PROTECTING HERITAGE AND CHARACTER IN THE PLANNING AND DESIGN CODE

March 2021
INTRODUCTION

Heritage and character plays an important role in the social and cultural fabric of South Australia’s metropolitan and regional communities.

This brochure provides an overview of the policy related to heritage and character and highlights how the Planning and Design Code (the Code) will preserve and protect South Australia’s unique heritage and character for generations to come.

BENEFITS OF A NEW APPROACH

There are many benefits to the introduction of a new policy approach to protect heritage and character. For the first time, the Code allows us to:

• accurately map all places of significance within the planning system in a way that is more transparent and accessible (State Heritage, Local Heritage and Representative Buildings)
• consistently apply demolition controls to State Heritage Places, Local Heritage Places and Historic Areas (which include Representative Buildings) in a way that is equitable and fair
• consistently apply policy to guide development adjacent to a Heritage Place (these areas are now mapped and easily identified)
• elevate the role of the Minister for Sustainability, Environment and Conservation in State Heritage planning decisions
• elevate the role of State Heritage Guidelines and Statements of Significance for State Heritage Areas (such as Hahndorf and Colonel Light Gardens) and State Heritage Places within the planning system
• build in local policy that reflects the character of an area through the use of Historic Area and Character Area Statements (i.e. era, built form, architectural styles, street patterns etc) that underpin the Overlays, and Technical and Numeric Variations (TNV) that address matter such as building heights and site areas within zones
• provide clear and easy to read Historic Area Statements and Character Area Statements, which describe what is significant in an area (i.e. the elements to be protected or complemented).
HOW WILL THE CODE WORK

The Planning and Design Code is in a full electronic format that enables you to search on your address, or a suburb, and/or a particular development type and the rules will be returned for you. Sitting behind the rules are a number of policy layers, depending on the significance of the built form or area. This includes:

- **State Heritage Place Overlay** – protects 2,301 individual State Heritage Places listed under the *Heritage Places Act 1993* such as Parliament House, Mount Lofty House and St Peter’s Cathedral – HAS DEMOLITION CONTROL.

- **State Heritage Area Overlay** – protects 17 State Heritage Areas identified under the *Heritage Places Act 1993* such as Burra, Hahndorf and Colonel Light Gardens – HAS DEMOLITION CONTROL.

- **Local Heritage Place Overlay** – protects the 7,200 Local Heritage Places identified by local government – such as the Clock Tower in Elizabeth, the former munitions factories in Hendon and many former council chambers and institute buildings across Council areas – HAS DEMOLITION CONTROL.

- **Heritage Adjacency Overlay** – to address the potential impact of development on land adjacent to heritage-listed places – NO DEMOLITION CONTROL.

- **Historic Area Overlay (see maps)** – protects places that contribute to the historic character of the neighbourhood and contains most of the ‘Representative Buildings’ (these areas were previously known as Historic Conservation Zones or similar) such as Toorak Gardens or Strathalbyn – HAS DEMOLITION CONTROL.

- **Character Area Overlay (see maps)** – protects neighbourhood character streetscapes such as Novar Gardens or Glandore, and includes some Representative Buildings – NO DEMOLITION CONTROL.

Most development in these areas is Performance Assessed (assessed on their merit) and will therefore be assessed by a Council Assessment Panel (where publicly notified) or Council’s Assessment Manager (where not publicly notified). Councils will also have the opportunity to offer Local Design Review in these areas.
<table>
<thead>
<tr>
<th>Category</th>
<th>Policy Description</th>
<th>Local Content Description</th>
<th>Demolition Control</th>
<th>Referral to Minister</th>
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<tbody>
<tr>
<td><strong>STATE HERITAGE AREAS</strong></td>
<td>State Heritage Area Overlay, Various Zones</td>
<td>Statement of Significance (Heritage Places Act), Heritage Guidelines, TNVs* (where appropriate)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td><strong>STATE HERITAGE PLACES</strong></td>
<td>State Heritage Place Overlay, Various Zones</td>
<td>Statement of Significance (Heritage Places Act), Heritage Guidelines, TNVs* (where appropriate)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td><strong>LOCAL HERITAGE PLACES</strong></td>
<td>Local Heritage Overlay, Various Zones</td>
<td>Extent of Listing, TNVs* (where appropriate)</td>
<td>✓</td>
<td>✗</td>
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<tr>
<td><strong>HISTORIC AREAS</strong></td>
<td>Historic Area Overlay, Most in Established Neighbourhood Zone</td>
<td>Historic Area Statements, TNVs* (where appropriate)</td>
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<td>✗</td>
</tr>
<tr>
<td><strong>CHARACTER AREAS</strong></td>
<td>Character Area Overlay, Most in Established Neighbourhood Zone</td>
<td>Character Area Statements, TNVs* (where appropriate)</td>
<td>✗</td>
<td>✗</td>
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</table>

*Technical and numeric variations*
REPRESENTATIVE BUILDINGS

Previously known as contributory items, Representative Buildings are referenced in Historic Area Statements and Character Area Statements and mapped in the South Australian Planning and Property Atlas and are buildings which display characteristics of importance in a particular area. The identification of Representative Buildings in a particular area is not intended to imply that other buildings in an historic area are not of importance.

All Representative Buildings located in the Historic Area Overlay have demolition control.

Those Representative Buildings located in the Character Area Overlay do not have demolition control, however, the Overlay does seek to ensure the ongoing protection of the valued characteristics of the area.

KEY CHANGES

• 11,891 contributory items have been transitioned into the Code as Representative Buildings.

• Where buildings had demolition control prior to the Code, they will continue to have demolition control under the Code.

• Representative Buildings are now identified in the South Australian Property and Planning Atlas (SAPPA) and referenced in the Character Area and Historic Area Statements.
DEMOLITION CONTROL

The demolition controls in the Code reflect the hierarchy of heritage protection in South Australia; in particular, demolition controls are stronger for State Heritage Places and Areas and Local Heritage Places.

- The Minister responsible for State Heritage has the power to direct decisions on applications seeking demolition of State Heritage Places or within State Heritage Areas.
- Demolition of State and Local Heritage Places, or within State Heritage Areas, will be assessed against:
  - building’s existing heritage values
  - structural condition of the building and risk to safety.
- Demolition within Historic Areas will be assessed against the building’s historic characteristics and whether the proposal is reasonable.

<table>
<thead>
<tr>
<th>Protection in the New System</th>
<th>State Heritage Places</th>
<th>State Heritage Places Overlay &amp; State Heritage Areas Overlay</th>
<th>Demolition Control</th>
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</thead>
<tbody>
<tr>
<td>2,301</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>17 State Heritage Areas</td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>7,250 Local Heritage Places</td>
<td>Local Heritage Places Overlay</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>11,810 Representative Buildings</td>
<td>Historic Areas Overlay Character Areas Overlay</td>
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<td>✓, x</td>
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LOCAL POLICY CONTENT

The Code references the State Heritage Guidelines for Development for each State Heritage Area (where available) and provides location-specific guidance on how development can be undertaken to ensure heritage values are protected. These documents also include a Statement of Significance. These Guidelines and other materials prepared by DEW have been proclaimed in the Planning, Development and Infrastructure (General) Regulations 2017, granting them statutory status.

The Historic Area Overlay and Character Area Overlay are supported by Historic Area Statements and Character Area Statements respectively. These set out what is important and what should be protected or complemented.

In many locations, the two Overlays work in concert with the Established Neighbourhood Zone, which provides local policy around site area, frontage width, site coverage, side setbacks and building height.

The following non-statutory Guidelines will assist applicants and assessment authorities in the interpretation of policy:

- Historic Area Overlay Design Advisory Guideline
- Character Area Overlay Design Advisory Guideline
- Style Identification Advisory Guideline.

Key Changes

- The Code references State Heritage Guidelines and Statement of Significance in the State Heritage Area Overlay.
- Historic Area and Character Area Statements better describe elements of value.

ADAPTIVE REUSE

Adaptive reuse of existing buildings has significant value in the retention of heritage places. Heritage buildings can pose challenges due to their age and the way they were constructed; for example, they may not meet current building standards for disability access or fire prevention. They may also require significant upgrade and renovation to suit modern lifestyle or business needs, depending on the type of activity they were originally used for.

The new planning system makes it easier for Heritage Places to be adapted for modern uses, with a view to retaining them in the community and giving them new purpose. The Overlays will ensure that adaptive reuse is undertaken in a way that respects and references the original use of the Place. For example — an old barn, shop or warehouse could be converted to a dwelling; however, it would need to be done in a way that retains and references the heritage values of a place. This will help promote the retention of buildings, rather than replacement.

Key Changes

- The adaptive re-use policy promotes flexibility to use buildings for different purposes as a basis for retention.

How to get help?

To find out more visit www.plan.sa.gov.au, email PlanSA@sa.gov.au or call the PlanSA Service Desk on 1800 752 664.

There are a significant number of resources - fact sheets, guides and videos available at www.plan.sa.gov.au to help you better understand the new planning system.