessment Panel**¹).

These planning authorities may use different assessment processes to determine what kind of development can take place within a State Heritage Place, as there is not currently a single, state-wide policy for the treatment of such Places.

WHAT WILL HAPPEN IN THE NEW SYSTEM?

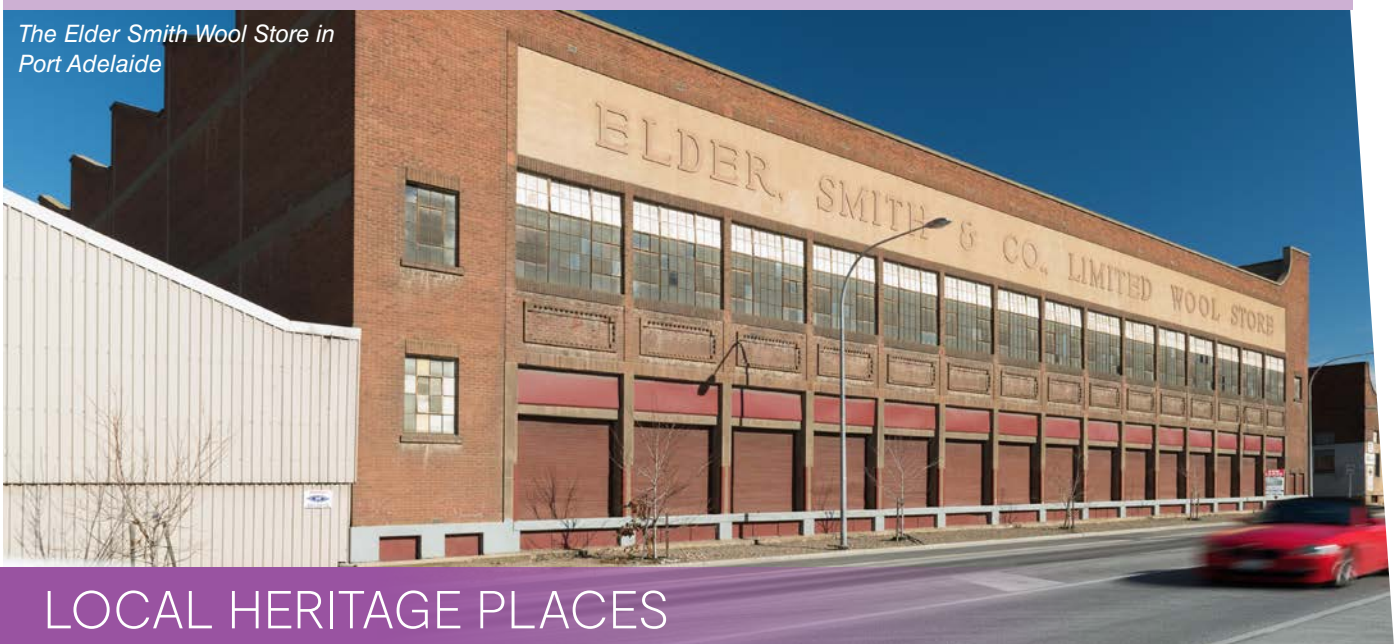
In the new planning system, the criteria for State Heritage Places will not change. They will also continue to be listed in the South Australian Heritage Register.

However, instead of councils maintaining a record of their own State Heritage Places, these will now be accurately mapped in the state-wide **Planning and Design Code** (the Code) and the **State Atlas**.

The Code will contain a single, universal policy for State Heritage Places that will apply across South Australia. Such a policy does not currently exist. This will bring consistency to the way that State Heritage Places are addressed by planning authorities such as councils and the State Commission Assessment Panel.

Further, although any proposal to alter or demolish a State Heritage Place will continue to be referred to the Heritage Minister, the Minister will now have greater authority to direct decision-making (i.e. if the Minister recommends that an application be refused, the application cannot progress).

The Elder Smith Wool Store in Port Adelaide



LOCAL HERITAGE PLACES

WHAT HAPPENS NOW

Local Heritage Places are structures or buildings that demonstrate important local historical attributes or contribute to the historical themes of a local area.

Examples of Local Heritage Places include the Elder Smith Wool Store in Port Adelaide, the Angaston District Cemetery in the Barossa, and the Post Office in Dry Creek. There are currently more than 7,000 Local Heritage Places listed in the South Australian Heritage Register.

For a site to be recognised as a Local Heritage Place, it has to meet certain criteria in the *Development Act 1993*. Currently most councils maintain a record of their own Local Heritage Places.

Any proposal to alter or demolish a Local Heritage Place is assessed by the local council (or sometimes the **State Commission Assessment Panel**), who makes the final decision about whether or not a proposal can go ahead.

Different councils use different policies and assessment processes to determine what kind of development can occur within a Local Heritage Place, as there is not currently a single, state-wide approach to the treatment of such Places.

WHAT WILL HAPPEN IN THE NEW SYSTEM?

In the new planning system, all current Local Heritage Places will continue to be protected under the new *Planning, Development and Infrastructure Act 2016*. They will also continue to be listed in the South Australian Heritage Register.

However, instead of councils maintaining a record of their own Local Heritage Places, these will now be accurately mapped in the state-wide **Planning and Design Code** (the Code) and the **State Atlas**.

The Code will contain a single, universal policy for Local Heritage Places that will apply across South Australia. Such a policy does not currently exist. This will bring consistency to the way that Local Heritage Places are assessed.

Demolition of a Local Heritage Place will only be considered if the place in question has little heritage value, is structurally unsound or is economically unviable. Before demolition can take place, an assessment of heritage value will be undertaken.

The new planning system will also make it easier for Local Heritage Places to be adapted for modern uses, with a view to retaining them in the community and giving them new purpose.

Rose Park in Burnside



HISTORIC CONSERVATION ZONES

WHAT HAPPENS NOW

Historic Conservation Zones are local areas that exhibit discernible historic character that is worthy of retention for present and future generations.

Historic Conservation Zones are split up into areas or streets that have their own Desired Character Statement, such as Rose Park in Burnside, Fitzroy Terrace in Prospect and Livingston Street in Naracoorte. There are currently 140 Historic Conservation Zones in South Australia.

While there is no legislative criteria for the creation of an Historic Conservation Zone, the State Government has developed guidelines to help establish them. Each council maintains a list of its own Historic Conservation Zones.

Any proposal to alter or demolish a building within an Historic Conservation Zone is assessed by the local council, who makes the final decision on whether or not such a proposal can go ahead.

Different councils use different policies and assessment processes to determine what kind of development can occur within an Historic Conservation Zone, as there is not currently a single, state-wide approach to the treatment of such Zones.

WHAT WILL HAPPEN IN THE NEW SYSTEM?

In the new planning system, all current Historic Conservation Zones will continue to be protected under the new *Planning, Development and Infrastructure Act 2016*.

Historic Conservation Zones will now be accurately mapped in the state-wide **Planning and Design Code** (the Code) and the **State Atlas**.

The Code will contain a single, universal policy for Historic Conservation Zones that will apply across South Australia. Historic Conservation Zones will become known as Local Heritage Areas. Such a policy for these Areas does not currently exist. This new policy will bring consistency to the way that Historic Conservation Zones are currently treated.

Any proposal to alter or demolish a building within an Historic Conservation Zone (which will become known as a Local Heritage Area) will be assessed by the planning authority alongside a single set of criteria which will consider the building's existing heritage values, the extent to which these values are mirrored in other neighbourhoods, and the nature of the replacement building.

Elston Street in Brooklyn Park



CONTRIBUTORY ITEMS

WHAT HAPPENS NOW

Contributory Items are specific examples of built form that represent a particular historical period and/or architectural character.

Contributory Items typically exist within Historic Conservation Zones, but they themselves have no set criteria and are not recognised in the *Development Act 1993*. As such, no new Contributory Items have been recorded by councils or added to the South Australian Heritage Register since 2012.

Currently there are 12,000 Contributory Items listed by councils across South Australia. Examples of Contributory Items include homes on Elston Street in Brooklyn Park, the War Memorial Garden in Echunga and the Clarendon Bakery.

Any proposal to alter or demolish a Contributory Item is currently assessed by the local council. As Contributory Items are not recognised under law, their conservation is entirely at the discretion of the local council.

WHAT WILL HAPPEN IN THE NEW SYSTEM?

In the new planning system, Contributory Items will no longer exist. This is because there is no legislative criteria for them.

However, the vast majority of Contributory Items will be afforded a level of protection under the new state-wide policy for Local Heritage Areas. This means they will no longer be recorded as individual items but will instead be considered within the context of an entire Local Heritage Area.

Prior to the new planning system being introduced, some Contributory Items may be eligible to become Local Heritage Places, however they will have to undergo a rigorous heritage assessment and meet the criteria for a Local Heritage Place, as outlined in the *Development Act 1993*.

In the future state, any proposal to alter or demolish a former Contributory Item will be assessed by the local council according to the new Local Heritage Areas policy. As part of this assessment, the council will consider the item's existing heritage values, the extent to which these values are mirrored in other neighbourhoods, and the nature of any replacement development.



CHARACTER AREAS

WHAT HAPPENS NOW

Character Areas are local areas that exhibit desirable character attributes that give a community its identity. Not to be confused with heritage areas, Character Areas do not necessarily represent a specific cultural legacy or history, but rather capture a desired visual appearance. Unlike heritage, character can be enhanced by new development that strengthens desirable character traits.

Character Areas may be called different things by different councils, but are typically split into 'precincts' that have their own unique development guidelines in order to retain a specific streetscape "look." An example of such an area is Ballara Street in Mile End.

Currently there is no legislated criteria for the creation of a Character Area and councils determine their own Character Areas and accompanying policy.

Council approval for demolition within a Character Area is not required. This is because the general emphasis of council policy is on maintaining the 'look and feel' of character through replacement dwellings, and not by preserving existing dwellings.

Different councils use different assessment processes to determine what kind of new development can occur within a Character Area, as there is not currently a single, state-wide approach to the treatment of such Areas.

WHAT WILL HAPPEN IN THE NEW SYSTEM?

In the new planning system, all current Character Areas will continue to be protected under the new *Planning, Development and Infrastructure Act 2016*.

Character Areas will now be accurately mapped in the state-wide **Planning and Design Code** (the Code) and the **State Atlas**.

The Code will contain a single, universal policy for Character Areas that will apply across South Australia. Such a policy for these Areas does not currently exist. This new policy will bring consistency to the way that Character Areas are currently treated by councils. However, the special individual characteristics of these Areas will still be reflected in **zone** and **subzone** policies.

As in the former planning system, demolition within a Character Area will not require planning approval. However, proposals for replacement dwellings within a Character Area will undergo rigorous assessment according to the new Character Areas policy. This will help ensure that such development maintains or enhances the existing character of the area.

GLOSSARY

Planning and Design Code

The Planning and Design Code will be the single source of planning policy for the state, and will consolidate and replace the individual planning policies held by councils (and out-of-council areas) across South Australia.

State Atlas

The State Atlas is an interactive mapping tool that shows the zones and policies that apply to land across South Australia and the types of development that the Department of Planning, Transport and Infrastructure is currently assessing or has approved.

State Commission Assessment Panel

The State Commission Assessment Panel is an advisory committee set up to assess specific development applications that are particularly complex, irregular or large in scale and impact across the state.

Zones

Zones identify envisaged land uses within specified land boundaries, in effect outlining ‘what’ can happen in an area.

Subzones

Subzones exist within zones and may include more specific policy to guide development at the neighbourhood level, to ensure that it reflects important local characteristics. The prevailing purpose of the overarching zone must still be achieved.