WHAT HAPPENS NOW  >  WHAT WILL HAPPEN IN THE NEW PLANNING SYSTEM

STATE HERITAGE AREAS & PLACES
- The Heritage Places Act 1993 refers to the creation of State Heritage Areas but no criteria is identified.
- The criteria for State Heritage Places is outlined under the Heritage Places Act 1993.
- Development Plans provide a list of State Heritage Areas and State Heritage Places.
- Development Plans usually spatially map and provide policy to guide development within State Heritage Areas and Places.
- The assessment process for the demolition of State Heritage Areas and Places varies between Development Plans but is usually ‘non-complying’.
- Development applications are referred to the Heritage Minister for ‘advice’ only.

STATE HERITAGE AREAS OVERLAY & STATE HERITAGE PLACES OVERLAY
- Existing State Heritage Areas and State Heritage Places will be equally protected in the new planning system via the Planning and Design Code.
- A new State Heritage Areas Overlay and a new State Heritage Places Overlay will more accurately map and identify these areas and places.
- Alterations, additions and demolition control will be ‘performance-assessed’. However, development applications will continue to be referred to the Heritage Minister who will have increased power ‘to direct’ decision-making.
- A single set of consistent policies will apply across the state.
- Heritage impact statements will be retained as an assessment tool.
- There may be an opportunity for Design Review.

LOCAL HERITAGE PLACES
- The Development Act 1993 includes specific criteria for Local Heritage Places.
- Relevant Development Plans provide a list of Local Heritage Places and provide maps and policy to guide development.
- The assessment process for the demolition of Local Heritage Places varies between Development Plans but is usually ‘on merit’.
- It is the responsibility of a local council or the State Commission Assessment Panel to assess applications.

LOCAL HERITAGE PLACES OVERLAY
- Existing Local Heritage Places will transition to the Planning and Design Code.
- A new Local Heritage Places Overlay will more accurately map and identify Local Heritage Places and related policy.
- A single set of consistent policies will apply across the state.
- Alterations, additions and demolition control will be assessed against criteria (‘performance-assessed’).
- Demolition will only be considered if a building:
  - has little heritage value
  - is structurally unsound or has public safety issues
  - is economically unviable
- A heritage impact assessment will be required.
- Adaptive reuse policies will be strengthened.
- Deemed-to-satisfy policies will be available for development that does not affect heritage values e.g. demolition of a modern ‘lean-to’.
- There may be an opportunity for Design Review.

HISTORIC CONSERVATION ZONES
- There is currently no legislative criteria for the creation of Historic Conservation Zones/policy areas (including Contributory items).
- Relevant Development Plans map Historic Conservation Zones/policy areas and contain policy to guide development.
- The Development Act 1993 lists development activity that is exempt from development approval within Historic Conservation Zones/policy areas.
- The assessment process for the demolition of buildings within Historic Conservation Zones/policy areas is ‘on merit’.
- Many Historic Conservation Zones/policy areas include Contributory Items (however no new Contributory Items have been added since 2012).

LOCAL HERITAGE AREA OVERLAY
- Historic Conservation Zones/policy areas and related policy areas will be mapped under a new Local Heritage Area Overlay in the Planning and Design Code.
- A single set of consistent policies will apply across the state.
- Alterations, additions and demolition control will be assessed against criteria (‘performance-assessed’).
- The criteria for demolition approval will include consideration of:
  - heritage values of the existing building and contribution to the heritage values of the area
  - proposed replacement dwelling
  - contextual analysis outcomes
  - how well the theme is represented.
- Contributory Items will not be individually identified in the new planning system but the policies within this new Local Heritage Area Overlay will address them.
- Eligible Contributory Items may be elevated to Local Heritage Places through the Development Plan Amendment process prior to the new planning system being implemented.
- There may be an opportunity for Design Review.

CHARACTER AREAS
- There is currently no legislative criteria for the creation of residential character/streetscape zones/policy areas.
- Relevant Development Plans map residential character/streetscape zones/policy areas and contain policy to guide development.
- Planning consent for demolition is not required in the majority of residential character/streetscape zones/policy areas as the policy focuses on the form and character of the replacement building’s.

CHARACTER OVERLAY
- Residential character/streetscape zones/policy areas will be mapped under a new Character Overlay in the Planning and Design Code.
- A single set of consistent policies will apply across the state.
- Alterations and additions may be ‘performance-assessed’.
- Certain types of simple development that does not impact on character will be exempt from development approval.
- Demolition will be classified as ‘accepted development’ and therefore will not need planning consent.
- The development assessment process for replacement dwellings will require a contextual analysis to ensure that existing character is maintained/enhanced.
- There may be an opportunity for Design Review.