District Council of Robe

Character and Heritage Statement of Intent

by the

District Council of Robe

12 December 2014

Pursuant to section 25 (1) of the Development Act 1993 this Statement of Intent forms the agreed basis for the preparation of the proposed Development Plan Amendment.

Roger Sweetman
CHIEF EXECUTIVE OFFICER

Date: 12 December 2014

John Rau
MINISTER FOR PLANNING

Date:
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1. Introduction

1.1 Statement of Intent

Pursuant to Section 25(1) of the Development Act 1993 (the Act) the District Council of Robe (the Council) has reached agreement with the Minister on this Statement of Intent (SOI) prepared by the Council in accordance with the Development Regulations 2008 (the Regulations).

The SOI details the scope, relevant strategic / policy considerations, nature of investigations to be carried out, the consultation process and timeframes to be followed in preparing the Character and Heritage Development Plan Amendment (DPA).

1.2 Chief Executive Statement

The Chief Executive Officer of the Council confirms the following:

- The proposed DPA will assist in implementing the Planning Strategy.
- The proposed DPA has been endorsed by Council.
- All procedures, documentation and mapping will accord with relevant statutory requirements of the Act and Regulations.
- Sufficient Council resources will be devoted to completing the DPA within the agreed timeframe. Council acknowledges that the Minister can lapse the DPA if key timeframes are not met by Council pursuant to section 25(19) of the Act.
- Council may use the outcome of investigations and other information produced by external sources which will be reviewed by a qualified, independent professional advisor (pursuant to section 25(4) of the Act).

1.2.1 Council Contact Person

The key Council contact person who will be responsible for managing the DPA process and who will receive all official documents relating to the DPA is:

Mr Roger Sweetman
Chief Executive Officer

Ph: (08) 8768 2003
E: roger@robe.sa.gov.au

District Council of Robe
PO Box 1
Robe SA 5276
2. Scope of the Proposed DPA

2.1 Need for the Amendment

2.1.1 Rationale

Feedback from the community engagement process associated with the recent Robe 2040 Strategic Directions Review (SDR) found that most residents and visitors to Robe identify the heritage character and feel of the township as the main reason for living in or visiting the town. The number of intact and functioning heritage buildings and the existing scale of development give the town a distinctive character and appeal. It is this appeal, matched with the natural beauty and coastal environment which makes Robe a unique tourist destination, and place to live.

There is both a strong desire within the community and a strategic and economic benefit to retain and strengthen the historical and unique characteristics of the town. The Limestone Coast Region Plan acknowledges the regional role that Robe has in relation to fisheries, heritage, environment and tourism. It identifies the important role that the unique character and heritage of the township plays in attracting and generating tourism and the importance of the economic return that this provides for the town and surrounding Limestone Coast region. If Robe is to continue to attract tourists to the region then the elements of the town that visitors come to experience must be adequately retained and enhanced.

The current Development Plan requirements do seek the retention and protection of the heritage character and low scale village feel of the town. As such no major changes to these requirements are proposed. However a number of policy improvements where identified within the SDR process to assist in the continuing preservation of the existing character and heritage of the Robe Township, along with the preservation of the unique coastal lake entrance to the town. As such the DPA will focus around the Town Centre and Residential Character Zones within the centre of town along with the Open Space and Coastal Marina Zones that contain the lakes at either end of Main Road/Victoria Street.

The following issues are to be addressed as part of this DPA:

- Review the current guidelines applicable to the Historic Conservation Area (HCA) and the level of policy duplication across the HCA, the Town Centre Zone and Residential Character Zone;
- Consider updating and expanding the current guidelines for development within Smillie Street across a broader section of the Historic Conservation Area including Victoria Street;
- Review current provisions relating to signage within the Town Centre Zone;
- Give detailed consideration to the appropriateness of materials and finishes for use within the HCA;
- Consider the current extent of the Residential Character Zone and whether the intent of this zone is better served through a reduction in its extent and an introduction of Council Wide heritage adjacency provisions;
- Consider whether the area surrounding the State Heritage listed Karatta House within the Coastal Marina Zone should be contained within a separate and distinct Policy Area within the zone;
- Evaluate the potential visual impact of development upon the existing vistas across Lakes Charra and Fellmongery;
- Review the impacts of large outbuildings/sheds on the character of the township and the recent decisions of the Environment, Resources and Development Court in this regard;
- Address anomalies resulting from the recent Better Development Plan conversion within the Residential Character Zone and Township Zone;
- Review the extent of the Town Centre Zone and its potential expansion to the west to include The Royal Circus; and
- Consider the current policy regime for dwellings within the Town Centre Zone.
2.1.2 Affected Area

The area affected by the proposed DPA is shown on the attached map.

The area is generally limited to those properties within the Town Centre and Residential Character Zones as well as portions of the Open Space, Caravan Park and Residential Zones surrounding Lake Fellimongery and Lake Charra along the entrance to the town and the Coastal Marina Zone around Lake Butler at the western end of the township.

2.1.3 Potential Issues

There are no known or potential issues in respect to the future development of the affected land that have been identified by, or brought to the attention of, Council.
3. Strategic and Policy Considerations

3.1 The Planning Strategy

3.1.1 Targets

The Limestone Coast Region Plan is the relevant Planning Strategy for the affected area. There are no relevant targets in this plan.

3.3.2 Policies

The DPA will support the Limestone Coast Region Plan by implementing the following policies:

<table>
<thead>
<tr>
<th>Policy</th>
<th>How the policy will be implemented:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.13 Acknowledge, protect and manage areas of significant landscape and amenity value, including landscapes that form attractive backgrounds and entrances to towns and tourist developments.</td>
<td>Strengthen principles within the Development Plan limiting the visibility of development around the lakes at either end of the town.</td>
</tr>
<tr>
<td>1.15 Avoid development in areas with significant landscapes that can be viewed from tourist routes, walking trails, the beach and the sea.</td>
<td></td>
</tr>
<tr>
<td>12.2 Establish and retain distinct and attractive entrances to towns.</td>
<td></td>
</tr>
<tr>
<td>3.3 Preserve and enhance the character of towns that are strongly valued for their unique design and character buildings, including Robe, Beachport and Penola</td>
<td></td>
</tr>
<tr>
<td>8.1 Protect, enhance and promote those assets that attract tourists and are of value to the community.</td>
<td>Ensure that there is sufficient guidance and control within the Development Plan to retain and protect the unique character and low scale coastal village feel of the town and main street.</td>
</tr>
<tr>
<td>8.2 Reinforce the desired roles of various towns in the Limestone Coast tourist experience: • Kingston, Robe, Beachport and Port MacDonnell as premier coastal and recreational fishing destinations.</td>
<td></td>
</tr>
<tr>
<td>11.5 Build on the cultural/heritage tourist focus of Robe, Beachport, Penola and Mundulla by strengthening heritage and township character.</td>
<td></td>
</tr>
</tbody>
</table>

3.2 Council Policies

3.2.1 Council's Strategic Directions (Section 30) Report

Recommendations from Council's Strategic Directions (Section 30) Report supporting the proposed DPA are as follows:
- Undertake a Character and Heritage DPA as a high priority (2014/2015)

3.2.2 Infrastructure Planning

There is no current infrastructure planning (both social and physical) identified in council’s strategic directions report, by the Minister or by a relevant government agency that would be impacted upon by the proposed amendment.

3.2.3 Other Policies or Local Issues

The policies of this DPA will be consistent with the policies in:

- The Council-wide section of the Development Plan

  The following Council-wide policies will be reviewed as a part of the DPA:

  - Advertisements
  - Design and Appearance
  - Heritage Places
  - Historic Conservation Area
  - Orderly and Sustainable Development
  - Residential Development
  - Sitting and Visibility

- Council’s Current DPAs

  A DPA is being undertaken for the potential expansion of the Robe Golf Course. The DPA is currently on hold pending further investigation. The Character and Heritage DPA will not impact upon the Golf Course DPA.

- The Development Plans of adjoining areas

  Given the township specific nature of the DPA the Development Plans of adjoining areas will not be impacted upon.

- Schedule 4 of the Regulations

  The DPA does not intend to review or consider the consistency of the Development Plan with Schedule 4 of the Regulations.

3.3 Minister’s Policies

3.3.1 Planning Policy Library

The DPA will draw on the following SA Planning Policy Library modules:

- Advertisements
- Design and Appearance
- Heritage Places
- Historic Conservation Area
- Orderly and Sustainable Development
- Residential Development
- Sitting and Visibility

Council does not anticipate that the DPA will involve the introduction of local additions or variation to the Planning Policy Library, however, should the investigations identify that this form of policy amendment is necessary - justification will be provided in the DPA.
3.3.2 Existing Ministerial Policies (Section 25(5), 26 and Section 29)

The DPA does not propose to amend any Ministerial policies introduced through section 25(5), 26 or 29 of the Act.

Any amendment to these policies will be justified in the DPA and Council confirms that the policies will only be changed in a way that ensures consistency with the Planning Strategy.

3.3.3 Ministerial DPAs

The policies of this DPA will be consistent with and not contradict the policies proposed in the following relevant Ministerial DPAs:

- Statewide Marine Aquaculture and Offshore Development PAR (Ministerial) – (5 June 1997)
- Shacks – (Land Division and Upgrading) PAR (Ministerial) - (21 May 1998)
- Waste Disposal (Landfill) PAR (Ministerial) – (19 August 1999)
- Telecommunications Facilities State-wide Policy Framework PAR (Ministerial) – (30 August 2001)
- Organic Waste Processing (Composting) PAR (Ministerial) – (5 December 2002)
- Wind Farms PAR (Ministerial) – (24 July 2003)
- Bushfire Management (Part 1) PAR (Ministerial) – (9 November 2006)
- Bushfire (Miscellaneous Amendments) DPA (Ministerial) – (9 December 2010)
- Statewide Wind Farms DPA (Ministerial) – (18 October 2012)
4. Investigations and Consultation

4.1 Investigations

4.1.1 Investigations Previously Undertaken

Investigations previously undertaken (prior to the preparation of this SOI) that will inform this DPA include the following:

- Main Street Master Plan – Prepared by Aspect Studio and Planning Chambers, 2014
- Robe Development Plan Economic Assessment – Prepared by Essential Economics, 2014
- Imagine Robe 2040 Community Consultation, 2014
- Imagine Robe 2040 Community Review, 2014

4.1.2 Investigations Initiated to Inform this DPA

Additional investigations (including those arising from issues not addressed in the Planning Policy Modules) to inform this DPA will include the following:

- Undertake a character and heritage assessment of the Town Centre and Residential Character Zones, with a particular focus on Victoria Street
- Consider the potential impact of future development upon the existing scenic quality of the entrance to the township and surrounding Lake Butler
- Review the current setting of the State Heritage listed Karatta House in the Coastal Marina Zone
- Consider the appropriateness of standalone residential development on sites within the Town Centre
- Consider appropriate sizing and siting requirements for large outbuildings within the township

4.2 Consultation

The following key stakeholders will be consulted during the investigations stage for input into the proposed DPA:

- Department of Environment Water and Natural Resources (DEWNR)
- Robe Tourism Association
- Council’s Heritage Advisor
- National Trust of South Australia (Robe Branch)

The following agencies, State Members of Parliament, interested parties, individuals and Councils will be consulted during the consultation stage of the DPA:

- Mr Mitch Williams MP, State Member for MacKillop,
- South East Local Government Association (SELGA)
- Elected members of Council
- Robe Council Development Assessment Panel

Consultation with the public will be undertaken in accordance with the requirements of the Act and Regulations. This will include:

- A notice in the Government Gazette.
- A notice in The Coastal Leader Newspaper.
4. Investigations and Consultation

- The scheduling of a Public Meeting at which any interest person may appear to make representations on the proposed amendment.
- Write to members of the community who provided comment and feedback during the recent Robe 2040 SDR.
5. Proposed DPA Process

5.1 DPA Process

Council intends to undertake the following DPA process (check box):

☐ Process A

Agencies will be consulted on a draft version of the DPA for a period of 6 weeks. A copy of the DPA, and copies and a summary of agency submissions, will then be sent to the Minister for approval to release the DPA for public consultation.

☐ Process B1 (with consultation approval)

A copy of the DPA will be sent to the Minister for approval to release it for concurrent agency and public consultation (not more than 8 weeks for agency comment and not less than 8 weeks for public comment).

☒ Process B2 (consultation approval not required)

A copy of the DPA will be released for concurrent agency and public consultation (not more than 8 weeks for agency comment and not less than 8 weeks for public comment).

☐ Process C

A copy of the DPA will be released for concurrent agency and public consultation (not more than 4 weeks for agency comment and not less than 4 weeks for public comment). Landowners and occupiers identified in the SCI will receive direct notification of the DPA.

5.1.1 Rationale

Process B2 has been selected because of the extensive public and agency consultation recently undertaken as a part of the Robe 2040 SDR which identified this DPA as a high priority of Council.
6. Professional Advice and Document Production

6.1 Professional Advice

The professional advice required will be provided by:

Damian Dawson – Planning Chambers Pty Ltd

PH: (08) 8211 9776
Email: damian@planningchambers.com.au
PO Box 6196
Halifax Street, SA 5000

This person satisfies the professional advice requirements of the Act and Regulations and will provide advice to the council prior to the preparation of the DPA. This person is not considered to have a conflict of interest or perceived conflict on interest in the DPA.

6.2 Document Production

The DPA (including the structure, amendment instructions and mapping) will be prepared in accordance with the Technical Guide to Development Plan Amendments issued by the Department for Planning, Transport and Infrastructure (the Department) and any templates, except as mutually agreed.

To ensure certainty as to the correct version of the DPA, the DPA will contain a date in the footer (eg version 5 July 2007). The footer will be located on every page of the DPA, including the proposed amendments (including mapping).

The Chief Executive Officer of the council will ensure that the policies implement the Planning Strategy, all procedures have been completed within the statutory requirements, and that mapping is correct prior to issuing a certificate in accordance with the Act. If this is not the case, the council will take responsibility for the DPA until the matter has been resolved.

6.3 Mapping

Council will obtain electronic copies of all the affected maps and/or figures from the Department prior to the commencement of mapping amendments to ensure all mapping is amended based on current map bases.

Amendments to maps will be provided in the required format to the Planning Division of the Department. Mapping amendments for this DPA will be undertaken by:

Tim Beazley – Planning Chambers Pty Ltd

PH: (08) 8211 9776
Email: timb@planningchambers.com.au
PO Box 6196
Halifax Street, SA 5000
# 7. Proposed DPA Timetable

## Process B2 (consultation approval not required) Timetable

The following timetable is proposed for this DPA based on the selected process. Council will take steps to update this timetable if it appears at any stage that Council will require an extension to complete a task.

<table>
<thead>
<tr>
<th>Steps</th>
<th>Responsibility</th>
<th>Agreed Timeframe from Minister's Approval</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Development Plan Amendment (DPA)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Investigations conducted; DPA prepared</td>
<td>Council</td>
<td>12 weeks</td>
</tr>
<tr>
<td></td>
<td></td>
<td>SOI agreement – DPA commences consultation</td>
</tr>
<tr>
<td>Agency and public consultation concludes</td>
<td>Council</td>
<td>8 weeks</td>
</tr>
<tr>
<td><strong>Summary of Consultation and Proposed Amendment (SCPA)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Meeting held; submissions summarised; DPA amended in accordance with Council's assessment of submissions; SCPA prepared and lodged with the Department</td>
<td>Council</td>
<td>10 weeks</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Public consultation closes – SCPA lodged with the Department</td>
</tr>
<tr>
<td>SCPA assessed and report on DPA prepared for Minister</td>
<td>Department</td>
<td>7 weeks</td>
</tr>
<tr>
<td>Minister considers report on DPA and makes decision</td>
<td>Minister</td>
<td>4 weeks</td>
</tr>
<tr>
<td>Approved amendment gazetted</td>
<td>Department</td>
<td>2 weeks</td>
</tr>
</tbody>
</table>

Following Ministerial approval of the proposed amendment, it is forwarded to the Environment, Resources and Development Committee of Parliament for review.