DRAFT PLANNING AND DESIGN CODE

STATE PLANNING REFORM

HISTORIC AREA STATEMENTS AND CHARACTER AREA STATEMENTS PROPOSAL TO AMEND PHASE 3 (URBAN AREAS) PLANNING AND DESIGN CODE AMENDMENT

City of Victor Harbor
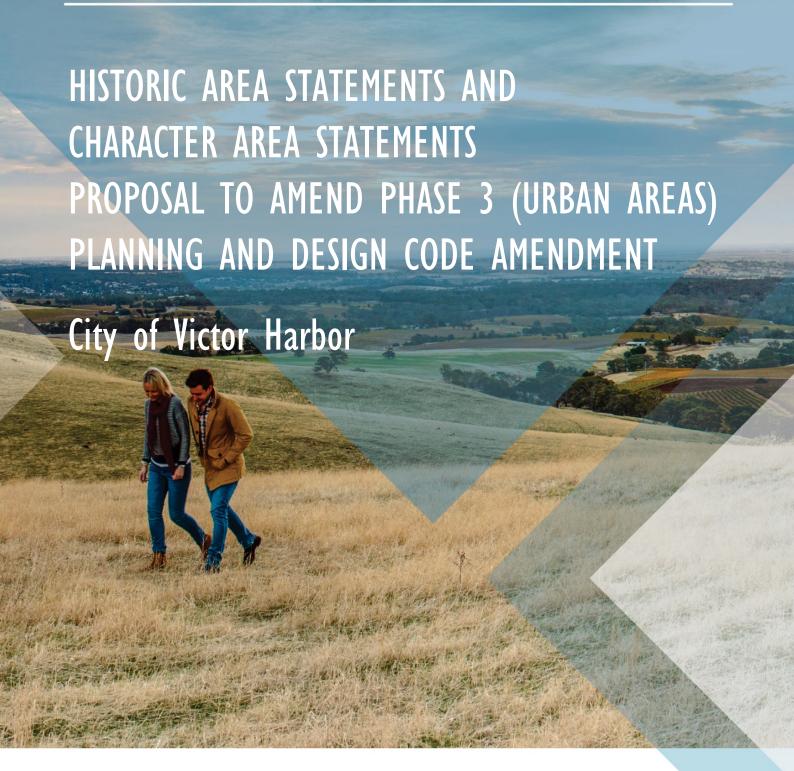
Purpose

The State Planning Commission has released for public consultation the Urban Areas Planning and Design Code Amendment that applies to metropolitan Adelaide, regional cities and larger towns.

This new Code is the cornerstone of South Australia's new planning system and will become the state's single source of all planning zones and rules for assessing development applications. It will replace all 72 Development Plans by 1 July 2020.

The Code aims to make the development application process quicker, simpler and more equitable, giving people greater access to planning information that is consistent and clear, and available online.

With the introduction of the Code, some changes are proposed to the way we manage heritage in this State. This documents sets out what's new, and seeks your feedback on new historic area and character statements that will help guide development in areas of historic or character importance in South Australia.

What is proposed?

The State Planning Commission is required by legislation to set up a new planning system that makes heritage policy and rules clearer, fairer and easier for all. Heritage in South Australia is protected by heritage specific legislation (the *Heritage Places Act 1993*) and through the planning legislation (the *Development Act 1993* and its successor, the *Planning, Development and Infrastructure Act 2016*). The *Heritage Places Act 1993* provides for a listing process for heritage that is judged to be of state significance. The planning legislation provides for a parallel system to list heritage that is deemed to be of local significance.

State Heritage Places and Areas

In the new planning system, all current State Heritage Areas (17) and State Heritage Places (approx. 2,300) will transfer directly into the new Planning and Design Code under a State Heritage Areas Overlay and a State Heritage Places Overlay. They will continue to be protected under the *Heritage Places Act 1993* and continue to be listed in the South Australian Heritage Register.

State heritage protections have been further strengthened with the Minister for Heritage given greater authority to direct decisions (at present the Minister is only empowered to provide advice). Importantly, the Minister cannot direct approval of demolition.

Demolition controls will apply in both State Heritage Areas and State Heritage Places Overlays, with any proposal to demolish a building/structure to be assessed using a single set of criteria including:

- the building's existing heritage values
- the structural condition of the building and risk to safety.

The State Heritage Overlay could be complemented by State Heritage Statements that assist in describing the historical themes and elements that are important considerations in development assessment. Regardless, development within State Heritage Areas triggers a referral to the Heritage Minister and as such, will be assessed against the relevant Conservation Management Plans and guidelines.

Importantly, where a State Heritage Places Overlay applies, it takes precedence over any other planning requirements.

Local Heritage Places

In the new planning system, all Local Heritage Places (approx. 7,250) currently identified in council Development Plans will transfer directly into the new Planning and Design Code under a Local Heritage Places Overlay. They will continue to be listed in the South Australian Heritage Register, and will also be accurately mapped in the State Planning Atlas (currently under development).

Demolition controls will apply in the Local Heritage Places Overlay, with any proposal to demolish a building/structure to be assessed using a single set of criteria including:

• the building's existing heritage values

• the structural condition of the building and risk to safety.

The important elements of a local heritage place are to be included as part of the listing and assist in assessing any alterations or additions to these places.

It is acknowledge that at the current time, different Council development plans have different rules applying to Local Heritage Places. The Commission has proposed an approach to heritage protection which is consistent across council boundaries.

Historic Areas

A new Historic Areas Overlay

In the new planning system, all Historic Conservation Zones (over 140 are currently in development plans) and the similarly named zones, plus the 11,810 contributory items within these zones will transition into the new Planning and Design Code under a new Historic Area Overlay. The Overlay will apply to local areas that exhibit discernible historic character worthy of retention.

Demolition controls will apply in the Historic Area Overlay, with any proposal to demolish a building/structure to be assessed using a single set of criteria including:

• the building's historic characteristics and the ability to reasonably, economically restore it

• the contribution the building makes to the historic character of the streetscape

• the structural integrity/condition and the ability to economically restore it.

Some councils (25 of 68) have used 'contributory items' to identify specific buildings that contribute to the character of an area. However, not all councils with Historic Conservation Zones have included them, and there are vast differences in their demolition and public notification policies. No new contributory items have been listed since 2012.

In developing the Code, the Commission has proposed that contributory items not be individually identified in the new planning system because they have no statutory basis; have been applied inconsistently and processes to identify them have not afforded home owners the rights associated with the listing of state and local heritage.

The intention of the Historic Area Overlay is to ensure Historic Conservation Zones and the contributory items within them are subject to a consistent assessment process and the same level of protection. In this way, the Overlay will bring equality and fairness to land owners regardless of where they live.

New Historic Area Statements

At the time the draft Planning and Design Code for Urban Areas was released for public consultation, it was foreshadowed that historic statements could be drafted to support the Historic Area Overlay. The Historic Area Statements were proposed to be introduced in the Code to help clearly identify and articulate the key elements of historic importance in a particular area. These were intended to replace Desired Character Statements in existing Development Plans.

• The proposal to include Historic Statements has gained support through the consultation process, and 22 councils have participated in the drafting process. The work prepared by Councils has been edited where necessary to provide a level of consistency in drafting style. Key amendments to the statements include the removal of prescriptive numbers which are covered in other areas of the code, the removal of background information and words that talk about what development should do (this is the role of the Overlay).

• Over 200 Historic Area Statements have now been prepared, which will affect in the order of 40,000 properties across South Australia that are proposed to be transitioned into the new Historic Areas Overlay. Importantly, these statements are based on existing Development Plan content. The intent of these Statements is not to provide lengthy background statements, but to distil the critical information required to make an informed planning decision that results in development that complements the existing (historic) character of a particular location. The Statements should be used to determine the prevailing styles and patterns of development for the purposes of interpreting all policies within the Overlays. Councils will be able to evolve these statements over time.

• Importantly, the maps shown in the attached statements are illustrative only. These will be removed when the final Planning and Design Code becomes operational. At this time, you will be able to click on your property and pull up the statement that is relevant to you, as well as other planning information.

Landowners affected by this change will be directly notified by letter of the proposal in accordance with legislative requirements.

Character Areas

Character Area Overlay

All Character Areas, such as residential character zones in council Development Plans which capture a desired visual appearance that give a community its identity, will continue to be protected in the new planning system under a Character Area Overlay. They will be accurately mapped in the State Atlas, with special individual characteristics of these areas reflected in zones and subzone policies to allow for suburban differences and uniqueness.

As in the former planning system, demolition within Character Areas will not require planning approval, however proposals for replacement dwellings will undergo rigorous assessment to ensure that existing character is maintained or enhanced.

Character Area Statements

Character Area Statements will be introduced to help clearly identify and articulate the key elements of importance in a particular area. These will replace Desired Character Statements in existing Development Plans. A set of generic examples were released with the Code and have now been updated in the same way as the historic areas statement. Like the Historic Area Statements, several Councils have participated in the drafting process.

Historic Areas affecting City of Victor Harbor

Victor Harbor Town Centre Historic Area Statement (ViH1)

Historic Area Overlays identify localities that comprise unified, consistent characteristics of an identifiable historic, economic and / or social theme of recognised importance. They can comprise land divisions, development patterns, built form characteristics and natural features that provide a legible connection to the historic development of a locality.

These attributes have been identified in the below table. In some cases State and / or Local Heritage Places within the locality contribute to the attributes of an Historic Area.

The preparation of a Heritage Impact Statement can assist in determining potential additional attributes of an Historic Area where these are not stated in the below table.

Eras and themes	1870s to 1890s era, a period of early development in Victor Harbor.
	1920s to 1930s when Victor Harbor experienced a boom period as a holiday destination.
Allotments and subdivision patterns	Mostly grid pattern.
	The intersections of Ocean Street and Coral Street, Coral Street and Flinders Parade and the termination of the Railway Terrace at Warland Reserve are key elements of urban space within the area. No or minimal front and side setbacks.
Architectural features	Commercial premises in Ocean Street, institutional buildings in Coral Street and those supporting facilities associated with the terminus of the railway line along Railway Terrace.
	Late 1800s era shops (some with Inter-war additions), dwellings, shop/dwellings, town hall, institute/library, hotels, former banks, railway buildings and associated infrastructure. Victorian stylistic influences.
	Inter-War commercial and public buildings, some with Art-Deco and some with Stripped Classical stylistic influences.
	Low scale and simple form.
	Rectilinear plan form with steeply-pitched roof forms (typically 35 to 40 degrees) on 1800s and early 1900s era buildings, also comprising low-

	pitched roofs behind parapets on Inter-War buildings, reflecting traditional architectural styles and building methods. Short roof spans, minimising roof bulk. Concave, bullnose and straight-pitched verandahs on front and sometimes side facades reduce building bulk and scale and add visual interest. Lean-to forms are also common. Fine-grain detail in elements such as plinths, string courses, projecting sills. High solid to void ratio. Vertical proportions in windows and doors.
Building height	Prevailing one to two storeys, with limited three storey buildings on Coral Street and on Flinders Parade within roof space.
Materials	Limestone walls, some rendered masonry. Red brick or rendered quoin work and detail. Timber joinery including window frames, door frames, doors, fascias, bargeboards and verandah posts. Corrugated iron or corrugated steel roofing. Variation in materials which assists in breaking down bulk and scale, adding visual interest.
Fencing	Some timber picket fencing and corrugated iron fencing.
Setting and public realm features	Commercial properties provide the main built form and are characteristically single or two-storey buildings aligning with the street boundary. Typically buildings are symmetrical in design with parapets, verandas and balconies over the footpath to further define the pedestrian nature of the area. The railway corridor with its associated buildings and infrastructure is a prominent landscape element.

Character Areas affecting City of Victor Harbor

Burke Street Character Area Statement (ViH-C1)

Character Area Overlays identify localities that comprise valued character attributes. They can be characterised by a consistent rhythm of allotment patterns, building setting and spacing, landscape or natural features and the scale, proportion and form of buildings and their key elements.

These attributes have been identified in the below table. In some cases State and / or Local Heritage Places within the locality contribute to the attributes of a Character Area.

The preparation of a Contextual Analysis Report can assist in determining potential additional attributes of a Character Area where these are not identified in the below table.

Eras and themes	Uniform single storey detached dwellings, primarily constructed after World War 1 to the later part of the 19th Century (mid 1800s to 1930s).
Allotments and subdivision patterns	Original street layout including rear access lanes and local roads. Curvilinear street with relatively large allotments roughly perpendicular to the street, most with rear laneway access.
Architectural features	Mix of small mid-1800s detached cottages of early Vernacular style, symmetrical and asymmetrical cottages and villas of the mid to late 1800s with Victorian stylistic influences, early 1900s cottages and villas with Federation stylistic influences, Inter-War bungalows. Church and Hall with late Victorian Gothic stylistic influences located at the bend in the road are landmarks and have Inter-War Manse with Georgian Revival stylistic details. Rectilinear plan form. Typically two or more pavilions rather than a single mass. Steeply-pitched roof forms, typically 35 to 40 degrees on 1800s and early 1900s era buildings and slightly lower on Inter-War buildings, reflecting traditional architectural styles and building methods. Short roof spans, minimising roof bulk. Concave, bullnose and straight-pitched verandahs on front and sometimes side facades reduce the bulk and scale and add visual interest. Lean-to forms are common. Fine-grain detail in elements such as plinths, string courses, projecting sills. High solid to void ratio. Vertical proportions in windows and doors.

Building height	Predominantly single storey, low scale and simple in form. Two storey within the roof space or to the rear of buildings.
Materials	Limestone walls. Red brick or rendered quoin work and details. Timber joinery including window frames, door frames, doors, fascias, bargeboards and verandah posts. Corrugated iron or corrugated steel roofing. Variation in materials assists in breaking down bulk and scale and adds visual interest.
Fencing	Low, open style construction front fencing (1.2 metres or less) associated with the traditional period and style of building. Low timber pickets, post and rails, pier and plinth masonry or wrought iron. Rear and side fencing behind building line up to 1.8 metres, corrugated iron.
Setting and public realm features	Established garden settings. Varied, small front and side setbacks. Landscaped verges.