

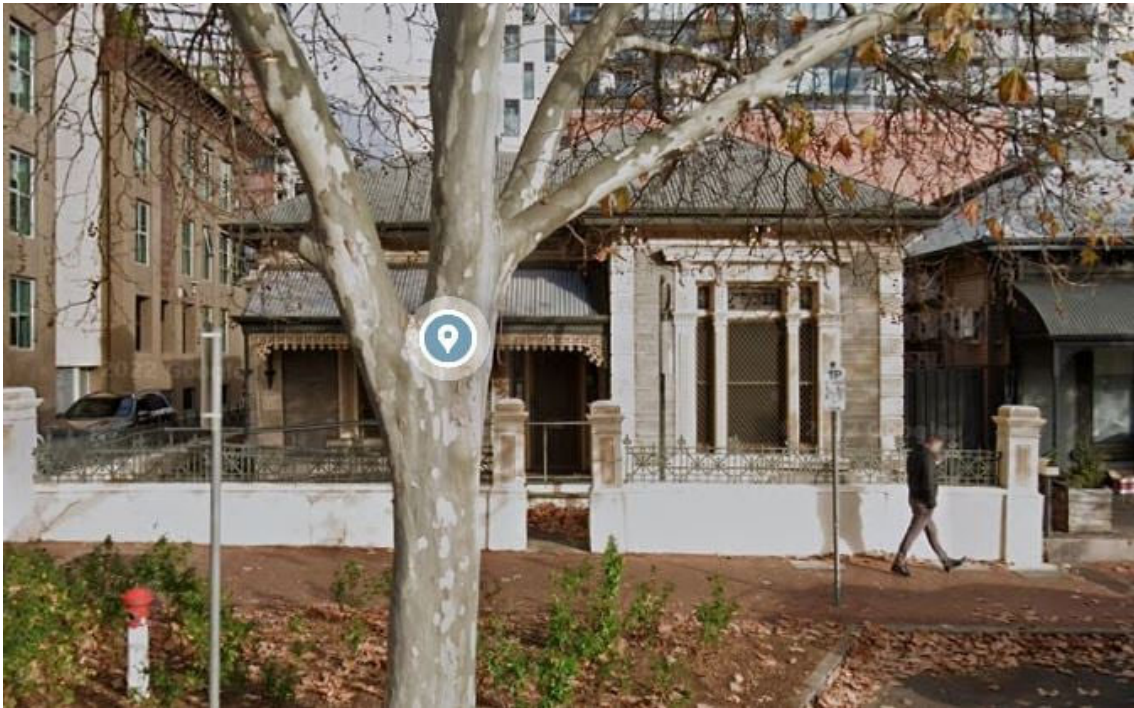
My name is Charles John Gilchrist. I am currently studying journalism and I have previously completed degrees in history and French, as well as an Honours degree in history. I work for the National Trust of South Australia, and I have an immense interest in heritage. I am also an intern at Soltice Media (InDaily, CityMag and SALife).

My interest in heritage has been influenced by seeing many historic buildings around Adelaide being demolished. As part of my work at the National Trust, I run the Trust's Facebook page and the Love Your Local Heritage page. I also regularly post on the Heritage for the People website, which we are now in the process of turning into a Facebook page.

In my experience as a heritage activist, it has become clear that South Australia's heritage laws need strengthening.

One major shortcoming I have noticed is the fact that many historic buildings, which in my opinion are worthy of protection, are neither heritage listed, nor located in a Historic Area Overlay. Such buildings can be demolished without even needing to seek planning approval. In my experience, the removal of demolition controls has been particularly damaging to South Australia's heritage. Below are examples of historic dwellings that were allowed to be demolished because they had no heritage protections.





Ideally, I think that demolition controls should be reintroduced to the planning system. I also think that Historic Area Overlays, Local Heritage Items, and Representative Buildings should be greatly increased.

Another problem with South Australia's heritage laws is the ease with which you can demolish Local Heritage Items or Representative Buildings provided there is an engineering or heritage assessment report arguing that the building is either unworthy of heritage listing or is structurally compromised and therefore "beyond reasonable repair."

Below are examples of heritage listed buildings that were allowed to be demolished due to heritage assessment/engineering reports.





Sometimes owners of a heritage-listed building will deliberately allow it to fall into a state of disrepair so that they can demolish it. An example of this is the Bell's Plumber Shop on Payneham Road.

I believe that there should be a requirement for councils to conduct a second independent engineering report when an owner applies to demolish a Local Heritage Item/Representative Building.

The ability to use a heritage assessment report to demolish a Local Heritage Item should be removed. It is insulting to the councils who have spent countless hours and copious resources identifying and protecting these buildings.

I also believe that the penalties for neglecting heritage buildings should be made much more severe.

Another issue with South Australia's heritage laws is the difficulty of entering a building/structure onto a Local Heritage Register. Whilst the process for nominating something for the State Heritage Register is fairly straightforward, it is an arduous and time-consuming process to have a building locally listed.

I have heard time and again from councils that they would like to list more buildings, but that there are too many hurdles to jump through to have a building placed on the Local Heritage Register. The State Government only intermittently allows for new nominations, and often when a council has gone through the entire process of identifying and nominating a new building, it is rejected by the Planning Minister.

A streamlined process should be introduced so that it is easier to add buildings to a Local Heritage Register. Furthermore, the ability to remove a building from a Local Heritage Registers should be made much more difficult.

It is clear that heritage adds a lot of money to the South Australian economy. People come from around the country and even around the world to visit and admire our wonderful historic buildings. For example, 2015 report found that \$375 million was spent by visitors on cultural heritage related tourism in the City of Adelaide alone. Furthermore, heritage significantly adds to the economy through maintenance, preservation and restoration works. A study from Historic England found that works on heritage buildings directly contributed £14.7 billion (gross value added) to the UK economy, amounting to 206,000 jobs. This is the equivalent of \$26,729,949,036 Australian dollars. The study found that with direct, indirect, and induced impacts, heritage works added £36.6 billion dollars to the economy, amounting to 563,509 jobs. This is the equivalent of \$65496780000 Australian dollars.

Visitors from around the country and world also admire our inner-city character suburbs, which are full of picturesque bluestone and sandstone villas. People pay millions of dollars to buy into these charming suburbs. However, with holes in our heritage protection system, as well as the unfortunate consequences of urban infill, these suburbs are slowly being destroyed. Quaint historic dwellings are being replaced with second-rate McMansions that are of little architectural merit. This is irreparably damaging the character and fabric of these historic suburbs. For this reason, I support the elevation of Character Areas to Historic Area Overlays, as well as the proposal to introduce tougher demolition controls in Character and Historic Area Overlays.

I also support the proposal to allow councils to review and update their Character Area Statements (and Historic Area Statements), so long as it strengthens, rather than weakens protections.

Despite the clear economic value of heritage, our heritage buildings in South Australia are severely underutilised. Many of our most prized heritage buildings are sitting vacant and uncared for. Examples include Edmund Wright House on King William Street, the Gawler Chambers on North Terrace, the Newmarket Hotel on North Terrace, and Romilly House on the corner of Hackney Road and North Terrace. There should be a penalty for leaving heritage-listed buildings vacant.

Protecting our heritage is not only important for aesthetic, historical and cultural reasons. It could also in fact be a solution to climate change. Numerous studies have shown that retrofitting an existing building to meet current needs and requirements is much more climate friendly than demolishing it and building something anew. For instance, a study by Hannah Baker et al in the *Journal of Architectural Conservation*, titled 'Retention not demolition: how heritage thinking can inform carbon reduction', found that "[i]f an existing building can be retrofitted to reach the same or similar operational energy standards as a new building, it is highly likely the life-cycle impact for the retrofitted building will be lower since considerably fewer materials will be required in the construction phase for a refurbishment project compared with demolition and new build." The study also found that retrofitting is more economical than building something new as it requires fewer materials and a shorter construction time.

In contrast, the construction industry is responsible for 26% of aluminium output, 50% of steel production and 25% of plastic use. It is for this reason that hundreds of architects and architectural firms have signed the 'Australian Architects Declare Climate & Biodiversity Emergency' statement, which says that we should "[u]pgrade existing buildings for extended use as a more carbon efficient alternative to demolition and new build whenever there is a viable choice."

It is clear, then, that heritage is a solution, rather than an impediment to climate action.

One provision I would like to see introduced to the planning system is the requirement to have an environmental report when applying to demolish or build a new building. Developments should only be approved if the applicant can demonstrate that only minimum amounts of carbon will be emitted.

Urban infill may be inevitable in inner-city Adelaide, but it should not come at the expense of our state's heritage. Urban infill can and must be done in a way that is respectful to heritage buildings and the character of the suburb. This can be done by enforcing strict height limits and design protocols. It can also be done by directing urban infill away from quiet suburban streets and instead onto main roads. Unfortunately, this does not always appear to be the case, as evidenced by this totally inappropriate building that was approved to be built in Mile End.



This is the building it replaced.



The image below gives an example of what the rest of the street is like.



In terms of planning, one area of particular concern for me is the lack of enforcement of height limits on new medium- and high-density developments. For example, a site might be zoned for four storeys, however, a developer might put in an application to build a building that is five, six, or even seven storeys high. These types of applications are habitually approved, and they severely undermine the public's faith in the planning system. For example, the above development in Mile End is zoned for a four-storey height limit. However, the developer has been granted approval to build a five-storey building. The height limits have been worked out in consultation with councils and the public and they ought to be strictly adhered to.

Making a representation can be a very daunting process. To make a valid representation, a representor must put down their name, address, and contact details. As someone who has put in representations before, I have had applicants calling me asking for me to remove it. This was certainly a very unpleasant experience, and it would definitely discourage people from making representations. Furthermore, people are hesitant about submitting representations when their neighbour puts in an application for a development as it may create animosity. I believe that there should be an option to make an anonymous representation to remove this burden.

One aspect of the Planning Code I do view very positively is the ability of anyone, anywhere in South Australia to make a representation for any development proposed anywhere in the state. Even though I may not live in Norwood or Unley, a development there still does have a significant impact on me, as I am constantly visiting and driving past these places. I hope that this aspect of the Code is retained.

I think that the kinds of applications that are notified should be greatly expanded. For example, currently there is no ability to make a representation for the majority of high-rise developments in the CBD. This is thoroughly undemocratic and should be reformed so that people can have a say on development in their city.

In terms of using the PlanSA website, one issue that I have come across time and time again is that the description of a development does not always match what is in the attached development. For example, a development may say that it is building a dwelling, but neglect to mention the fact that the construction of this new house will result in the demolition of another house. I think that there should be standardised wording that must be used when entering a development into PlanSA.

Generally, I find the PlanSA website fairly easy to use. However, I can understand that some older people may find it more difficult. As such, I think the ability for building notifications to be received by telephone or in writing should be retained.

I am sceptical of the proposal to introduce the ability to automatically issue Decision Notification forms. I am concerned that this may result in approval being granted for inappropriate developments. I believe there should always be a human involved somewhere in planning decisions.

Tree loss in South Australia is of particular concern. This is especially true for inner-city suburbs, where the loss of tree canopy has been enormous. A study by the Conservation Council found that South Australia loses 75,000 trees per year. A similar study by the University of Adelaide found that South Australia has among the worst tree laws in the country. Given the importance of trees to creating oxygen, which will help in the fight against climate change, it is vitally important that we strengthen our tree laws in South Australia so that it is no longer so easy to remove a beautiful, old tree.

There are many loopholes that allow the removal of regulated and significant trees. For example, if a perfectly healthy tree is located within a certain distance of a swimming pool, then it can be chopped down. This is clearly an inadequacy of our South Australia's tree laws, and it calls for reform.

I endorse the 10-point platform by the Conservation Council of South Australia. Among their priorities are:

- The removal of exemptions from existing Regulated/Significant Tree Protections and Native Vegetation Regulations.
 - a) 10m and 20 m rules – Planning, Development and Infrastructure Act Regulations covering Regulated and Significant Tree Protections
 - b) Review and modify the list of tree species exempt from being classified as regulated/significant to better reflect the South Australian environment
 - c) 10m and 5m fence Rules – Native Vegetation Act Regulations
- To bring South Australia into line with Victoria and New South Wales by changing the definition of regulated tree to one that
 - a) Has a trunk circumference of 50cm or more measure 1m above the ground or
 - b) Has a height of 6m or more or
 - c) Has canopy over 9sqm
- To incorporate Vegetation Overlays into the Planning and Design Code, similar to those used in Victoria, to better reflect the expectations of local community by allowing for the protection of significant urban vegetation.
- The implementation of new bushfire clearance allowances that reflect the Bushfire Attack Level rating for the property.
- To remove the ability to prune up to 30% of a regulated/significant tree without requiring council approval and implement a system that requires the use of the AS4373 Standard.
- To increase the use of arborists to assess applications to remove regulated trees.
- To restore the requirement for the Department of Infrastructure and Transport and the Department of Education to publicly consult and gain planning approval to remove regulated trees.
- To modify the Urban Tree Canopy Offset Scheme to better reflect the value of trees to the community by;
 - a) Increasing the fees to match the costs incurred by Councils to plant, establish and maintain replacement trees; and

- b) Increasing the number of trees to be planted
- Introduce the following requirements where permission is granted to remove a protected tree
 - a) Homeowners to replant or make a financial contribution for the loss of that tree at a set rate significantly higher than currently set
 - b) Developers to replant and make a financial contribution which will depend on the size and location of the tree they are seeking to remove
- The Removal of protected trees should not be allowed until all relevant planning and development approvals have been granted.