



# Mt Barker & District Residents' Association Inc

PO Box 19 Mount Barker, South Australia 5251

*For the Community*

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Tuesday 13<sup>th</sup> September 2018

The Parliamentary Officer  
Environment Resources and Development Committee  
GPO Box 572  
Adelaide S.A 5000

## **RE: HERITAGE INQUIRY**

The Mount Barker and District Residents' Association has included the terms of reference for this submission. These are:

1. Highlighting the differences in, and consistency of, processes and criteria between listing and assessing local, state and national heritage;
2. How heritage should be managed in the future; including, but not limited to investigating:
  - a. How should the process for listings (from initiation to final placement on the appropriate register) be managed, and by whom;
  - b. Who should have the right to be heard in relation to listings;
  - c. Who should be the decision maker for listings and review; and
  - d. What processes should be in place for the review of listings;
3. What is the relationship and distinction between 'character' and 'heritage';
4. Have there been unexpected or perverse outcomes; and
5. Any other relevant matter.

## **Introduction**

The Mount Barker & District Residents' Association (MBDRA) welcomes the opportunity to contribute to this parliamentary inquiry regarding heritage listing, in which information provided by the Association is seen of benefit to not just that of Parliament, but to the whole of South Australia. The submission covers areas relating to the Mount Barker District Council, with the Association taking on matters relating to heritage since its inception, with the Association being involved with previous heritage surveys and associated planning implementation involving the (now) Mount Barker District Council.

## **Natural heritage**

Mount Barker Summit is an important conservation reserve and geographical feature of outstanding historical and environmental significance in the Mount Barker District, with over 150 plant species within its realm. The Summit provides an important habitat for many animal species that breed, live and nest on site. Local

echidna's walk at a slow pace over its soils, native owls sit in the trees and lizards laze on its rocks during the summer months.

The Summit is also a place of outstanding historical and environmental significance to the Mount Barker district. Associated with the Peramangk people, the earliest exploration and naming of the area, it has had a profound impact on the subsequent development of the district around Mount Barker as well as Mount Barker itself.

From these core principles, Mount Barker Summit has been deemed an important place worthy of heritage protection and is on the Mount Barker District Council's local heritage register. From that point the Association takes the view:

1. Places of natural heritage value, need better protection by legislation;
2. Heritage listing should have a strong focus regarding the recognition and protection of the natural heritage of South Australia; and
3. Coordination between all levels of government is needed to protect natural heritage.

### **Indigenous heritage**

From a period after that of early flora and fauna, the Peramangk lived in the Mount Lofty Ranges, with the Mount Barker area having its own tribe. The Peramangk lived in the Mount Lofty Ranges over many millennia. The Peramangk lived off the land, fished along local creeks and waterways, ate local native plants and other local animal species. The Peramangk had, and still have, strong connections to the Mount Barker district and the lands surrounding the area itself. Issues regarding heritage listing that relate to sites that may be of significance to those of Aboriginal background are vital to consider. Examples include:

1. Consultation with representative organisations and people of Aboriginal and indigenous backgrounds to provide full confidence regarding any involvement in terms of heritage listing of sites deemed important and worthy of heritage listing;
2. In-depth investigations to occur to find sites that may be of Aboriginal heritage significance in terms of any heritage listing process;
3. Sites or areas seen as important in terms of heritage listing (like Mount Barker Summit for example) to the Peramangk should be subject to Aboriginal significance mapping to guide and inform future projects at the Summit and other sites deemed to be worthy or value to local people of an Aboriginal or indigenous background;
4. Any other matter deemed relevant that comes from any consultation should be taken further regarding any work undertaken in terms of heritage matters.

### **European and built heritage**

The Mount Barker District was amongst one of the very first regions of South Australia to be occupied by European settlers in 1836, soon after the founding of the Colony in 1836. Locally the district is also well known for being the location of The Cedars, the home of Australian artist Sir Hans Heysen. His studio, circa 1912, is Australia's oldest surviving purpose-built artist's studio.

Many local residents worked hard to "bring home the bacon" in the many meat works, factories, brick works, steam powered flour mills, shops, butchers, hotels, at the local tea gardens and along the local railway lines. Local women of note held fundraising events at grand properties to support local charities in the area and 100-year centenary celebrations were held to recognise early European settlement of the Mount Barker district in 1939.

The MBDRA believes a strong recognition of the work undertaken by hard working individuals in earlier times to develop local communities which still exist today and have led to places where people now live, work and enjoy themselves is vital in protecting our heritage. This comes via heritage protection. So, the Association would like to see as core principles:

1. Any planning laws in South Australia being able to be more easily implemented by Local and State Government and any other authorities needing to participate. This will lead to the easier inclusion and protection of items of Local, State and National heritage value.
2. Stronger requirements should be in place to protect places of heritage value. Any changes to a heritage register, a site or building or an addition to a heritage register need assessment under more set guidelines, not a mix of principles set out by individual councils in South Australia. The MBDRA takes the strong view that any principles must favour the protection of places of heritage value and such principles must only be put in place, after consultation with the general public, community organisations, local councils and government agencies.
3. A review into sites and places of heritage value that are difficult to protect via existing heritage legislation must occur, via the State Government. Such places can include historic gardens and other assets like town ovals and parks, particularly those of heritage value. Historic gardens for example are attractive and often include significant trees, but many of these gardens have been lost in South Australia and in the Mount Barker District Council area as well.

### **Terms of reference**

Planning laws in relation to heritage listing were first introduced in South Australia via the South Australian Heritage Act 1978. In terms of the Mount Barker District Council, the towns of Mount Barker, Littlehampton and Nairne have undergone significant change and growth over the past two decades. Places such as Hahndorf have significantly changed over time, alongside Meadows in more recent years.

This has seen the loss of many items of unique heritage value, due to poor planning laws or the ability to find loopholes within existing planning laws within the local

Council's Development Plan to a developer or property owner's advantage if they wish to demolish or substantially change a place of heritage value.

A clear direction is needed by all within government to show how both natural and built heritage is to fit into a Development Plan of Local Government and within South Australia and any State and Federal Government Legislation.

### **1. Highlighting the differences in, and consistency of, processes and criteria between listing and assessing local, state and national heritage**

Various heritage consultants, policy planning staff, those with positions within senior areas of local or state government and all with differing opinions, principles and positions in regards to heritage related matters make the ability to address heritage listing and associated matters very difficult.

For example, with the first heritage listing process undertaken by the then District Council of Mount Barker, saw a set number of properties included on its heritage register. The MBDR was involved in that process.

The second heritage survey, involving a Heritage Review and PAR Community Reference Group (of which the MBDR was also involved), saw a broader cross-section of properties and sites included, in and around Mount Barker, that were simply not included in the previous heritage listing process. This was due to:

1. A change of focus in regards to heritage listing in the Mount Barker District Council and a more committed administration;
2. A well-structured process, involving fully qualified heritage consultants;
3. The re-establishment of a committed heritage advisory committee, which met until its conclusion of the Council submitting the heritage PAR to the Minister for authorisation.

It must be noted though since that time, the Mount Barker District Council, via policy planning staff at the Council, have tried to remove individual heritage items off the local heritage register and this brought opposition from local residents at the time, so consistent policy in regards to heritage listing is important.

### **2. How heritage should be managed in the future (and associated matters)**

1. Heritage listing should be managed primarily by local government, in conjunction with a heritage advisory committee. Such committees should meet when required or to update a council's heritage register. This has worked well within the Mount Barker District Council, alongside planning and heritage consultants and could include those working within a local council who have formal heritage qualifications;
2. If one feels a need to see other items of local heritage value placed on a heritage register (as an individual item) these places should be able to be assessed by a local council heritage advisor, staff member or person with qualifications in areas relating to natural and indigenous heritage and placed

on a heritage list via local government for approval without the need to go through the extensive work of involving State Government;

3. In terms of State Heritage listing, this should operate under the current system, with more resources put in place at a state level to ensure these places can be protected being of State Heritage value.

**b. Who should have the right to be heard in relation to listings;**

Any person should be able to contribute in regards to heritage listing.

**c. Who should be the decision maker for listings and review;**

1. Local Government should be the primary decision maker re heritage listing and any review. This is easier to manage and less time consuming. If a person feels a local Council however has taken inadequate action, regarding heritage listing the Environment and heritage departments (in terms of State Government), should have the ability to contribute or take further action;
2. In regards to items for State Heritage listing the current process should remain in place. To ensure potential State heritage items can be reviewed in a more timely manner, more resources are needed in that area;
3. The role of the Environment, Resources and Development Committee (the Committee (Pursuant to Section 27 of the Development Act 1993) should be better promoted to the public, so that the general public are better aware of its role and existence. It may also be valid to examine the committee's ability to make recommendations in regards to major planning changes being put forward by Local, State and Federal Governments in regards to heritage listing being put forward, under certain circumstances.

**d. What processes should be in place for the review of listings;**

Any reviews should primarily be undertaken by local government in South Australia. Reviews of listings should be comprehensive and heritage listed items should not be reviewed individually through planning changes by local government, as what was put forward by the Mount Barker District Council's 2016 Regional Town Centre DPA. Luckily the heritage items to be removed from heritage listing as part of those planning changes were not taken further after community objection.

**4. What is the relationship and distinction between 'character' and 'heritage';**

Both character and heritage are an important issue in the Mount Barker District Council. Many buildings have subsequently changed over time, devaluing the importance of these heritage items in the eyes of the public. One particular (former) church in Mount Barker is now a bottle shop (that looks very unattractive), but still exists as a heritage building and many heritage buildings in Hahndorf, although old have been modified or altered taking away their heritage value. In principle the MBDR takes the view local government should:

1. Have more say in regards to development applications that include change to a heritage building in an area, to ensure its heritage and character is preserved. After all, all elements of a heritage property in principle are important;
2. Have more ability to contribute and have a final say regarding the color, designs and additions to any building or site on a heritage register;
3. Have an obligation to maintain the character of an area by ensuring any heritage conservation zones, include detailed information in the development plan, to ensure such character can be preserved.

## **Other matters**

### **Buildings falling into disrepair**

A number of buildings in the Mount Barker District Council are currently in disrepair, including some of the Local Heritage register. In one particular application for demolition of a heritage listed item, the poor condition of the building was stated as a reason for allowance of demolition on the site. The MBDR takes the view that uniform principles need to be in place, to not see this happen in the future.

Some buildings have also been significantly altered in recent times and in one extreme case, the whole half of a building was pulled down, with an extension put onto the rear of (what remained) of the heritage listed building.

### **Increased finance**

At present the amount of funds required to restore places of natural and built heritage is very limited. Such funds at a local and state level should be increased. This will encourage some to take on heritage restoration. Any financial assistance needs to be better promoted by all levels of government.

### **Mount Lofty Ranges World Heritage Listing**

The Mount Barker District has been based around agriculture as its core base for many generations. At present many agricultural operations exist within its boundaries and across the Adelaide Hills. The area is known for the discovery of the agricultural benefits of the Subterranean Clover by Amos William Howard who was the first to realise its ability to improve the fertility of the soil and the development of one of the first flour mills in Australia by John Dunn.

Many vegetables have been pulled out of the ground by local farmers and this still occurs today, but for that to happen and continue into the future, the protection of the local landscape of the Mount Lofty Ranges is vital.

The Mount Barker & District Residents' Association has had a long association with the formation regarding the Mount Lofty Ranges World Heritage Listing bid. The heritage listing seeks to "encourage the identification, protection, preservation and promotion of cultural and natural heritage around the world considered to be of

outstanding value to humanity” and aims to “solidify and entrench the goal to protect high value agricultural lands”.

Character Preservation Districts in the Barossa and McLaren Vale were put forward by the former Labor Government in South Australia, but areas such as the Adelaide Hills were left out, so this is also why heritage listing is also very important.

A lot of time, work and effort has been put into this bid by many, but more support from the State Government of South Australia is essential for the bid to proceed to a further level. The MBDRA takes the view a lot more recognition of landscape in terms of heritage listing is vital in South Australia and that is why advancing this bid is very important.

### **Draft state policies for South Australia**

The draft State Policies Planning Policies for South Australia out for consultation at present, July – September 2018, include a range of planning changes that will impact on heritage listing matters in South Australia.

The MBDRA takes the view that any planning reforms need to be inclusive, be comprehensive, recognise that planning is a very complex matter and any changes introduced should be able to provide long term benefits to the state of South Australia.

In terms of the points that relate to this submission, the following comments are made in regards to four policies within the draft document:

1. Policy three (Page 26): Adaptive re-use – Adaptive re-use can be done well, as long as it is sensitive. Local councils need to have stronger planning laws in terms of local heritage legislation, adaptive re-use and any building subject to heritage listing.
2. Policy four: Biodiversity (Page 28) – Legislative change should better protect biodiversity, taking into consideration any issues relating to biodiversity and local heritage listing. Heritage listing should include those with formal qualifications in the area of biodiversity, through any DPA initiated by local or state government in South Australia, however the Mount Barker & District Residents’ Association notes that within policy four it has no reference to heritage listing re biodiversity.
1. Point Five: Climate change (Page 30) – This is an area that requires a national, if not international approach and the MBDRA is concerned that heritage listing is not considered as an issue in point five.

Any negative impacts that arise from climate change can potentially impact on sites and places of natural heritage value and the Association is concerned that by having policies (four and five) separated in terms of heritage listing this will negatively impact on places or sites of natural heritage importance, like very old native trees for example, with some in the Mount Barker District being over 300-hundred years of age. To lose these trees due to environmental impacts from climate change or other human impacts is of serious concern.

In that context, policy four should have a reference to climate change, in terms of natural heritage, heritage listing and any planning reform.

2. Policy Seven: Cultural heritage (Page 38) – This policy area is far too simplistic and does not recognize the complexity of heritage listing.

Thank you for the opportunity to present this submission.

Yours sincerely

Dianne van Eck  
Chairperson  
Mt & District Residents' Association Inc.