



# Environmental Defenders Office

Adelaide office: Level 1, 182 Victoria Square  
Adelaide SA 5000

[DPTI.Planningreformsubmissions@sa.gov.au](mailto:DPTI.Planningreformsubmissions@sa.gov.au)

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## **RE: PROPOSED PHASE 2 DRAFT HISTORIC AREA STATEMENTS**

The Environmental Defenders Office (EDO) is an independent community legal centre specialising in environmental and planning law. EDO functions include legal advice and representation, law reform and policy work and community legal education. The EDO appreciates the opportunity to comment on the proposed phase 2 draft Historic Area Statements ( the draft statements).

Many councils have detailed policy statements for particular local areas, however much of the detail does not appear in the draft code. The statements typically describe the type and era of and include detail of the dwellings which contribute to the desired character of the area, which is then used to determine whether a dwelling proposed for demolition should be retained. They have the level of detail which is critical to protecting heritage from inappropriate development. The code could incorporate this vitally important unique heritage policy in subzones. Subzones incorporate policy covering individual local context, including in relation to characteristics that may be contained in current policy areas in Development Plans. A great deal of work has been done over the years to develop such policy and use of subzones will ensure that this policy is incorporated within the Code. It would also be useful to look at planning policy interstate.

Instead of including current detailed local policy the State Planning Commission released in early November (one month after consultation began) draft Historic Area Statements for Phase 2 Council areas. It is unclear what level of content is expected in these and how they relate to other policy in the Overlay,

The EDO has a number of concerns with the draft Historic Area Statements which include:

1. A generic policy of requiring new development to reflect the design of surrounding buildings does not provide sufficient customisation and detail to guide new development in these areas. There needs to be a link between policies in the overlay and the content of the draft statements.
2. The Maps provided are too basic without any detail including street layouts/ subdivision patterns, already listed local and state heritage places. There is inconsistency in mapping style of the proposed Historic Areas and no keys provided to interpret the maps. The current Development Plan maps are far better, and should and could be adapted to replace the minimal, inadequate mapping provided.



Environmental  
Defenders Office

T +61 8 8359  
2222

W [edo.org.au](http://edo.org.au)

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P GPO Box 170 Adelaide SA 5001

3. The table has no title and no headings, and the function of the table needs to be clarified.
4. Information provided in the tables is confused, inadequate and would provide no basis against which to measure development application. Some of the information comes from existing Development Plan provisions, but is selective and *ad hoc*. These tables as outlined do not “*identify and articulate the key elements of historic importance in a particular area.*”
5. The statements in their current forms would provide no assistance for the development assessment process. No development objectives or policies are included resulting in very minimal and vague guidance

In order to be effective the draft Historic Area Statements require complete redrafting, editing and rewriting by experts to expand the content and incorporate necessary additional information. In their current form, development could be approved which would severely compromise the historic values of a Historic Area Overlay.

We also query the use of Historic Areas Statements for State Heritage Areas – this has been raised by our office with DPTI but we are yet to receive a response. We would be grateful for clarification of this matter in the near future.

Please contact the writer with any queries in relation to this submission.

Yours faithfully



Melissa Ballantyne

Coordinator/Solicitor – EDO ( SA) Inc\*.

\*Environmental Defenders Office (SA) Inc has executed an agreement to merge with EDO Ltd. The legal merger will occur over the coming weeks