

The Expert Panel would like your views on how **Character and Heritage Policy** is addressed in the Planning and Design Code.

Legislative Framework

Heritage in South Australia is protected by heritage specific legislation, primarily:

1. State Heritage – *Heritage Places Act 1993*; and
2. Local Heritage – *Planning, Development and Infrastructure Act 2016*.

This legislative framework provides protection to approximately **2,300** State Heritage Places, **17** State Heritage Areas and approximately **7,250** Local Heritage Places.

Planning and Design Code

The Planning and Design Code (the Code) has delivered a new way to protect heritage and character by:

1. transitioning existing **contributory items** from Development Plans as ‘Representative Buildings’
2. creating a new **Heritage Adjacency Overlay** to provide a difference between heritage places and areas surrounding these places
3. creating a new **Character Area Overlay** and Historic Area Overlay to sit over zones which apply to areas of established heritage and character value
4. **using accurate mapping** to be more transparent and assessable for places of significance within the planning system
5. consistently and fairly **applying demolition controls** to State Heritage Places, State Heritage Areas, Local Heritage Places and Historic Areas
6. **elevating the role** of State Heritage Guidelines, Statements of Significance for State Heritage Areas and State Heritage Places in the planning system

7. including **local policy** that reflects the important elements 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.

State Planning Commission Proposal

Noting the significant public interest in character and heritage matters, the State Planning Commission (the Commission) has been working on a reform package for the consideration of the Minister for Planning (the Minister).

The Commission provided its proposed ‘three (3) pronged’ approach to character and heritage reform which includes:

Prong 1: Elevate Character Areas to Historic Areas

Support and help councils to undertake Code Amendments to elevate existing Character Areas to Historic Areas. This allows demolition controls across a broader area whilst maintaining the integrity of the Code.

Prong 2: Character Area Statement Updates

Support and facilitate councils to review and update their Character Area Statements (and Historic Area Statements) to address gaps or deficiencies. This might include updating themes of importance, incorporating additional design elements, and including illustrations.

Prong 3: Tougher demolition controls in Character Areas

This proposal is to introduce a development assessment pathway that only allows for demolition of a building in a Character Area (and Historic Area) once a replacement building has been approved. This is to ensure that existing buildings in Character or Historic Areas are only demolished when the replacement building matches the character or historic value of the area.

Early Recommendations

The Panel has considered the Commission's proposal and determined to **provide its support** to 'prongs' one (1) and two (2). The Panel has advised the Minister of the same.

The Panel has decided to conduct public consultation on proposed prong three (3) prior to providing its advice to the Minister.

The Panel now seeks community and stakeholder feedback on whether there is support for requiring a replacement building to be approved in advance of demolition approval being granted.

How You Can Provide Feedback

For more information on the Planning System Implementation Review, visit:

www.plan.sa.gov.au/planning_review

You can **email a submission** to the Panel at DTI.PlanningReview@sa.gov.au or **respond to the survey** on the Expert Panel's [YourSAy](#).

Summary Papers are also available for the following topics being considered in this community engagement process:

- the PDI Act
- e-Planning and PlanSA
- Code – Trees
- Code – Carparking
- Code – Infill

For further information on the matters raised in this Summary Paper, please read the full version of the Planning and Design Code Discussion Paper.

Questions To Guide Your Feedback

1. In relation to prong two (2) pertaining to character area statements, in the current system, what is and is not working, and are there gaps and/or deficiencies?

2. Noting the Panel's recommendations to the Minister on prongs one (1) and two (2) of the Commission's proposal, are there additional approaches available for enhancing character areas?
3. What are your views on introducing a development assessment pathway to only allow for demolition of a building in a Character Area (and Historic Area) once a replacement building has been approved?
4. What difficulties do you think this assessment pathway may pose? How could those difficulties be overcome?