

From: [Fabbian, David](#)
To: [DPTI:Planning Reform Submissions](#)
Subject: Consultation on the draft Planning and Design Code - Historic Areas (various SA locations)
Date: Friday, 28 February 2020 5:12:29 PM
Attachments: [0528_001.pdf](#)

Dear Mr. Lennon,

We refer to your letter (attached) of 31 January 2020 and Telstra welcomes the opportunity to make a submission to the State Planning Commission regarding the draft Phase Three Code.

Telecommunications is considered essential infrastructure; therefore Telstra seeks clarification that the Code does not unnecessarily restrict the installation, upgrade, and maintenance of telecommunications in South Australia.

Telstra understands that a submission was made by the Mobile Carriers Forum (MCF) on behalf of participating mobile carriers on the MCF, including Telstra. Telstra supports the submission made by the MCF, specifically, we are concerned about how the Historic Area Statements and the introduction of the 5 new Overlays will operate alongside Telstra's existing Commonwealth powers to upgrade, maintain and deploy facilities, which is governed by the Low-impact Facilities Determination framework (LiFD) and Schedule 3 of the *Telecommunications Act 1997* (Cth). We are particularly concerned about restrictions the proposed changes may impose on Telstra's ability to roll-out future network facilities in areas where large sections of metropolitan areas are proposed to be designated as 'sensitive' areas. As you may be aware, State identified heritage areas comprise "areas of environmental significance" under the LiFD. Carriers are prohibited from installing low-impact facilities in such areas without development approval.

We are also concerned that the proposed changes may impact on the deployment of "minor" telecommunications works that are essential for the proper and everyday functioning of the fixed and mobile networks. This includes low-risk maintenance activities for planned upgrades and repair work. We note that the many parts of the Code and the various levels of legislation and other documents linked to it make it difficult during the consultation phase to fully understand how it might work when operative. It would be helpful if you could provide a visual representation such as a layered map showing all current zones against the 5 new overlays so that we can identify and assess the full impact of the proposed changes.

Lastly, Telstra supports the MCF's call for a meeting with DPTI to discuss the proposed changes and Telstra would also like to send a representative to participate in this meeting. Telstra would like a further opportunity to share examples of everyday minor works that Telstra needs to undertake and the status of existing facilities which need to be maintained.

David Fabbian
Regulatory-Senior Specialist
Networks and Technology Regulation

[REDACTED]
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31 January 2020

Dear Property Owner

Consultation on the draft Planning and Design Code – Historic Areas

I am writing to you to explain how South Australia's draft Planning and Design Code will affect you as an owner of property that is currently located within a Historic Conservation Zone or similar area.

For your reference, we have enclosed with this letter a list of your properties that are affected by the proposed updates to the Planning and Design Code.

South Australia's current planning system, which sets out planning zones and rules in 72 individual development plans, is being restructured and transitioned into a singular state-wide Planning and Design Code (the Code).

The Code is being implemented across the state in three phases and will be fully implemented by July 2020. Phase One is already operating in the outback areas of the State. Phase Two which covers the State's rural areas will go live in April 2020, followed by Phase Three which covers the State's urban areas in July 2020. More information about the draft Code can be found on the SA Planning Portal (www.saplanningportal.sa.gov.au).

As we modernise South Australia's planning system, the State Planning Commission proposes to introduce five new 'Overlays' into the Code relating to heritage and character. These overlays include:

- State Heritage Area Overlay
- State Heritage Places Overlay
- Local Heritage Places Overlay
- Historic Area Overlay
- Character Area Overlay.

The proposed Overlays are intended to bring equality, fairness and consistency to the planning system, as well as to landowners, regardless of where they live.



Currently there are around 140 different Historic Conservation zones and similar areas across the State, each containing a different set of rules and policies. Under the new planning system it is proposed all of these zones and areas will transition into the new 'Historic Area Overlay'. It is important to note that properties within a Historic Area Overlay will continue to be protected, as they currently are in Historic Conservation zones, with rules and policies that control demolition.

Under the new Historic Area Overlay you will be required, as you are now, to obtain approval to demolish a property located in a historic area. New applications for demolition will be assessed against a clear set of criteria described in the Overlay which includes such matters as a property's historic importance, its structural condition, as well as the viability of restoration.

The Commission is proposing the Historic Area Overlay be supported by 'Historic Area Statements' which identify the key historic features and characteristics relevant to each Historic Area. These Statements will help to clearly identify the key elements of local historic importance. Any proposal for new development in these areas will need to consider and respect these key historic features and characteristics.

For example, specific building materials, roof forms or architectural building styles may be identified in a 'Historic Area Statement' as important characteristics of an area, and should be appropriately reflected in new development.

Please note that while there is no fundamental change to the planning policy intent for historic areas, the policy wording or expression has changed and, as such, your feedback is sought.

The proposed Historic Area Statement that applies to your property, along with the draft Phase Three Code (including the new Heritage and Character Overlays) are now available on the SA Planning Portal for consultation until **28 February 2020**.

I invite you to review this information to understand how these changes may affect you as a property owner, and should you wish, make a submission via the SA Planning Portal.

If you have any questions or require assistance, please contact the Department of Planning, Transport and Infrastructure Code Hotline on 1800 318 102 or via email DPTI.PlanningReform@sa.gov.au

Yours sincerely



Michael Lennon
Chair
State Planning Commission

Your property / properties affected by the proposed Code are listed below.

If you have any questions or require assistance, please contact the Department of Planning, Transport and Infrastructure Code Hotline on 1800 318 102 or via email DPTI.PlanningReform@sa.gov.au

Property Address

10 Wainhouse St, Torrensville
 43 Princes St, Croydon
 3 Auricht Rd, Hahndorf
 2 Bellevue Pl, Unley Park
 The Parade, Kensington - LT 100
 St Andrews Tce, Willunga - LT 529
 Old Coach Rd, Kangarilla - LT 794
 35 Hughes St N, Woodville
 73 East Tce, Henley Beach
 35 Commercial Rd, Strathalbyn
 11 Grants Gully Rd, Clarendon
 1011 Black Top Rd, One Tree Hill
 High St, Gawler - LT 201 D43850
 36A Venables St, Macclesfield
 Mount Barker Rd, Hahndorf - LT 66 F157201
 39-41 Hutchinson St, Mount Barker
 244 Strathalbyn Rd, Mylor
 87 Mawson Rd, Meadows

Council

West Torrens
 Charles Sturt
 Mount Barker
 Unley
 Norwood Payneham & St Peters
 Onkaparinga
 Onkaparinga
 Charles Sturt
 Charles Sturt
 Alexandrina
 Onkaparinga
 Playford
 Gawler
 Mount Barker
 Mount Barker
 Mount Barker
 Adelaide Hills
 Mount Barker



Property Address

Council