



# Heritage reforms 2019

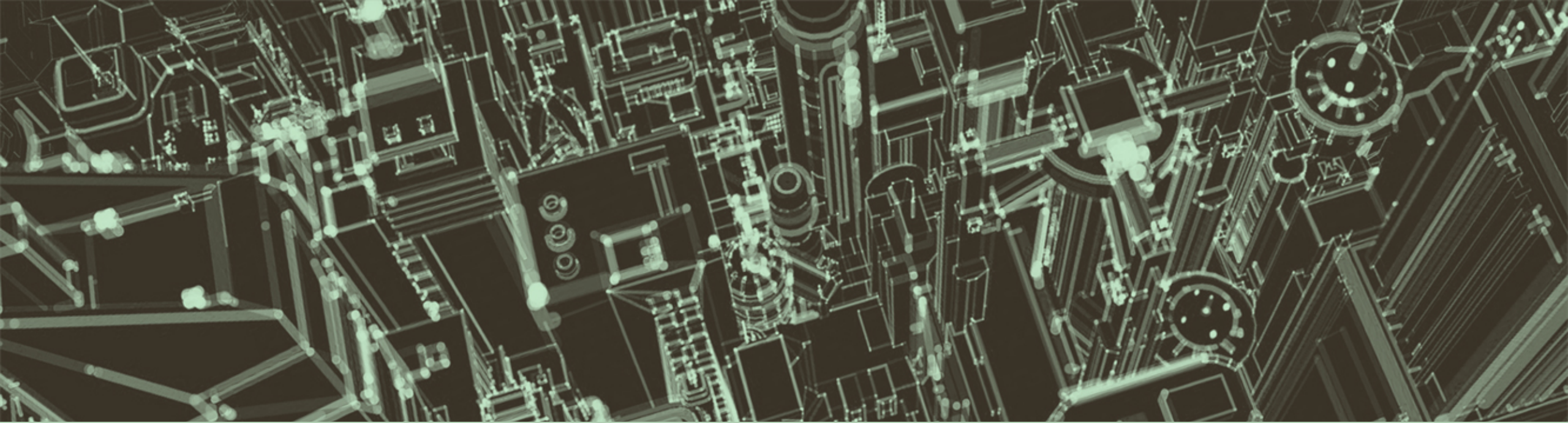
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## Current Processes to be aware of:

1. New State Planning Policies
2. Parliamentary Inquiry in Heritage
3. New heritage legislation?
4. New Planning & Design Code

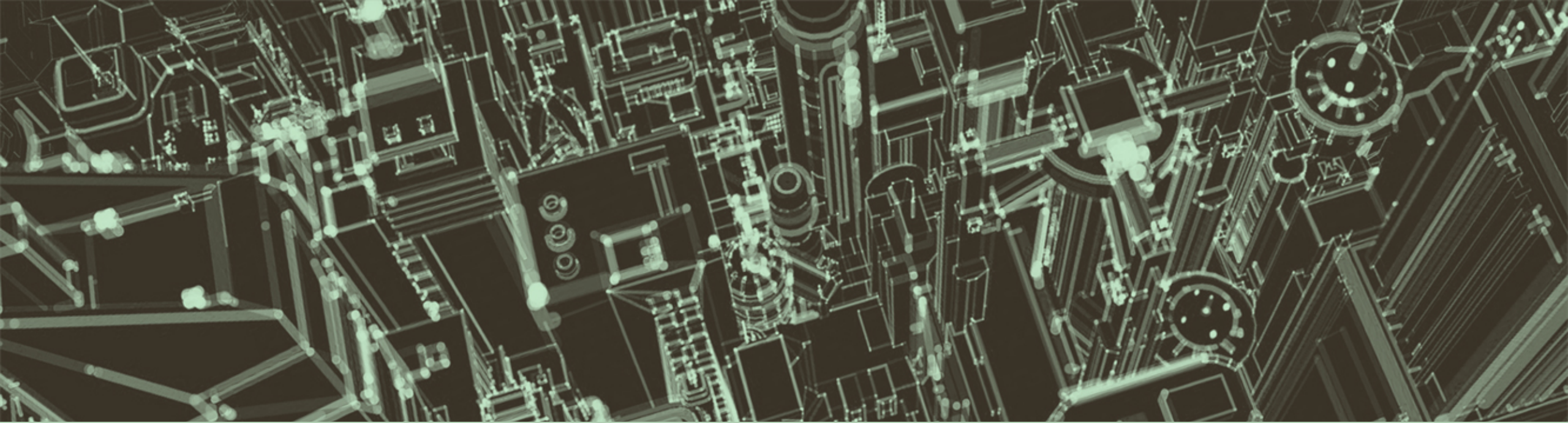




# 1. New State Planning Policies







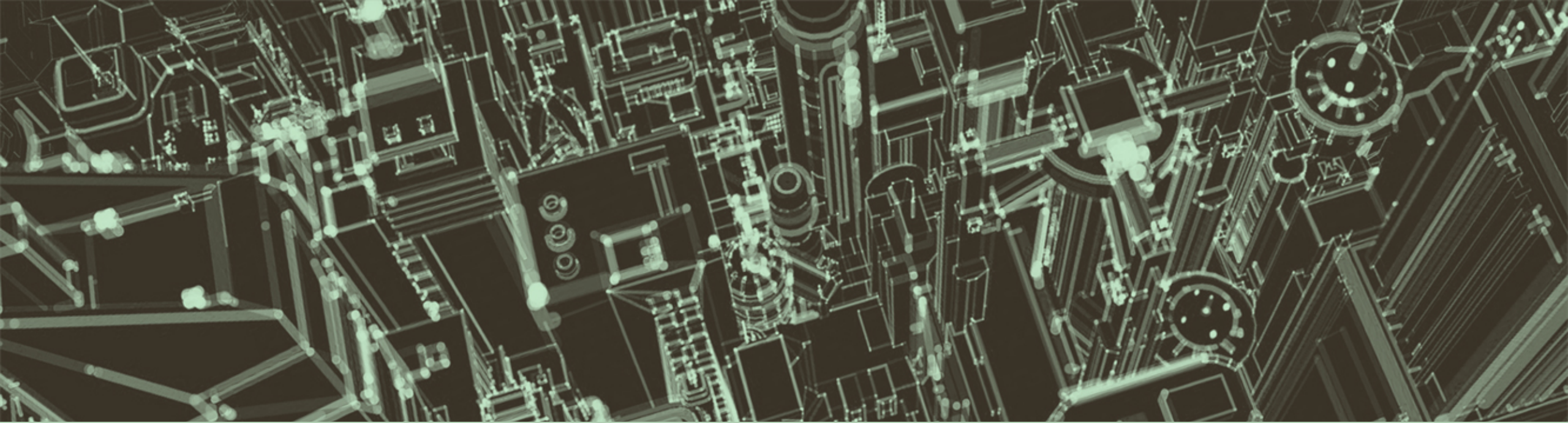
**Policy 3 – Adaptive re-use  
Policy 7 – Cultural Heritage**

**Last chance to influence these: Any amendments to  
[Parnell@parliament.sa.gov.au](mailto:Parnell@parliament.sa.gov.au) by Friday 1<sup>st</sup> March**

**(ERDC decision on Monday 4<sup>th</sup> March)**







## 2. Parliamentary Inquiry into Heritage (ERDC)



Environment Resources and Development Committee is a “Government Committee”.

3x Liberal; 2x Labor; 1x Greens = 6 votes

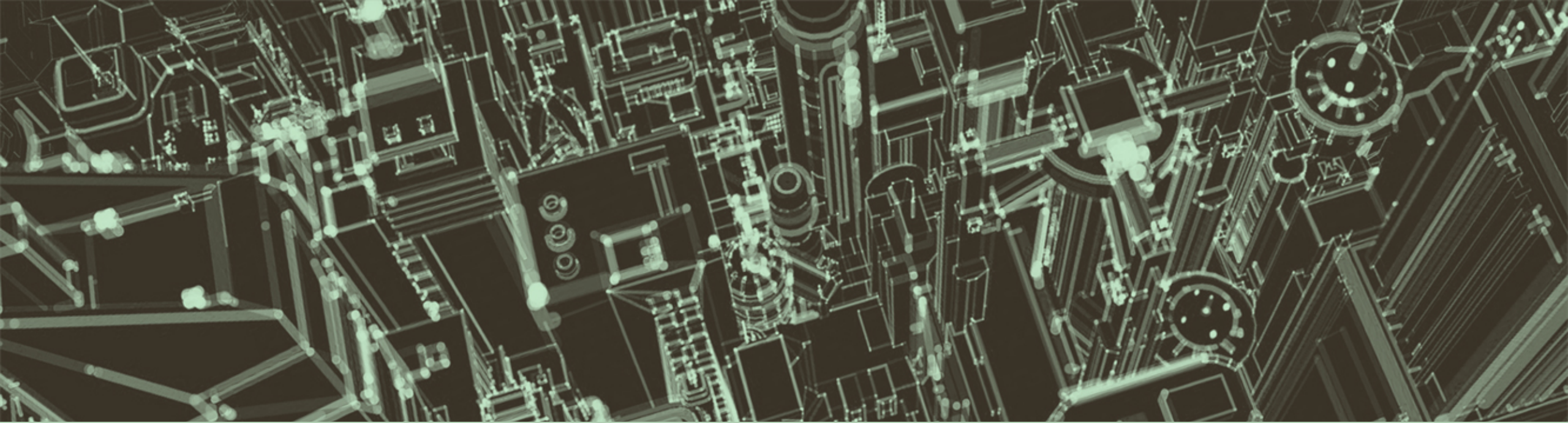
In the event of a 3:3 tie, the government-appointed Presiding Member has an additional casting vote.

The Committee sometimes recommends changes to planning policy, but has NEVER disallowed government policy.

Some Committee Members are hostile to heritage, nevertheless, the process and evidence collection are important for future advocacy.

Will the  
Parliamentary  
Inquiry  
deliver  
stronger  
protection for  
heritage?





## 3. New Heritage Legislation



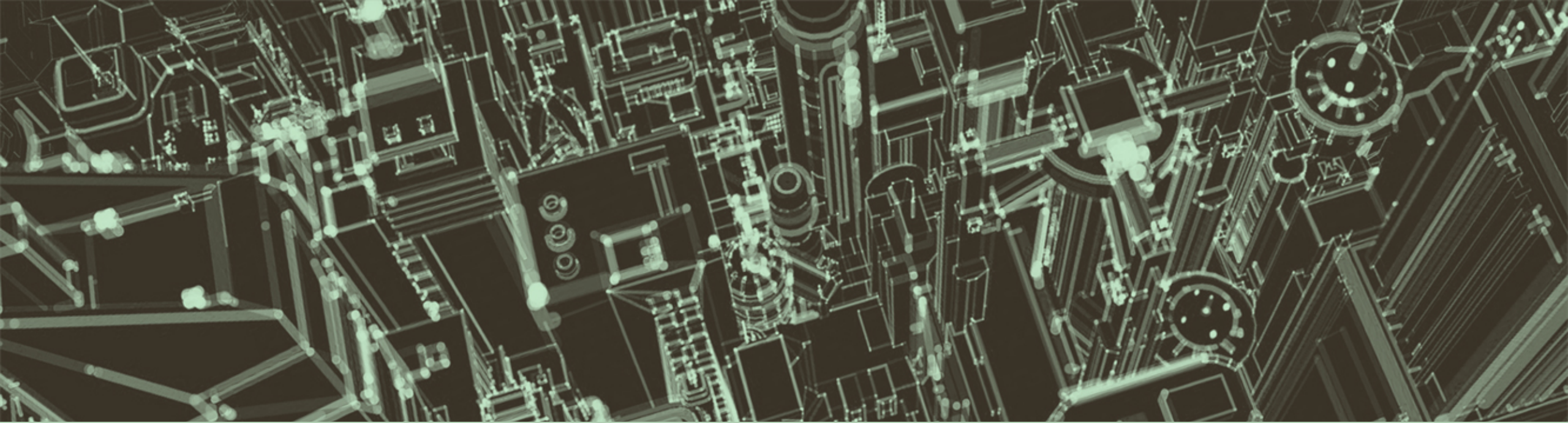
“At the moment, however, we are not proposing to open up the Planning, Development and Infrastructure Act.

... it is not proposed to put any legislative reform forward until after July 2020”.

When will we see new heritage legislation?

[Source: Anita Allen, Manager, Planning Reform, Department of Planning, Transport and Infrastructure, ERDC Hansard 11/2/19]





## 4. New Planning & Design Code (to replace Development Plans)



- Local Heritage places are listed in local council “Development Plans”.
- Development Plan are being replaced by a “Planning and Design Code”.
- So what will happen to these lists?

What will  
happen to local  
heritage lists?

“The first version of the Code will incorporate the existing state and local heritage places currently listed in Development Plans.”

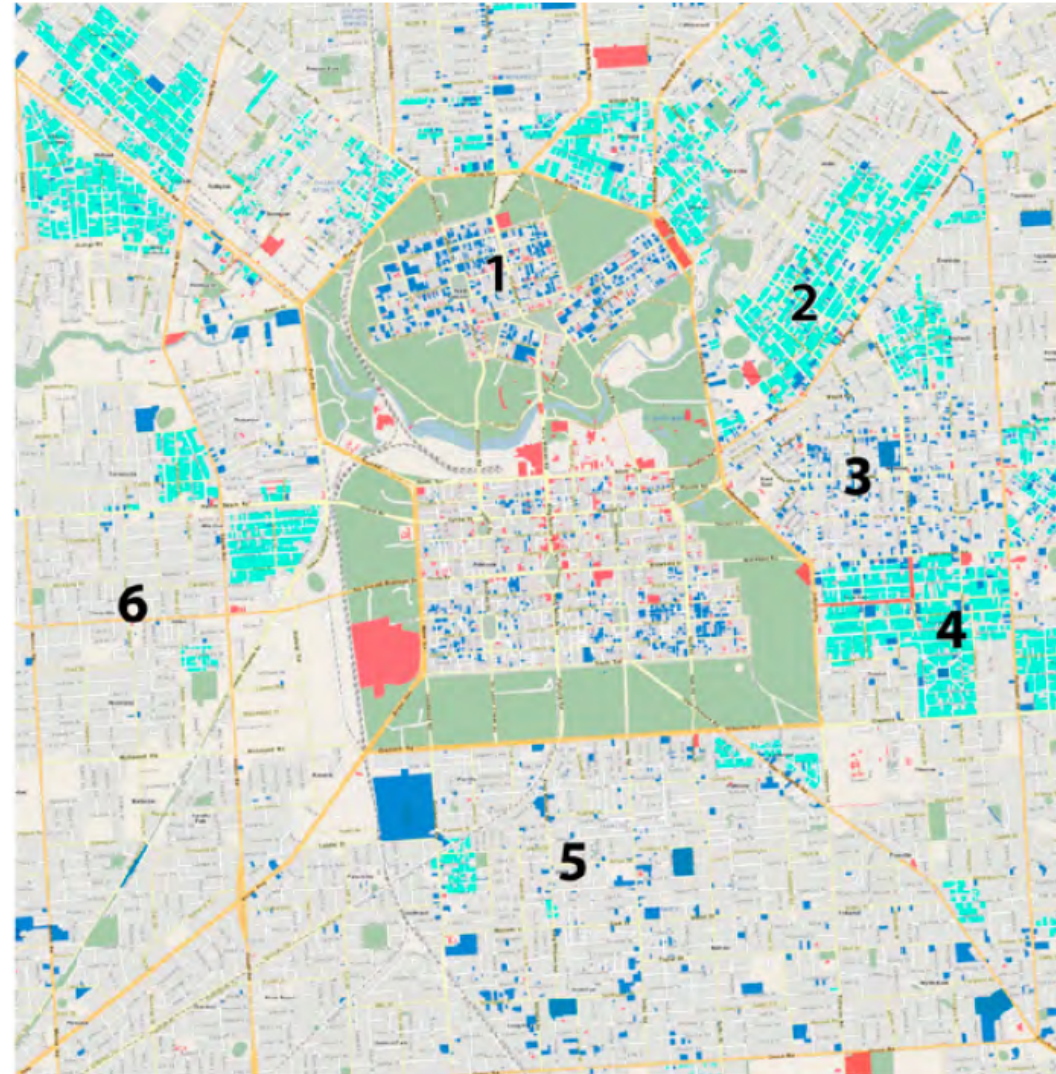
[Source: State  
Planning Commission  
“non-statutory  
guidance note”]



- Confusion about how they are different from “listed” local heritage places, Historic Conservation Zones and Character Preservation Areas.
- “Contributory items” comprise the bulk of heritage “listings” in some council areas.
- Contributory items have no legislative status, but are included in local Development Plans.
- So what will happen to current lists of “Contributory Items under the new Planning and Design Code? Will they be abolished or incorporated into other planning documents?

What about  
“Contributory  
Items”?

## Uneven Distribution of Heritage Items by Area



1. Many Local but no Contributory Items in North Adelaide.
2. Many Contributory but few Local Items in St Peters.
3. Some Local but no Contributory Items in Norwood.
4. Many Contributory but few Local Items in Rose Park.
5. Some Local and grouped Contributory Items in Unley.
6. Large areas with no Local or Contributory Items.

STATE  
LOCAL  
CONTRIBUTORY



“I don't think we can say definitively that contributory items will be translated exactly as they are now. I think the commitment we can make is that the outcome that is being sought through contributory items will be retained in a policy environment.”

[ie. More use of historic conservation zones and character areas?]

## What about “Contributory Items”?

[Source: Anita Allen,  
Manager, Planning  
Reform, Department of  
Planning, Transport and  
Infrastructure, ERDC  
Hansard 11/2/19]

- Who will control heritage? Single Agency?

Environment Dept?

Planning Dept?

- Demolition controls?
- Appeal rights for property owners?
- Third party rights for communities?

What are the  
other key  
battle lines?



New discussion paper coming – “People in Neighbourhoods”

[including] “character and heritage and how the planning and design code can adequately respond to the community's ambitions around that.”

“We are certainly considering the role of local heritage areas and the policy framework for them that may alter the need for how the contributory items process runs. The commission has not had a stated position on this. It is something that we will continue to work through over the coming months.”

So, pay attention and engage in the process!

## What next for formal engagement on Heritage?

[Source: Anita Allen, Manager, Planning Reform, Department of Planning, Transport and Infrastructure, ERDC Hansard 11/2/19]