

# 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 Mount Gambier



STATE  
PLANNING  
COMMISSION

saplanningcommission.sa.gov.au



Government of South Australia

Department of Planning,  
Transport and Infrastructure



# 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 document 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 acknowledged 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.



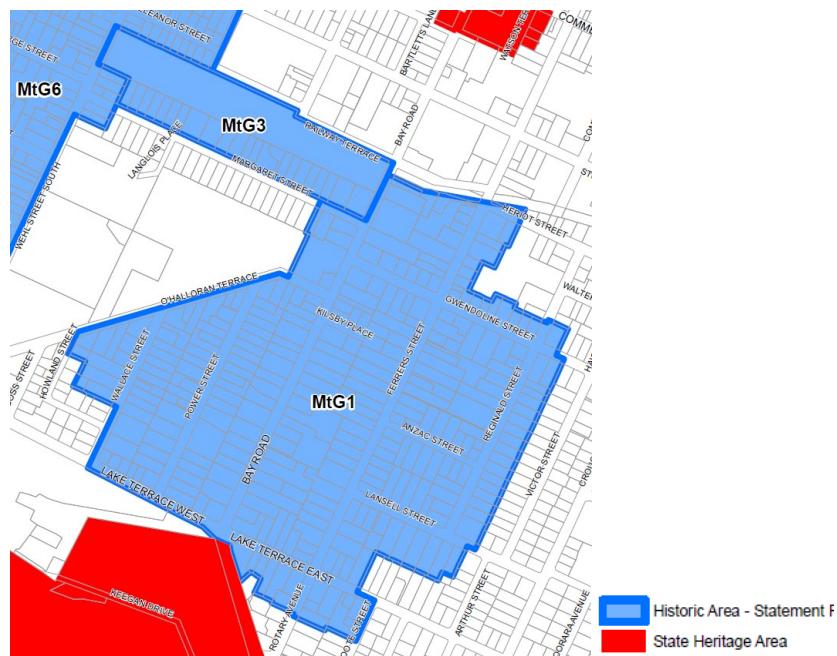
# Historic Areas affecting City of Mount Gambier

## Bay Road Historic Area Statement (MtG1)

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	Development from period of settlement up to and including the 1920s.
Allotments and subdivision patterns	Generous allotment sizes. Extensive street and side boundary setbacks.
Architectural features	Large single storey houses with hipped and gabled galvanised iron roofs; and generous verandahs.
Building height	Predominantly single storey, with two storey additions within roof space to rear of buildings.
Materials	Varied building construction but generally comprising dolomite or limestone walling with quoins.
Fencing	Original fences constructed of Mount Gambier stone, dolomite, scoria, basalt or flint, limestone retaining walls. Front fences forward of the dwelling reflecting the traditional period, style and form of the associated building.

Setting and public realm features

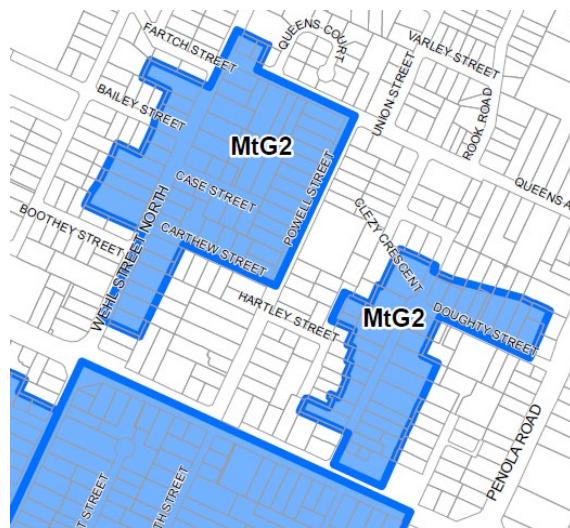
Well maintained, mature gardens that contribute to a pleasant, open streetscape. Streetscape improvements within the area have particular emphasis on Bay Road as the entry to the Volcanic Complex State Heritage Area.

## Doughty Street and Wehl Street North Historic Area Statement (MtG2)

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.

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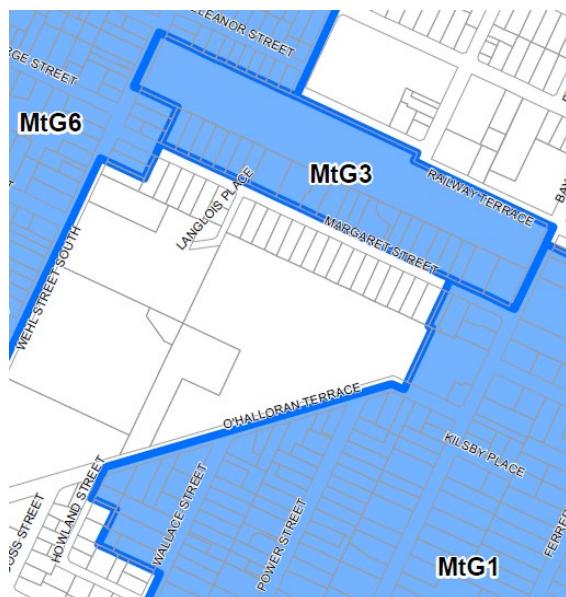
Eras and themes	Development from period of settlement up to and including the 1920s.
Allotments and subdivision patterns	Generous allotments dominating the higher slopes, with substantial street and side boundary setbacks. Smaller allotments on the lower slopes.
Architectural features	Varied building styles from one street to another. Grand houses dominating the higher slopes On the lower slopes, workman's cottages Contemporary housing
Building height	Predominantly single storey, with two storey additions within roof space to rear of buildings.
Materials	Varied building construction and materials reflecting traditional period and style. Timber workman's cottages.
Fencing	Original fences constructed of Mount Gambier stone, dolomite, scoria, basalt or flint, limestone retaining walls. Front fences forward of the dwelling reflecting the traditional period, style and form of the associated building.
Setting and public realm features	Characterised by steep topography with generous allotments sizes and well-maintained mature gardens.

## Railway Historic Area Statement (MtG3)

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.

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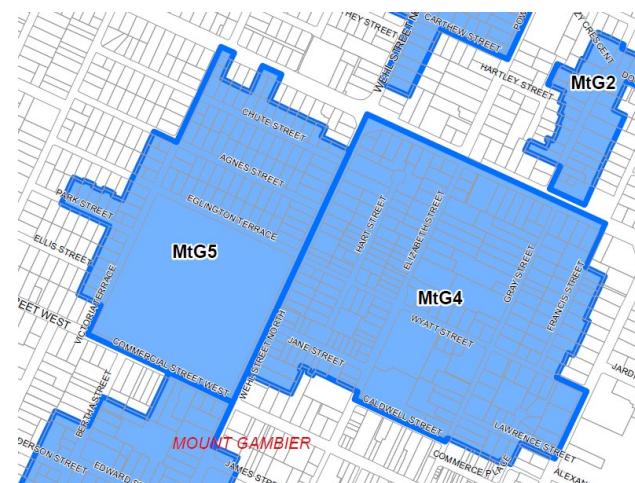
Eras and themes	Transport and associated commercial history of the railyards, industrial. Development from period of settlement up to and including the 1920s.
Allotments and subdivision patterns	[Not stated]
Architectural features	[Not stated]
Building height	[Not stated]
Materials	[Not stated]
Fencing	[Not stated]
Setting and public realm features	Expansive, open nature of the railyards and the remnant buildings and structures associated with its use as a passenger and goods terminal. The commercial and industrial buildings along Margaret Street form a strong industrial streetscape fronting the railway yards. Railway track and other elements including ballast, railway iron fences, telegraph poles, platforms and structures Use of old railway carriages. Temporary, demountable or movable structures and plantings.

## St Andrews Historic Area Statement (MtG4)

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.

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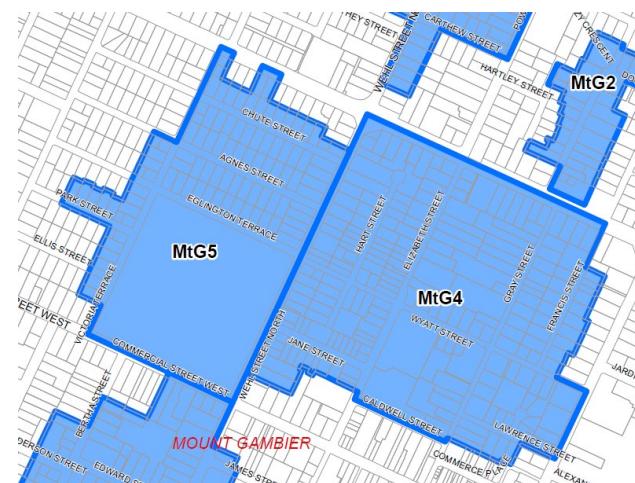
Eras and themes	Institutional and residential. Development from period of settlement up to and including the 1920s.
Allotments and subdivision patterns	Generally narrow roads with residential buildings exhibiting minimal street set-backs Large allotments along Elizabeth Street and Penola Road. Allotment sizes ranging from large to small
Architectural features	Significant institutional buildings include the Wesley Church and Hall, both of which are State heritage places, and the St Andrews Church and spire, which is a dominant element of the area.
Building height	Predominantly single storey, with two storey additions within roof space to rear of buildings.
Materials	Construction and materials reflecting traditional period and style.
Fencing	Original fences constructed of Mount Gambier stone, dolomite, scoria, basalt or flint, limestone retaining walls. Front fences forward of the dwelling reflecting the traditional period, style and form of the associated building.
Setting and public realm features	Significant Institutional buildings. Many residences are located at the top of the hill, taking advantage of fine views over the city to the south.

## Vansittart Park Historic Area Statement (MtG5)

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.

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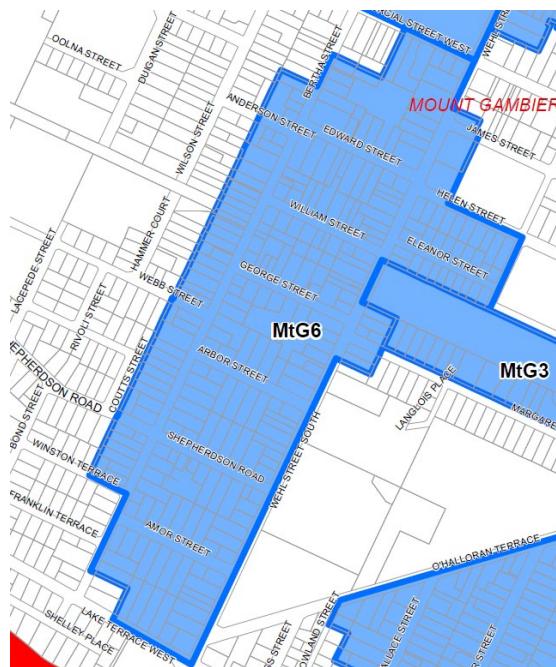
Eras and themes	1880's-1920's.
Allotments and subdivision patterns	[Not stated]
Architectural features	Villa, federation and bungalow style dwellings.
Building height	Predominantly single storey, with two storey additions within roof space to rear of buildings.
Materials	Construction and materials reflecting traditional period and style.
Fencing	Original fences constructed of Mount Gambier stone, dolomite, scoria, basalt or flint, limestone retaining walls. Front fences forward of the dwelling reflecting the traditional period, style and form of the associated building.
Setting and public realm features	Well landscaped Vansittart Park and the topography of the area adds interest. Streets are not excessively wide by comparison to other areas of Mount Gambier

## Wehl Street South Historic Area Statement (MtG6)

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.

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Eras and themes	1860's- mid 1920's.
Allotments and subdivision patterns	Wide roads with large, deep allotments, although east-west roads are generally narrow with buildings set close to the street. Side setbacks are in some cases small
Architectural features	Diverse dwelling styles Larger residences predominantly along Wehl Street South. Smaller stone or timber-clad workman's cottages close to the railway line. Wehl Street Public School.
Building height	Predominantly single storey, with two storey additions within roof space to rear of buildings.
Materials	Stone and timber clad. Construction and materials reflecting traditional period and style.
Fencing	Original fences constructed of Mount Gambier stone, dolomite, scoria, basalt or flint, limestone retaining walls. Front fences forward of the dwelling reflecting the traditional period, style and form of the associated building.

Setting and public realm features	Street set-backs in this area vary considerably, and combined with clusters of historical housing, produce an interesting streetscape. Residential streetscape character, including within commercial areas. Unobtrusive advertising. Front fences and garden landscaping. Car parking located to the rear of buildings
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