

State Planning Commission  
Department of Planning Transport and Infrastructure  
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Submitted via email as follows:

State Planning Commission  
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The Minister for Planning, Stephan Knoll  
[ministerknoll@sa.gov.au](mailto:ministerknoll@sa.gov.au)

The Premier, Steven Marshall  
[premier@sa.gov.au](mailto:premier@sa.gov.au)

The local member for the Electorate of Finniss, David Basham  
[Finniss@parliament.sa.gov.au](mailto:Finniss@parliament.sa.gov.au)

The Mayor for Alexandrina Council, Keith Parkes  
[keith.parkes@alexandrina.sa.gov.au](mailto:keith.parkes@alexandrina.sa.gov.au)

22 February 2020

Dear Sir/Madam,

## **Submission regarding the Planning and Design Code - Phase 3 Consultation**

We refer to the draft Historic Area Statements (Phase 3 Urban Areas), to the overlays and to the published guidance materials.

With limited time, resources and opportunity, we provide feedback against our single most concern being that the proposed Code will result in inferior protection for our heritage in Port Elliot (including the historic township of Waterport) and Middleton.

### **1. General**

Our Branch Chairwoman, Ms Lorraine Pomery OAM, has throughout her lifetime, provided significant input and direction into the protection of Port Elliot and Middleton's collective heritage. Not only has Ms Pomery been on the National Trust Port Elliot Branch's board since its inception in 1986, she has been on Alexandrina's Heritage Advisory Committee since 1991.

Ms Pomery has been instrumental in recording Port Elliot's history and heritage through her authorship of books, photography and conducting heritage surveys for and on behalf of Alexandrina Council and the (then) Department of Environment and Planning in 1985 and 1995. This context is important to our feedback, as it is through Ms Pomery's

dedicated work together with the many informed and dedicated members of the National Trust Port Elliot Branch and in tandem with Alexandrina Council that we as a community have gained such a significant understanding, appreciation and above all, a well-documented record of our heritage.

## 2. Contributory Items

We have worked collaboratively with the Alexandrina Council for many years to assist in the identification of heritage assets that should be protected. The National Trust has advocated for identification of those heritage assets that should be protected, either because of their outright individual merit, or because the assets contribute to the overall heritage and character amenity of our townships. These contributory items are located throughout our existing conservation areas and comprise assets which are neither State or Local heritage listed, but which of themselves have such heritage features that they contribute to the historic fabric of both Port Elliot and Middleton townships.

Alexandrina Council's Development Plan individually identifies each state, local or contributory heritage item in the Port Elliot and Middleton townships (refer *Table Alex/4 – Contributory Items, Table Alex/5- Local Heritage Items, and Table Alex/6 - State Heritage Items*).

Alexandrina Council's Development Plan therefore comprehensively sets out a collective knowledge that has, over many years been identified, recorded, refined and consistently referred to in assessing development in the Port Elliot and Middleton townships. The National Trust has campaigned for heritage protection within this framework for many years and on balance, it has been reasonably effective at retaining Port Elliot and Middleton's heritage amenity and character.

It is our view that, in removing the contributory items schedules and maps from the Alexandrina Development Plan, which identify existing significant and contributory buildings and which contribute to the overall historic character of our townships, the State Planning Commission will weaken the protections currently afforded to these items.

It appears to us that the draft Code will now require a case-by-case assessment of the demolition of any buildings /structures within the Port Elliot and Middleton historic conservation areas. It is our view that this dismantling of a hitherto effective policy, which has protected the unique heritage building stock and character of both Port Elliot and Middleton, will create greater uncertainty and poorer planning outcomes.

Therefore, we request that the concept of contributory item be retained, and that all such items should be transitioned to, and enshrined in, the new Code, in a clearly identified manner, thereby providing certainty to all.

## 3. Historic Area Statements (*Middleton Alex3 and Port Elliot Alex5*)

The State Planning Commission has distilled and condensed decades of local knowledge and Alexandrina Council's policy work into historic area statements that are less than a page long (*Middleton Alex3*) and just over one page (*Port Elliot Alex5*). We consider that the historic area statements are poorly drafted, incomplete and otherwise deficient and unworkable.

Broadly, for each of Port Elliot and Middleton townships, we are concerned that:

- the generic introduction to the historic area statements provides absolutely no context / historic background, development pattern or heritage values,
- the historic area statements in their current forms provide no assistance for the development assessment process, as the information provided is totally inadequate
- the township maps are extremely basic. The existing Alexandrina Council Development Plan contains maps which are of a better quality and which we argue should and could be adapted to replace the minimal, inadequate mapping provided,
- the tables refer to "eras and themes" but it is otherwise not clear what is the function of each table?

- the table format is overly restrictive and provides no guidance regarding Port Elliot and Middleton’s history and their key characteristics. Where is the context which details how each area has evolved and where is the information regarding historic land allotment patterns / housing styles? Where does it state that, going forward, such historical context should be retained and complimented?
- permitting more intensive building forms (e.g. semi-detached, group dwellings, residential flat buildings, two storeys etc.) will result in incompatible built forms in our conservation zones where these are not currently allowed,
- the information provided in the tables provides no basis against which to measure and assess a development application. We would expect the historic area statements identify and articulate the key elements of historic importance, and
- we could not find any development objectives or policies, the consequence of which will no doubt be very minimal and vague guidance which may be subject to manipulation.

In summary, in their current form, it is our view that if the historic area statements for Port Elliot and Middleton are adopted, significant amount of policy and understanding will be lost, which will no doubt allow detrimental development that would destroy our local character, amenity and values.

## 4. Historic conservation area boundaries

In our view, given that the State Planning Commission’s objectives are to completely overhaul planning laws throughout South Australia, and given that the boundaries of Port Elliot and Middleton’s historic conservation areas have not been reviewed for decades, surely this is the right opportunity to review and redraw our historic conservation areas?

### 4.1 Port Elliot and Waterport

Port Elliot’s historic conservation area should be revised and expanded to border Strangways Terrace in the east, Rosetta Terrace in the west, the existing historic overlay boundary to the north and the ocean to the south.

Historic conservation area zone boundaries should not run down the middle of a street (e.g. Murray Terrace) which gives rise to poor and differentiated planning outcomes on the eastern side of the zone.

An expanded historic conservation area is justified because it reflects Port Elliot’s life story; there is a strong consistency and an identifiable pattern in the way buildings are sited and massed relative to the site sizes and widths of street frontages. The majority of dwellings are low density, low rise and are of a traditional street-fronting format and adopt a strong street “address” with open front gardens and fencing, and with outbuildings and garaging being a recessive or minor streetscape element.

### 4.2 Middleton

Middleton’s historic conservation area should be revised and expanded to include examples of early and highly significant buildings including (and by no means limited to), Bay Light (corner Ocean Rd and Port Elliot Road), Mindacowie circa 1899 (48 Goolwa Road), Fortuna circa 1860s (38 Goolwa Road), Middleton Old School House 1869 (6 William Street), The Institute (now the Pioneer Hall 1880 and 1901), Rose Cottage (corner Mill Terrace and Goolwa Road) and the railway cottages (6 and 27 Mill Terrace) next to heritage listed Mill house and the Mill.

## 5. Historic Area Overlays

We are concerned that the Historic Area Overlays do not reflect historic land allotment patterns in both Port Elliot and Middleton. Any future land division should be required to be of a shape and size that are compatible with the historic area statements for Port Elliot and Middleton. We further suggest that any such land divisions are done in such a way that requires developments to be built reflecting the existing buildings and setbacks (front, side and rear) in the historic conservation area.

## 6. State Heritage & Local Heritage Place Overlays

We are concerned that these overlays are too general for Port Elliot and Middleton e.g. *“development maintains the heritage values”* – who makes this determination? Further, that the loss of specific policy and development objectives may result in unsympathetic development in the historic area.

We are concerned that there is little to no guidance as to the finished appearance of new buildings or extensions. Development should be required to complement existing historic buildings as to form, size and proportion with reference to original materials.

With regards to the historic township of Waterport, we struggle to understand how the various zoning General Neighbourhood (id Z2102), Rural Living (id Z5405), Peri Urban (id Z4801) and Deferred Urban (id Z1201) can be reconciled with a State Heritage Place Overlay (id O5704).

## 7. Introduction of the Code

The National Trust Port Elliot Branch are of the view that the State Planning Commission should not implement the Code until:

- it has considered in detail all submissions made by the public;
- the new state planning atlas, referred to in the guidance materials, is fully operational; and
- the South Australian community engage in further consultation once the Phase 3 submissions have been received.

In closing, we remind you that as a branch of National Trust South Australia, our core responsibilities here in Port Elliot and Middleton are *“the preservation, management, maintenance and promotion of historic sites, natural reserves, museums, folk history, collections, icons and heritage... Our aim is to raise awareness in the broader community and to encourage current and future generations to explore their past, immerse themselves in the present and imagine their future heritage”*.

Once our heritage is destroyed, it will be gone forever.

Yours sincerely (on behalf of),

Lorraine Pomery (Chairperson)  
Bevan Daniel (Secretary/Treasurer)  
Helen Abbott-Swan (Assistant Secretary)  
Paul Taylor (Committee)  
Allan Steel (Committee)  
Richard Binney (Committee)

National Trust  
Port Elliot Branch