

**From:** [Margaret Duddy](#)  
**To:** [DPTI:Planning Reform Submissions](#)  
**Subject:** Consultation on the draft Planning Code - Historic Areas  
**Date:** Friday, 28 February 2020 8:08:09 AM

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Chair  
State Planning Commission 047\*28959

Thank you for your letter dated 31 January 2020

#### Kensington Historic (Conservation) Zone

My comments are directed to the designation of the entire suburb of Kensington as either a Residential or Mixed Use Historic Conservation Zone (apart from the Business Zone on the north-western boundary) in the early 1990s.

In response, the reason Historic Conservation Zones contain different sets of rules and policies is because those same rules and policies are responding to the unique heritage characteristics of the particular Zone. You would not expect the rules applying to the Kensington Residential Historic (Conservation) Zone, which acknowledges the establishment of Kensington as a 'village' in the 1840s, to be replicated in other zones.

Heritage protection does not mean homogeneity.

The transition of Historic Conservation zones to the 'Historic Area Overlay', while no more than a change in policy wording and expression according to your letter, downplays the planning imperative. The term 'zone' implies a set of rules or guidelines intended to maintain the integrity of the particular heritage conservation zone. The term 'Overlay' does not. By "equality" and "consistency" do you mean more homogenous? The whole purpose of the existing Norwood Payneham and St. Peters Development Plan, and its various zones, is to acknowledge the diversity of council areas in terms of planning rules and development control.

Having considered the Kensington Historic Area Statements, they do not replicate the Desired Character Statement or Principles of Development Control in council's current Development Plan. They are short on historic detail, built heritage characteristics and development control requirements to maintain the heritage integrity of the suburb. The local community greatly values the designation of the suburb as an Historic Conservation Zone. That designation would seem to be under some threat that goes beyond a simple change of wording.

#### Planning and Design Code (Code)

The Kensington Historic Conservation Zone comprises State Heritage Places, Local Heritage Places and Contributory Items. Council is to be commended for its previous work in identifying and listing Contributory Items. There is no recognition of Contributory Items in the draft Code which will be a significant dilution of the heritage integrity of the Zone. Demolition controls are less likely to protect Contributory Items which will have significant impact on the character of the Zone going forward.

While public notification of development applications has been whittled away over the years, the Code should reflect the current Development Plan as to public notification. Given the intent of the draft Code is to promote urban infill and housing density and allow increased building heights, public notification to affected residents takes on greater importance.

Non-complying development in residential areas and the Kensington Residential Historic (Conservation) Zone should reflect the restrictions in the existing Development Plan to ensure the heritage character and residential amenity of the suburb.

My view is the integrity of the suburb as a Residential Historic (Conservation) Zone is at risk in more than name only. The planning system is being altered with development control and built heritage protection under threat for local communities.

Yours sincerely  
Richard Duddy