

16 September 2022

Mr John Stimson
Presiding Member
Planning System Implementation Review
GPO Box 1815
ADELAIDE SA 5000

Via email: DTI.PlanningReview@sa.gov.au

Attention: Expert Panel

Dear John

**Re: Submission - Heritage & Character
Regional Council of Goyder**

MasterPlan SA Pty Ltd (MasterPlan) writes as the planning consultants for the Regional Council of Goyder to make this initial submission regarding the Planning System Implementation Review.

As the Expert Panel would be aware, the Regional Council of Goyder contains the township of Burra, which was declared a State Heritage Area in 1993 and a National Heritage Place in 2019. The Regional Council of Goyder and the Copper Coast Council are currently in the process of preparing a submission for a World Heritage listing for the "*Australian Cornish Mining Sites: Burra and Moonta*".

Burra is only one of two areas in Australia that reflect the successful transplantation of Cornish mining systems to Australia, and the development of mining settlements, that are an important expression of Australian identity and experience.

As a State and nationally recognised place of heritage significance, it is extremely important that the planning policy (at a strategic and assessment level) recognises the importance of Burra. The Regional Council of Goyder (Council) is committed to the conservation, protection and enhancement of Burra, as is evident by the preparation of the "*Australian Cornish Mining Site: Burra Conservation Management Plan*" (by Swanbury Penglase March 2021) and the World Heritage listing bid. The Conservation Management Plan is a tool to be used by property owners together with the Council, State and Commonwealth Government agencies to inform future development, decision making and management strategies for the area.





Council is concerned that its active work to conserve, protect, identify, and enhance the National and State Heritage values of Burra is not adequately or suitably reflected in the planning policies contained in the Planning and Design Code.

As the Expert Panel terms of reference include “*heritage*” as it relates to the Planning and Design Code, it is timely that Council express its concern relating to the transition of policy from the previous Development Plan to the Planning and Design Code. The Goyder Development Plan previously contained Desired Character Statements in various zones, a list of State Heritage places, along with a table comprising “*Design Guidelines for the Burra State Heritage Area*”. This information was readily available for all users in one (1) location, particularly members of the public.

The transition of the Development Plan to the Planning and Design Code (the Code) has eroded the heritage policy as it applies to Burra. Of particular concern is the complete removal of Desired Character Statements. Unlike some other heritage areas (which are within a Historic Area Overlay), there is no Statement of Significance included in the Code for properties within the State Heritage Area of Burra.

An enquiry relating to the applicable planning policy for a property within the State Heritage Area of Burra, as contained in the State Heritage Area Overlay, is provided with a note under the Desired Outcome (as per extract **below**), which states:

“Statements of Significance and other relevant documents prepared and published by the administrative unit of the Public Service that is responsible for assisting a Minister in the administration of the Heritage Places Act 1993 can be found [here](#)”.

STATE HERITAGE AREA OVERLAY	
Desired Outcome	
DO 1	Development maintains the heritage and cultural values of State Heritage Areas through conservation, ongoing use and adaptive reuse consistent with Statements of Significance and other relevant documents prepared and published by the administrative unit of the Public Service that is responsible for assisting a Minister in the administration of the Heritage Places Act 1993.
Note	Statement of Significance and other relevant documents prepared and published by the administrative unit of the Public Service that is responsible for assisting a Minister in the administration of the Heritage Places Act 1993 can be found here .

The included hyperlink then directs the enquiry to the PlanSA website and provides further links to “*heritage standards*” (as per extract **below**).



The screenshot shows the PlanSA website interface. At the top, there is a navigation menu with links for 'Development applications', 'State snapshot', 'Have your say', 'Our planning system', 'Resources', and 'News'. A search bar is located in the top right corner. The main content area is titled 'Heritage standards' and contains the following text:

Applications for development approval in a State Heritage Area are required to be referred, by the relevant authority, to the Minister responsible for the *Heritage Places Act 1993*. The Minister delegates assessment and decisions to Heritage South Australia in the Department for Environment and Water.

Heritage South Australia's Heritage Standards are an assessment tool, linked to the State Heritage Area Overlay within the Planning and Design Code. Heritage Standards provide principles and acceptable minimum standards for development proposals and form the basis of Heritage South Australia's decisions on proposed development referrals.

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- State Heritage Areas
- Documents
- Further information

State Heritage Areas

- Colonel Light Gardens State Heritage Area
- Future Heritage Standards for State Heritage Areas

Documents

- Heritage Standards

Further information

For further information about Heritage Standards contact Heritage South Australia on (08) 8124 4922 or email DEW.StateHeritageDA@sa.gov.au.

Image 1: Extract from PlanSA website – Heritage Standards.

The "*Future Heritage Standards for State Heritage Areas*" then indicates that the Heritage Standards are still being developed to replace the current State Heritage Area Guidelines for development. There are currently no Heritage Standards for Burra.

Subsequently, should a person with an enquiry persist in seeking information, they can access the existing Guidelines (via a hyperlink) by redirection to the Department for Environment and Water website "*Topics – Heritage – State Heritage Areas*". Once this website is accessed, then further information is available upon selection of "*Burra*". Whilst this website contains extensive useful information regarding Burra and the State Heritage Area, it has a further 28 hyperlinks containing information. One (1) of these links is the "*Burra State Heritage Area Guidelines for Development*", which contains guidelines for development in a form similar to those previously contained in "*Table Go/1 – Design Guidelines for the Burra State Heritage Area*" of the Development Plan.



Should a member of the general public wish to inform themselves regarding development guidelines applicable to a property within the Burra State Heritage Area under the Code, they would be confronted with a myriad of steps and hyperlinks, if they had first known to select the hyperlink under the “note” of the Desired Outcome of the State Heritage Area.

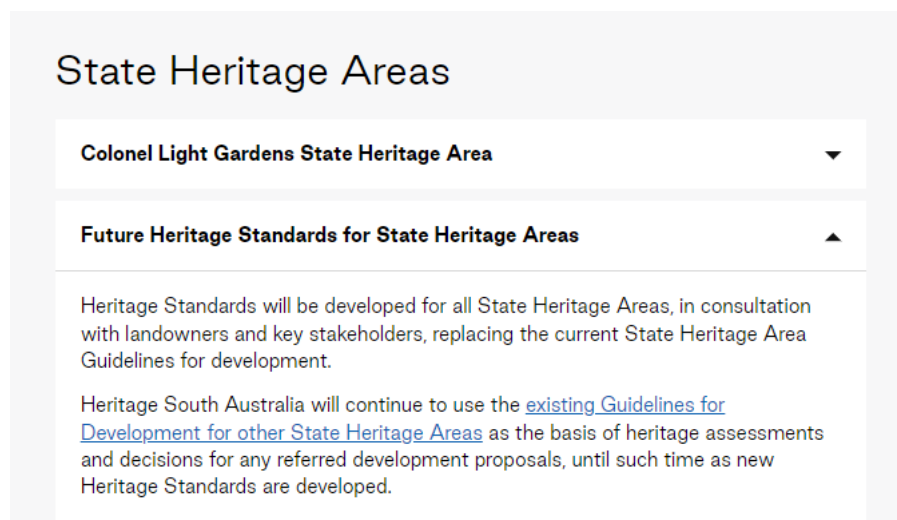


Image 2: Extract from Plan SA website regarding Heritage Standards for State Heritage Areas.

Council is extremely concerned that the Code has:

- not transitioned Desired Character Statements relevant to Burra;
- removed the previously accessible Design Guidelines for the Burra State Heritage Area;
- created an impractical and unwieldy process for a member of the public to avail themselves of the current Design Guidelines for the Burra State Heritage Area; and
- not incorporated the proposed Heritage Standards as part of the implementation of the Code in a timely manner.

Council has received negative feedback from the community relating to the Planning and Design Code, its complexities and costs. To assist the community, Council has prepared a range of guideline documents to assist the public to understand the current development process and provide information.

This includes an update to the Council website to provide direct access to the current Design Guidelines for the Burra State Heritage Area, along with other relevant information.

A significant concern to members of the community within the Burra State Heritage Area is the cost associated with Development Application referrals to the Minister responsible for the administration of the *Heritage Places Act 1993* (Heritage SA). The cost of a referral to Heritage SA is currently \$414.00, which can be a significant amount for a small-scale development such as a fence or carport or similar. Council and Heritage SA have experienced an increase in the number of unauthorised developments and feedback received has indicated the fees played a role in not submitting a Development Application for determination.

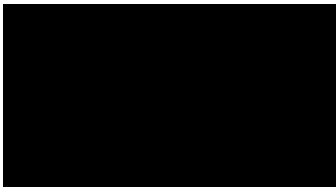


At a time that Council is being very proactive in relation to the protection, conservation, management and enhancement of Burra, it is concerning that the Planning and Design Code has had such a negative impact.

Council would like to be actively involved in the consultation process to be undertaken in relation to "*heritage*" as part of the Expert Panel's ongoing review.

We would welcome discussion of this matter with Council's staff, elected members and MasterPlan as the Council's planning consultants.

Yours sincerely



Julie Jansen RPIA (Fellow)
BA, B/A(Hons), GDURP

cc: David Stevenson, Chief Executive Officer, Regional Council of Goyder