

# RENEWING OUR PLANNING SYSTEM

## THE LOCAL HERITAGE DISCUSSION PAPER FACT SHEET

### The beginning of a conversation

The State Government is committed to improving the way we recognise and manage local heritage places in South Australia to ensure places of cultural heritage value are protected for future generations.

The Local Heritage Discussion Paper, *'Heritage reform – An exploration of the opportunities'* was released for public comment on 9 August 2016 to gain feedback on a series of ideas that could help shape local heritage reform.

Due to the significant interest in this issue, the consultation period has now been extended to 7 October 2016.

The paper can be found at [https://dpti.sa.gov.au/planning/planning\\_reform](https://dpti.sa.gov.au/planning/planning_reform).

### What is the purpose of the Discussion Paper?

The discussion paper was prepared to start the conversation about the protection of local heritage places. It contains suggestions about how the process of identifying and listing local heritage places may be improved.

The paper considers approaches that could be taken to make the system more consistent, more transparent and accountable and less cumbersome by having simpler processes to engage the community, owners and the broader public.



The discussion paper relates to local heritage places and does not extend to listing of places of State or National significance.

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

## Why is Local Heritage being reformed?

The local heritage listing process has not been updated in over 20 years. This was recognised by an expert panel appointed to review the planning system in 2013, who identified serious deficiencies in heritage practice and recommended legislative reform.

In March 2015, the Government said it would separate consideration of heritage from other planning reforms, and would produce a discussion paper.

This reform program, therefore builds on the consultation and investigations already undertaken by the expert panel.

### Some key points to note:

- a. There has been no suggestion that Council be removed from the listing process. The Minister currently makes the final decision on local heritage listings, and the only change that has been suggested is that the current role of the Minister could be transferred to the new South Australian Planning Commission.
- b. Existing Local Heritage places within the 68 Council Development Plans will be transitioned into the new Planning and Design Code as Local Heritage places.
- c. There have been inconsistent approaches to the listing of local heritage places across South Australia, particularly with respect to processes relating to identification of local heritage places and the application of criteria.
- d. The Discussion paper does not seek to make the demolition of local heritage places easier. The suggestion that a proposal for demolition of a local heritage place (or part of a local heritage place) should be considered on its merits and in light of the local heritage values of such an individual place, is in fact allowed for in the current local heritage system. This is the case in 62 of the 68 current local Development Plans.
- e. Many local heritage places are also people's homes and businesses and they need certainty about what they can and can't do. By re-looking at our local heritage laws and policies, we hope to find an appropriate balance between protecting local heritage while allowing for good development.



### Example of a rear extension of a home that does not impact on streetscape

Architect -Energy Architecture, Images: Snapme Media

- f. To improve the local heritage framework the discussion paper suggests:
  - i. a new streamlined listing process including a new set of criteria and thematic analysis that aligns with national benchmarks
  - ii. a clear description of what is important about a place and warrants protection
  - iii. accreditation of heritage professionals to ensure high quality advice on heritage value
  - iv. a simplified assessment path for minor developments that do not materially affect the value of a local heritage place
  - v. better community and landowner engagement during the local heritage listing process.
- g. It is recognised that ‘character’ is an important issue for local communities. Local heritage is about the preservation of places that demonstrate important historic attributes to the local area. Character on the other hand is about the look and feel of areas. The future development of the Planning and Design Code will enable the protection of ‘character’ through statutory policy controls.

## What will happen with submissions?

Submissions on the discussion paper will assist the Government in formulating the new listing process and the drafting of a Bill, which will be available for further feedback.

Submissions that cover other concepts such as heritage and character policy within the new Planning and Design Code and improved assessment pathways will be considered in the future as these elements of the system are developed. Ongoing consultation will occur about these elements.

## Next Steps

After submissions have been considered, government will consider drafting a Bill to set up the framework for the listing of local heritage places. There will be opportunity for further consultation on any such Bill. Any new legislation will also be supported by statutory Heritage Practice Directions and the Community Engagement Charter under the *Planning, Development and Infrastructure Act 2016*.

Further consultation will occur on these next steps.

### The Current System

Currently places of local heritage value are listed in the Development plan. The process for listing a local heritage place commences with a Council preparing a Heritage Review which includes an assessment against criteria in the Development Act 1993. A Council Development Plan Amendment process is then undertaken which involves consultation with the Community and the Minister for Planning makes the decision on the final list.

Places that are listed have to seek development approval for a wider range of activities than not listed places, such as external painting or demolition of outbuildings. There are also specific development plan policies to guide the development of these places and heritage experts are involved in this process.

WANT TO KNOW MORE?

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of South Australia