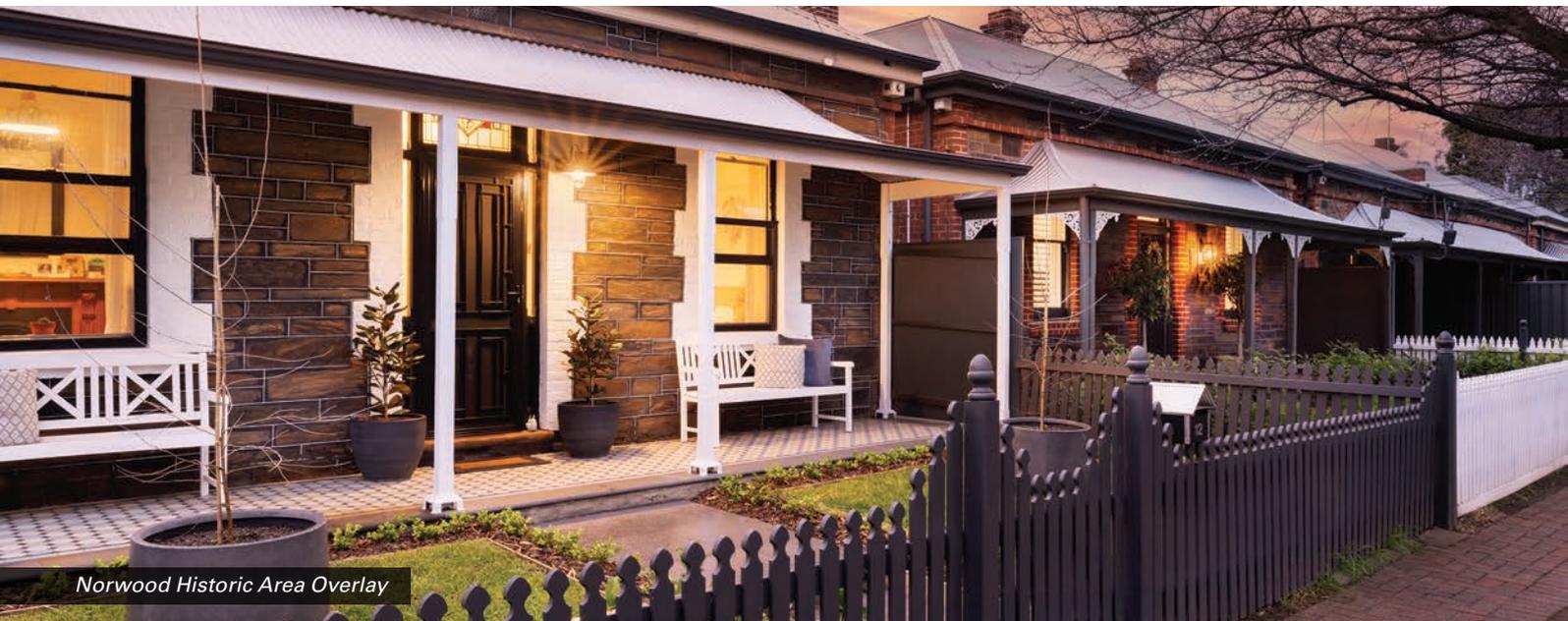


# Heritage and Historic Area Protection in the Planning & Design Code

## Fact Sheet 2



### What is the Planning & Design Code?

The Planning & Design Code is a State-wide document that contains the planning rules and policies used to assess development proposals

### What is a Local Heritage Place?

A Local Heritage Place designated in the Code is considered to have heritage value to the local area because it plays an important role in identifying and preserving the community's collective identity. Places recommended for Local Heritage listing must meet one or more criteria set out in Section 67 of the *Planning, Development and Infrastructure Act 2016*, which are outlined below:

The Planning and Design Code may designate a place as a place of local heritage value if

- a. it displays historical, economic or social themes that are of importance to the local area; or
- b. it represents customs or ways of life that are characteristic of the local area; or
- c. it has played an important part in the lives of local residents; or
- d. it displays aesthetic merit, design characteristics or construction techniques of significance to the local area; or
- e. it is associated with a notable local personality or event; or
- f. it is a notable landmark in the area; or
- g. in the case of a tree (without limiting a preceding paragraph)—it is of special historical or social significance or importance within the local area.



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Local Heritage Places are given statutory protection under the Act. Development controls extend to anything specified by the Code which may materially affect a Local Heritage Place, however some specific types of work are exempt from requiring a development approval.

The Code applies additional development policies to protect the ongoing heritage value of these places, including that they generally should not be demolished and new additions should be sensitive to the heritage characteristics of the place.

### **What is the Historic Area Overlay?**

The Historic Area Overlay in the Code applies to areas of distinct historic character contributed to by the buildings, spaces, or general street pattern. This Overlay applies additional policies to future development applications to ensure the integrity and character of the area is not compromised through uncontrolled demolition and unsympathetic new development.

This Overlay already applies to many different locations across South Australia, however each area has a unique Historic Area Statement which identifies the attributes specific to that location. The Statement is used during the assessment of development proposals to help determine whether the proposed development is consistent with the desired outcomes for the area.

### **What is a Representative Building?**

Individual buildings in the Historic Area Overlay are able to be designated Representative Buildings if they display characteristics of importance in a particular area.

### **What is the Heritage Adjacency Overlay?**

The Heritage Adjacency Overlay in the Code applies to properties surrounding a State or Local Heritage Place. The Overlay applies additional policies which seek for new development adjacent to Heritage Places to maintain the heritage and cultural values of those Places

In urban areas, the Heritage Adjacency Overlay is applied to any allotment directly abutting a State or Local Heritage Place, to a maximum distance of 60 metres, plus any property within 6 metres of the allotment on which the heritage place is located, to a maximum distance of 60 metres.

### **Is demolition permitted?**

Demolition of a Heritage Place or a building within the Historic Area Overlay requires a development application to be lodged and assessed against the relevant Code policies.

Total demolition of a Local Heritage Place is unlikely to be approved other than where the structural integrity or condition of the building represents an unacceptable risk to public or private safety and is irredeemably beyond repair.

Total demolition of a building within the Historic Area Overlay which demonstrates important historic characteristics is unlikely to be approved other than where the front elevation of the building has been substantially altered and cannot be reasonably restored in a manner consistent with the building's original style or where the structural integrity or safe condition of the original building is beyond reasonable repair.

### **How are Local Heritage Places and Historic Areas designated?**

Changes to which places are designated as Local Heritage Places, or where the Historic Area Overlay applies, requires an amendment to the Code called a Code Amendment. Pursuant to Section 202(1)(a) of the Act, owners of newly designated Local Heritage Places have a right to appeal against the designation to the Environment, Resources and Development Court.