Some information from Trevor and Jacqueline Boerth regards Land division in the rural zones within Yorke Peninsula Council boundaries.

The attached paperwork refers to submissions and correspondence regards reducing the permitted size of our block in the Stansbury Rural living Zone from 1.2312 Ha to 2 RULs of 6156 square metre blocks to facilitate the funding of our retirement home by the sale of one block. We have 2 young families who have indicated that they would buy the other allotment and build a family home to raise their children in Stansbury. Most of the attachments have been professionally researched and prepared by John Outhred Planner.

The contents probably applys to all Rural Living Zones on Yorkes, and outlines the positive outcomes of the proposed land division both to the applicant, but particularly to the community of Stansbury and the Yorke peninsula as a whole.

There is many variable RUL allotment sizes on the peninsula and currently RUL zoned allotment vary from normal size residential house blocks to up to 40 hectares. The attached sheet shows the map references to the many similar to much smaller allotments currently existing, for your information as you work through Planning Reform.

We have spent much time looking at the State Planning Reform website.

The Yorke Peninsula Council paper approx 1200 pages has no index or page numbers and is very difficult to navigate.

We also would like more info regards proposed the new Residential neighbourhood zone in regards to changing our allotment to this zone.

Also if possible perhaps we can look at the “Restricted Development” and “Performance based assessment” which was briefly explained to me by Sarah from your 1800 number. I did not fully understand what she told me, but was looking for more information regards these two documents locations on your website, as perhaps another avenue to help us and others with land division in Rural living zones on Yorke peninsula.

For your information and consideration to help you with planning the new Codes.

I am happy to discuss any aspect of these papers and /or the planning review. We are not land developers, just retired people endeavouring to build a retirement home funded by sale of half of our allotment.

Trevor Boerth
Primary Production Zone: YoP/1, YoP/2, YoP/3, YoP/4, YoP/5, YoP/6, YoP/7, YoP/8, YoP/9, YoP/9a, YoP/10, YoP/10a, YoP/11, YoP/12, YoP/13, YoP/14, YoP/15, YoP/15a, YoP/16, YoP/17, YoP/18, YoP/19, YoP/19a, YoP/20, YoP/21, YoP/22, YoP/23, YoP/24, YoP/25, YoP/25a, YoP/26, YoP/27, YoP/28, YoP/29, YoP/30, YoP/31, YoP/32, YoP/33, YoP/34, YoP/35, YoP/36, YoP/37, YoP/38, YoP/39, YoP/40, YoP/41, YoP/42, YoP/43, YoP/44, YoP/45, YoP/46, YoP/47, YoP/48, YoP/49, YoP/50, YoP/51, YoP/52, YoP/53, YoP/54, YoP/55, YoP/56, YoP/57, YoP/58, YoP/59, YoP/60, YoP/61, YoP/62, YoP/63, YoP/64, YoP/65, YoP/66, YoP/67, YoP/68

Residential Zone: YoP/5, YoP/19, YoP/22, YoP/33, YoP/35, YoP/36, YoP/37, YoP/38, YoP/40, YoP/53, YoP/56, YoP/57, YoP/58, YoP/65, YoP/86

Residential Park Zone: YoP/33

Rural Living Zone: YoP/14, YoP/15, YoP/19, YoP/22, YoP/25, YoP/25a, YoP/30, YoP/33, YoP/35, YoP/36, YoP/37, YoP/40, YoP/42, YoP/43, YoP/50, YoP/52, YoP/55, YoP/59, YoP/5, YoP/56, YoP/57, YoP/58, YoP/59, YoP/60, YoP/61, YoP/62, YoP/63, YoP/64, YoP/65, YoP/66, YoP/67, YoP/68

Settlement Zone: YoP/11, YoP/14, YoP/19, YoP/19a, YoP/29, YoP/32, YoP/34, YoP/39, YoP/41, YoP/42, YoP/43, YoP/44, YoP/45, YoP/46, YoP/47, YoP/48, YoP/49, YoP/50, YoP/51, YoP/52, YoP/54, YoP/55, YoP/56, YoP/59, YoP/60, YoP/61, YoP/62, YoP/63, YoP/64, YoP/65, YoP/67, YoP/68

Town Centre Zone: YoP/33, YoP/35, YoP/36, YoP/37, YoP/38, YoP/40, YoP/53, YoP/56, YoP/57, YoP/58, YoP/65

Water Protection Zone: YoP/10, YoP/11, YoP/12, YoP/14, YoP/15

Policy Area Maps: YoP/37 — 4 Small Rules

Policy Area Name: Infrastructure Policy Area 1, Port Vincent Marina Policy Area 2, Black Point Policy Area 3

Map Numbers: YoP/33, YoP/35, YoP/37, YoP/38, YoP/58, YoP/61, YoP/62

Precinct Maps: Port Vic YoP/40 — At Least 1a Twin Rules

Precinct Name: Precinct 1 Black Point, Precinct 2 Port Victoria Residential, Precinct 3 Limited Subdivision, Precinct 4 Edithburgh / Marion Bay Rural Living, Precinct 5 Ardrossan Rural Living, Precinct 6 Port Victoria Rural Living, Precinct 7 Bluff Beach Rural Living

Map Numbers: YoP/81, YoP/62, YoP/5, YoP/5/7, YoP/24, YoP/25, YoP/25a, YoP/26, YoP/35, YoP/38, YoP/40, YoP/42, YoP/43, YoP/45, YoP/46, YoP/47, YoP/48, YoP/49, YoP/50, YoP/51, YoP/52, YoP/54, YoP/55, YoP/59, YoP/60, YoP/61, YoP/62, YoP/63, YoP/64, YoP/67, YoP/68, YoP/14, YoP/19, YoP/19, YoP/28, YoP/66, YoP/40, YoP/7, YoP/42

Consolidated - 29 November 2018
5 March 2012

Chief Executive Officer
District Council of Yorke Peninsula
PO Box 88
Minlaton SA 5575

Attention: Mr Michael Cartwright

Dear Michael

Re: Brief Statement of Support – Proposed Land Division – Lot 21, Hundred of Dalrymple, Klein Point Road, Stansbury.

I write on behalf of my clients – Trevor & Jacqueline Boerth with respect to the land division proposal for the division of Lot 21 Klein Point Road, Stansbury into two allotments.

The subject land is located entirely within the Rural Living Zone of the Yorke Peninsula (DC) Development Plan. In PDC 16 of the zone, land division creating allotments of less than one hectare, in parts of the zone external to specified locations, is listed as a non-complying form of development. The Stansbury part of the zone, is not a specified location. As the land division will result in the allotments being 6,156m², the application is non-complying.

Therefore, this letter has been prepared as a brief statement of support pursuant to Regulation 17(1) of the Development Regulations 1993.

SUBJECT LAND

The subject land consists of a single allotment – Lot 21, Hundred of Dalrymple. The subject site is the shape of a parallelogram. It has an area of 1.2312 hectares. The property has a frontage of 75.09 metres along Klein Point Road. In addition, the boundary dimensions are as follows: 182.61m - northern boundary; 158.29m - southern boundary and 85.03m - eastern boundary. The eastern side of the land abuts the coastal reserve and the coastal zone.

The subject land (Lot 21) is contained in the Certificate of Title Volume 6032 Folio 583.

The land is vacant apart from a shed and rainwater tank. The land slopes from the road to the coastal reserve. However, all of the subject land is significantly higher than the sea (over
20 metres). Beyond the subject land on the coastal reserve the land drops very steeply to a coastal plain about 150 metres wide.

The subject land contains clumps of established coastal vegetation (predominantly acacia cyclops), but the majority of land is clear of vegetation.

**LOCALITY**

The subject land is located within the rural living zone, immediately south of the Stansbury township.

The Rural Living Zone is located between Klein Point Road to the west and the coastal reserve to the east. The Rural Living Zone contains a total of 23 allotments, and 15 dwellings. Ten of the dwellings are located on allotments less than one hectare in area. In fact the majority of allotments containing a dwelling are less than one hectare in area.

Allotments in the Rural Living Zone are of various sizes ranging from 3232m² to 2.62 hectares in area. However, eleven allotments are less than one hectare in area and twelve are in excess of one hectare. The smaller allotments are primarily located between the subject allotment and Stansbury township. A list of allotments and their area (from north to south) are contained in the following table:

<table>
<thead>
<tr>
<th>Allotment No</th>
<th>Area (Ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>0.704</td>
</tr>
<tr>
<td>2</td>
<td>0.504</td>
</tr>
<tr>
<td>12</td>
<td>0.554</td>
</tr>
<tr>
<td>2</td>
<td>0.323</td>
</tr>
<tr>
<td>3</td>
<td>0.497</td>
</tr>
<tr>
<td>4</td>
<td>0.554</td>
</tr>
<tr>
<td>1</td>
<td>0.554</td>
</tr>
<tr>
<td>52</td>
<td>0.817</td>
</tr>
<tr>
<td>50</td>
<td>0.665</td>
</tr>
<tr>
<td>51</td>
<td>0.826</td>
</tr>
<tr>
<td>20</td>
<td>1.228</td>
</tr>
<tr>
<td>21</td>
<td>1.231</td>
</tr>
<tr>
<td>10</td>
<td>1.412</td>
</tr>
<tr>
<td>11</td>
<td>1.054</td>
</tr>
<tr>
<td>6</td>
<td>2.619</td>
</tr>
<tr>
<td>1</td>
<td>0.917</td>
</tr>
<tr>
<td>2</td>
<td>0.925</td>
</tr>
<tr>
<td>8</td>
<td>1.839</td>
</tr>
<tr>
<td>60</td>
<td>1.003</td>
</tr>
<tr>
<td>61</td>
<td>1.842</td>
</tr>
<tr>
<td>11</td>
<td>1.454</td>
</tr>
<tr>
<td>572</td>
<td>1.214</td>
</tr>
<tr>
<td>1</td>
<td>1.775</td>
</tr>
</tbody>
</table>

The town of Stansbury is located immediately north of the Rural Living Zone and farming land used primarily for cropping is located to the west of the zone. Stansbury with a population of 522 (2006 census) is the fifth largest town within the Yorke Peninsula Council area and is
located on the east coast adjacent St Vincent Gulf. The township of Stansbury is an important rural centre and tourist destination in the area.

PROPOSAL

It is proposed to divide Lot 21 into two allotments. Details of the proposed allotments are as follows:

<table>
<thead>
<tr>
<th>Lot No</th>
<th>Area</th>
<th>Frontage</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 22</td>
<td>6,156m²</td>
<td>36.21m</td>
<td>vacant</td>
</tr>
<tr>
<td>Lot 23</td>
<td>6,156m²</td>
<td>38.88m</td>
<td>contains existing shed</td>
</tr>
</tbody>
</table>

Proposed Allotment 23 contains the existing shed and rainwater tank.

PLANNING MERIT

The general areas covered by the provisions of the Yorke Peninsula Development Plan of particular relevance to the land division are:

- Rural Living Zone
  Objectives 1 – 3, Desired Character statement and Principles of Development Control 1 – 3, 5 – 7 & 13 – 16

- Council Wide – Form of Development
  Objectives 1 – 3 and Principles of Development Control 1, 2, 5 – 8 & 10

- Council Wide – Residential Development
  Objective 1 and Principles of Development Control 7, 9 – 11, 15, 16 & 18 – 21

- Council Wide – Land Division
  Objective 1 and Principles of Development Control 1, 2, 4 – 6 & 8

- Council Wide – Public Utilities
  Objective 1 and Principles of Development Control 1 & 2

- Council Wide – Conservation & Heritage
  Objectives 1 – 5 and Principles of Development Control 1 – 3, 9 – 14, 16 & 17

- Council Wide – Transportation (Movement of People & Goods)
  Principles of Development Control 1, 3 & 4

- Council Wide - Appearance of Land & Buildings
  Objectives 2 – 4 and Principles of Development Control 1 – 3

- Council Wide – Coastal Development
  Objectives 1, 2, 5 – 16 and Principles of Development Control 1 – 9, 14, 18 – 20, 25 – 28, 31 – 33, 35, 37 & 41

- Council Wide – Bushfire Protection
  Objectives 1 & 2 and Principles of Development Control 1, 2 & 6 – 8
**Rural Living Zone**
The new allotments are of an area that can easily accommodate a detached dwelling while retaining the rural character of the area. Lot 23 will retain the existing shed. The existing shed on proposed Lot 23 is setback about 8 metres from the street. In addition, the shed is set lower than the road and screened with some existing vegetation. Proposed Lot 22 can support a dwelling adequately setback from the street and associated structures can be sited unobtrusively. Future dwelling sites for both proposed allotments would be located midway between the eastern and western boundaries, resulting in the single-storey dwellings set below the road.

While it is recognised that PDC 16 of the *Rural Living Zone* states that allotments less than one hectare are non-complying, the majority of allotments in the zone in the vicinity of the subject land are below this requirement. Thus the proposed allotments are of a size that is consistent with existing allotments in the northern portion of the zone, near the Stansbury township.

**Form of Development**
The proposal is in accordance with the structure plan, as the land will continue to be retained for the purpose of rural living. In addition, the land division is:
- Orderly and economic;
- Creates rural living allotments consistent in size with other allotments in the immediate vicinity;
- Will not prejudice the future expansion of Stansbury;
- Will not cause the degradation of important land forms;
- Does not involve the removal of native vegetation;
- Will have minimal impact upon adjoining land uses; and
- There will be minimal physical changes to the land other than the planting of additional vegetation.

**Residential Development**
The size, shape and topography of the proposed allotments, are appropriate to ensure that future dwellings and ancillary buildings and facilities can satisfactorily be accommodated in accord with all relevant criteria as contained in the Development Plan.

**Land Division**
The proposed land division divides the allotments in an orderly and economic manner, consistent with allotments in the area. The allotments are of a size and shape that would support a dwelling and any ancillary facilities. Nine of the eleven rural living allotments between the subject land and the township of Stansbury contain a dwelling. There appears to be a reasonable demand for small rural living allotments in the Stansbury area with two-thirds of all the allotments in the *Rural Living Zone* containing a dwelling.

The proposed allotments have adequate space to accommodate additional building structures associated with a dwelling such as a carport, verandah and outbuilding/s, outdoor open space, vehicle parking, landscaping and effluent disposal. Both allotments have adequate frontage along Klein Point Road in ensure adequate access to and from the properties.
Public Utilities
The allotments have adequate space to easily manage on-site stormwater and an appropriate effluent disposal system. In addition, both allotments have access to power and a good quality unsealed public road.

The infrastructure requirements associated with the proposal will be minimal, utilising the existing infrastructure without exceeding its capacity.

Conservation & Heritage
The proposal involves a substantial re-vegetation program and replacement of existing acacia cyclops species once individual plants dies off. My clients intentions in regard to re-vegetation is evidenced in the commencement of native plantings along the road frontage and southern boundary.

The proposed allotments are suitable for the application of stormwater reuse and wastewater treatment for future dwellings. A nominal area for irrigation of the treated effluent is shown on the re-vegetation plan for both proposed allotments. These areas are located a substantial distance (in excess of 270m) from the coast.

There are no elements of the proposal that would cause erosion. In fact the re-vegetation program will significantly reduce the likelihood of erosion. While the subject land is adjacent the coastal reserve, it is much higher and is not subject to the possibility of flooding or inundation.

Transportation (Movement of People & Goods)
The new allotments can support the safe and convenient access of vehicles to and from each property. In addition, the sites have sufficient space to allow for the movement, egress, manoeuvring and parking of domestic, emergency and service vehicles.

Appearance of Land & Buildings
The allotments are of an open nature, consistent with the rural character of the area. Each land parcel has space to establish a significant setback from the road and be well screened from the road and adjoining neighbours. The proposal incorporates a substantial re-vegetation schedule of native vegetation with particular emphasis on areas adjacent boundaries.

Coastal Development
Albeit that the subject land abuts the coastal zone, there are no elements of the proposed land division development that would impinge upon the natural coastal environment. In particular, the proposed land division:
- Will not interfere with environmentally important coastal features;
- Maintains public access to coastal areas;
- Is protected from coastal hazards;
- Will have no adverse affect upon the management of land adjoining the coast; and
- Will enhance the amenity of the locality as a result of the re-vegetation program with particular reference to the appearance as viewed from the beach, coastal reserve and public walking track.
Bushfire Protection
The subject land is shown as an area of general bush fire risk on Map YoP(BPA)/29 and /61. The site contains existing scattered coastal vegetation and the slope of the land is relatively constant and not excessively steep. Therefore it does not pose a significant bushfire threat. The new allotments have adequate space to accommodate a 5,000L rainwater tank for dedicated fire-fighting purposes.

SUMMARY
Whilst recognising the non-complying nature of the land division, the proposal is substantially consistent with the relevant provisions of the Yorke Peninsula (DC) Development Plan and warrants further consideration for the following reasons:

• The land division creates allotments that are a similar size and shape to allotments in the immediate vicinity;
• There appears to be reasonable demand for small rural living allotment in the Stansbury area;
• The land division is orderly and economic;
• The land division retains and supports the rural character of the locality;
• The land division will retain existing vegetation and incorporate the planting of substantial additional native vegetation;
• Allotments have sufficient access to infrastructure and can support stormwater drainage and effluent disposal systems;
• There are no aspects of the proposal that would interfere with the environmentally important coastal features;
• The proposed re-vegetation program will enhance the amenity of the locality including views from the beach, coastal reserve and public walking track;
• Allotments have adequate frontage, access to public roads and are able to provide safe and convenient access to and from the sites; and
• The proposed allotments are able to accommodate future dwellings that can adequately satisfy the criteria for bushfire protection.

Yours sincerely

John Outhred
BA Planning; Grad Dip Pub Sec Man; Adv Dip Bus Dev; Dip FLM; MPIA; CPP
IMPORTANT NOTE: This plan was prepared as an indicative subdivision design and is subject to approval from the Council for the area and any relevant authorities. The information shown on this plan is not suitable for any other purpose.

The dimensions and areas of allotments shown on this plan are approximate and may vary when more detailed information is available.

Where shown, structures and associated infrastructure are generally not drawn to scale.

In particular, no reliance should be placed on the information on this plan for detailed subdivision design or for any financial dealings involved in the land.

This note is an integral part of this plan.

BEARING DATUM: (19 - 02) 17°07'20"
DERIVATION: D79388 ADOPTED
TOTAL AREA:

6156m²
22
6156m²
23

SEC 384

KLEIN POINT

ROAD

MUSGRAVE LANE

D79388

91°15'20"
182.81

22
6156m²

91°15'20"
170.88

23
6156m²

D64394

91°15'20"
158.29

21°15'20"

Mosel Steed
6 Graves Street SA 5554
Ph: 08 8821 3544
Fax: 08 8821 2593
info@moselstee.com.au
moselstee.com.au
ACN 144 516 398
REFERENCE: KT388P0.0
02/03/12
DAJ/CC
1. Supplementary native ground cover will include correa pulchella, myoporum parvifolium, kunzea pomifera and pelargonium australe.

2. Predominant existing vegetation (acacia cyclops) has a short life span, shallow roots and reproduce prolifically and therefore the client proposes to remove the acacia cyclops once it dies off and replant the area with the scheduled native vegetation species.

**LANDSCAPING & REVEGETATION SCHEDULE (indicative):**
- Existing vegetation (predominantly acacia cyclops)
- Eucalyptus varieties (gracilis, oleosa, incrasissa, socialis)
- Allocasurina verticulata
- Santalum acuminatum
- Melaleuca nesophilias
- Myoporum insulfare
- Acacia notabilis
- Scaevola crassifolia

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**NOTE:**
- 1. Supplementary native ground cover will include correa pulchella, myoporum parvifolium, kunzea pomifera and pelargonium australe.
- 2. Predominant existing vegetation (acacia cyclops) has a short life span, shallow roots and reproduce prolifically and therefore the client proposes to remove the acacia cyclops once it dies off and replant the area with the scheduled native vegetation species.
Dear Roger

Re: Section 30 Review.

I write on behalf of my clients – Trevor & Jacqueline Boerth of PO Box 237, Willunga and Graeme & Tania Heinrich of 199 Trial Hill Road, Lyndoch, in regard to the Section 30 Review.

Trevor & Jacqueline Boerth are the owners of Allotment 21, Klein Point Road, Stansbury.
Graeme and Tania Heinrich are the owners of Allotment 20, Klein Point Road, Stansbury.

The purpose of this submission is to put a case for a reduction in the minimum allotment size within the Rural Living Zone at Stansbury.

Clients Land

Allotments 20 & 21 Klein Point Road are located within the Rural Living Zone, immediately south of the Stansbury township.

Both allotments are in the shape of a parallelogram. Details of the areas and dimensions of Lots 20 & 21 are contained on the following table:

<table>
<thead>
<tr>
<th>Lot No</th>
<th>Area (m²)</th>
<th>Frontage to Road (m)</th>
<th>Frontage to coastal reserve (m)</th>
<th>Northern boundary length (m)</th>
<th>Southern boundary length (m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>12,310</td>
<td>66.19</td>
<td>74.94</td>
<td>204.05</td>
<td>182.61</td>
</tr>
<tr>
<td>21</td>
<td>12,310</td>
<td>75.09</td>
<td>85.03</td>
<td>182.61</td>
<td>158.29</td>
</tr>
</tbody>
</table>

The western boundary of both allotments have frontage to a public road (Klein Point Road) and the eastern boundary of both allotments abuts the coastal reserve and the Coastal Conservation Zone.

Rural Living Zone

The Rural Living Zone is located between Klein Point Road to the west and the coastal reserve to the east. The Rural Living Zone presently contains a total of 23 allotments and 16 dwellings. Nine of the
dwellings are located on allotments less than one hectare in area. In fact the majority of allotments containing a dwelling are less than one hectare in area.

The 23 allotments in the Rural Living Zone are of various sizes ranging from 3232m² to 2.62 hectares in area. However, more than half the allotments (12) are less than one hectare in area and eleven are in excess of one hectare. The smaller allotments are primarily located to the north near Stansbury township. A list of allotments and their area (from north to south) are contained in the following table:

<table>
<thead>
<tr>
<th>Property Reference</th>
<th>Area of Land</th>
<th>Use Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 11</td>
<td>7,040m²</td>
<td>Vacant - shed</td>
</tr>
<tr>
<td>Lot 2</td>
<td>5,040m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 12</td>
<td>5,540m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 2</td>
<td>3,230m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 3</td>
<td>4,970m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 4</td>
<td>5,540m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 5</td>
<td>5,540m²</td>
<td>Vacant</td>
</tr>
<tr>
<td>Lot 52</td>
<td>8,170m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 50</td>
<td>6,650m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 51</td>
<td>8,260m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 20</td>
<td>12,310m²</td>
<td>Vacant</td>
</tr>
<tr>
<td>Lot 21</td>
<td>12,310m²</td>
<td>Shed</td>
</tr>
<tr>
<td>Lot 10</td>
<td>14,120m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 11</td>
<td>10,540m²</td>
<td>Vacant</td>
</tr>
<tr>
<td>Lot 6</td>
<td>26,190m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 1</td>
<td>9,170m²</td>
<td>Vacant</td>
</tr>
<tr>
<td>Lot 2</td>
<td>9,250m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 8</td>
<td>18,390m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 60</td>
<td>10,030m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 61</td>
<td>18,420m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 11</td>
<td>14,540m²</td>
<td>Vacant - shed</td>
</tr>
<tr>
<td>Lot 572</td>
<td>12,140m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 1</td>
<td>17,750m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Total Area</td>
<td>24.511 Ha</td>
<td></td>
</tr>
</tbody>
</table>

The town of Stansbury is located immediately north of the Rural Living Zone and farming land used primarily for cropping is located to the west of the zone. Stansbury with a population of 543 (2011 census) is the fifth largest town within the Yorke Peninsula Council area and the second largest coastal town within the Council area. The 2011 population of the larger towns on the peninsula being Ardrossan 1136; Maitland 1047; Minlaton 744 & Yorketown 680.

Stansbury is an important rural centre and tourist destination.

The Submission Proposal

The submission proposes a reduction in the minimum area for an allotment in the Rural Living Zone at Stansbury from one hectare to 6,000m².

The area within the existing Rural Living Zone is about 24.5 hectares. The potential for additional allotments with a 6000m² minimum area is limited to a maximum of 13 from the division of existing allotments. A further 3 allotments maybe possible with boundary alterations between existing allotments.
Stansbury

The population growth of Stansbury between the 2006 census (522) and 2011 census (543) was a little over 4% or about 0.8% per year. Growth in dwelling numbers at 6.64% (2006 to 2011) or 1.33% per year is considerably higher than the population growth. This is consistent with a coastal holiday destination where there are a high proportion of holiday homes. The number of dwellings increased from 422 in 2006 to 450 in 2011 (ABS census). This represents an additional 28 dwellings.

While population and dwelling growth is not significant, it is moderate. Therefore, it is important to ensure that there is ample land available to provide for the future demand for a variety of accommodation types in and adjacent the town. While there appears to be ample land zoned for residential purposes within the township, vacant rural living allotments are limited.

Rural living adjacent to Stansbury is limited to the existing 23 allotments within the subject Rural Living Zone located immediately south of the township. The nearest alternative rural living zone is located at Wool Bay inland from the coast.

It is noted that limited opportunities exist to provide additional rural living allotments near primary townships and in close proximity to the coast, within existing rural living zones, within the Council area.

Infrastructure

Additional rural living allotments at Stansbury can be achieved orderly and economically. In respect to infrastructure, the following efficiencies are recognised:

- No additional public road is required
- Additional allotments with access to Klein Point Road will provide efficiency in the provision of services – power supply, garbage collection & road maintenance
- Adequate area is available on 6000m$^2$ to provide on-site wastewater treatment and rainwater collection, including a suitable setback from the coast for wastewater irrigation

Coastal Environment

Albeit that the Rural Living Zone abuts the Coastal Conservation Zone there is unlikely to be any significant impact upon the natural coastal environment resulting from reducing the minimum allotment area to 6000m$^2$. In particular, additional allotments in excess of 6000m$^2$:

- Will not interfere with environmentally important coastal features located within the adjacent Coastal Conservation Zone;
- Public access to coastal areas would be maintained;
- It is unlikely to diminish the ability to appropriately manage land adjoining the coast;
- Will provide opportunities for re-vegetation programs with new land division proposals; and
- Would be able to accommodate wastewater irrigation at an appropriate setback from the coast and Coastal Conservation Zone boundary

Suggested Amendments to Development Plan

It is noted that both Lots 20 & 21 could be divided into two allotments of at least 6,000m$^2$ and achieve all the setback parameters for a dwelling, sheds, garages and outbuildings specified in PDC 8 & 9 of the Rural Living Zone – ie Primary Production Zone boundary – 40m

- Primary road frontage – 20m
- Coastal Conservation Zone boundary – 50m
- Side and rear boundaries – 10m.
The future division of the other seven allotments within the Rural Living Zone, that area in excess of 1.2 hectares in area, should also be able to satisfy the setback parameters contained in PDC 8 & 9 of the Rural Living Zone.

Amendments to the Rural Living Zone would be limited to the following:

PRECINCT SPECIFIC PROVISIONS – After PDC 14 insert the following:

‘Precinct 7 Stansbury Rural Living
15 Land division should not create an additional allotment with an area less than 0.6 hectares and should be able to contain a building envelope that satisfies the setback distances specified in principles of development control 8 and 9.’

PROCEDURAL MATTERS – Non-complying Development

‘Land division Exceptions – Add to (b) after (iii):
(iv) Precinct 7 Stansbury Rural Living and all allotments resulting from the division are at least 0.6 hectares.’

‘(iv) renumbered (v).’

MAPPING – Add Precinct Maps YoP/22 & YoP/56

Summary

In summary, the reasons in support of reducing the minimum area for an allotment in the Rural Living Zone as it applies to Stansbury are as follows:

- It will provide greater choice and opportunities for future residential and holiday accommodation at Stansbury and the Yorke Peninsula generally;
- It will facilitate additional supply of rural living land supply without the need to expand the Rural Living Zone at Stansbury;
- It will not compromise the achievement of setback distances from the Primary Production Zone and Coastal Conservation Zone boundaries;
- Any additional allotments will be consistent in area with existing allotments in the northern section of the Rural Living Zone;
- It will not prejudice the future expansion of Stansbury;
- It will not prejudice productive agricultural land within the adjacent Primary Production Zone;
- It would be an orderly and economic opportunity for additional allotments with access to existing infrastructure;
- Additional allotments in excess of 6000m² would not interfere with the environmentally important coastal features within the adjacent Coastal Conservation Zone; and
- It contributes to addressing the following Key Planning Issues identified in the Discussion Paper prepared by Access Planning:
  (i) Protection of productive agricultural land
  (ii) Demand for development along the coast
(iii) Demand for Rural Living development and appropriateness of existing policy

My client/s or a representative would request the opportunity to make a verbal submission at Maitland on the 14th October 2014.

Yours sincerely

John Outhred
Principal Planner
Planning and Property
BA Planning
Dear John

I refer to your written submission on behalf of Trevor & Jacqueline Boerth & Graeme & Tania Heinrich, regarding Council’s Section 30 Review.

The Section 30 Review has completed the required public and State Government agency consultation stage and Council has been presented with a Strategic Directions Report (SDR).

The purpose of the SDR is to summarise the consultation process, assess the Development Plan against the relevant volume of the planning strategy & Yorke Peninsula Land Use Framework and to outline a program of Development Plan Amendments (DPA) for Council to undertake over the next 5 years.

As part of the consultation process, the Council was required to have regard to all the submissions received. There were 8 agency and 23 submissions from the public during the notification period and a public meeting was held at Maitland on 14 October, 2014.

As a result of the review process Council resolved to undertake the following two DPA’s as a priority:

- Council Wide Rural Living DPA
- Coastal Areas – Vulnerable Shacks DPA

In considering land owners submissions and the benefits the land owners may gain, Council acknowledged that there may be a potential for a number of developer funded DPA’s, subject to additional justification being provided by the land owner/developer. Should Council reach an agreement with an owner/developer to proceed with a DPA, such DPA’s should not impede Council from undertaking and completing the two nominated DPA’s.

Council would like to thank you for taking the time to make a submission and should you wish to discuss the matter further, please feel free to contact either myself or the Manager of Development Services, Mr Michael Cartwright at the Yorketown Branch Office on 8852 0200 during business hours.

Yours sincerely

ROGER S BROOKS
Director Development Services
Yorketown Branch Office – 8852 0200
admin@yorke.sa.gov.au
Trevor Boerth

I have researched the Council's Agendas and Minutes and found the Section 30 Review was before Council in March 2015.

The report includes the following - 'As a result of the review process, it is recommended that Council undertake the following two DPAs as a priority, as outlined in section 3 of the SDR: - Council Wide Rural Living DPA and Coastal Areas - Vulnerable Shacks DPA'.

Council resolved to adopt the Development Plan Amendment Program outlined in the Strategic Directions Report and authorises the CEO to submit the Strategic Directions Report to the Minister for approval.

There has been concern expressed about the Rural Living DPA based upon the Minister recently refusing to agree to DPAs involving Rural Living.

However, I have made a number of phone calls and am advised that the Minister recently wrote to Council agreeing to the Strategic Directions Report with a number of comments and caveats.

This means that the Rural Living DPA can proceed. It would appear that the Minister did not object to the Rural Living DPA as it involved a review of existing Rural Living zones rather than new areas.

However, one of the caveats in the letter was that the Planning Reform agenda will take priority over DPAs for at least the near future. What this means is that staff resources in the Department are concentrating on the Planning Reform agenda.

I spoke to Roger Brooks at Council. There are no funds in the present budget for a new DPA. So it will not be undertaken this financial year.

I asked if it is likely to be funded in the 2016/17 budget. He said that it is likely as Council is supportive of progressing the content of the Strategic Directions Report.

Therefore, a Rural Living DPA is now looking more positive.

It is likely commence sometime in 2016/17. However, there is no absolute guarantee of the timing and even if it commences in 2016/17 the length of time to a final amendment to the Development Plan is unknown.

Also, the content of the DPA is yet to be known. Various investigations will be required as a basis of the proposed amendments to the DPA. While there has been verbal support from the Mayor and members of Council to the submission relating the Stansbury, there is no absolute guarantee of the content until investigations are concluded. However, the two month public exhibition period will give the opportunity to make a submission in respect to the content if necessary.

I hope this gives a little more information for you to make a decision in regard to retirement and the land.

Regards John
Supplementary Submission to DPTI regards York Peninsula Rural Living Zones
Land Division of Lots 20 and 21 Klein Point Road Stansbury, From Trevor and
Jacqueline Boerth and Graeme and Tanya Hienrich. 26/11/2019

(to be attached by Sarah Elding to original submissions presented to DPTI Officers and Yorke Peninsula Council at Minlaton Public Consultation and information Meeting at 4pm 17/10/19.)

After much researching with help of the State Planning website and Yorke Peninsula Council website we wish to submit some more information and proposals for your consideration to support our land division proposal at Stansbury.

The attached Outhred English Brief Statement of Support document for Proposed Land Division Lot21 Klein Point Road Stansbury dated 5th March 2012 contains information which is largely consistent with the current Yorke Peninsula (DC) Development plan. This document was briefly addressed by a Council development officer and promptly refused as it was not complying, with little or nil examination by the Council Development Panel. The main reason for refusal was the minimum size of the allotments in Stansbury Rural Living Zone is and was 1 hectare, deeming the Land division a Non Complying application.

The following Section 30 review submitted to Council dated 16th Sept 2014 supports the case to reduce the minimum allotment size within The Rural Living Zone at Stansbury to a minimum allotment size of .6 hectare. The Rural Living DPA did not go ahead, so this submission was, I believe, shelved and remains that way, as the current Government Minister at that time was discouraging Councils from submitting DPA`s pending the current State Planning Reform.

We are requesting the State Planning Reform Panel to consider reducing the proposed minimum size of Land Division In the Stansbury Rural Living Zone to .5 hectares and to reduce the proposed Minimum road frontage from 50 metres to 30 metres. This would facilitate our land division proposals. The many positive outcomes for Stansbury and Yorke Peninsula are addressed in the two documents mentioned above and already submitted.

The new proposed Residential Neighbourhood zone appears not to be included in Yorke Peninsula Council Zone? Figure 11 and the text on page 65 of the People and Neighbourhoods paper seems that it will not provide any land division options for almost all the owners of Rural Living Zone allotments in SA and particularly Yorke Peninsula and will be a step backwards for these smaller struggling country communities current and future growth and expansion.
Another option would be to Change the present Stansbury Rural Living Zone to Precinct 8 Stansbury Rural Living.

“Land Division should not create an additional allotment with an area of not less than 0.5 hectares and road frontage to no less than 30 metres”.

This would to bring Stansbury Rural Living Zone into line with Precint 4 Marion Bay/Edithburgh Rural Living Zone which contains about 43 allotments of around .5 hectares in the two Rural living zones.

Marion Bay, Edithburgh and Stansbury are coastal towns that are very similar, as their populations are predominately retired older folks and provide many facilities, amenities, shops, caravan parks, rental accommodation, tourism and fishing and aquatic holidays for South Australians. These Coastal towns become very busy and prosperous on weekends, school holidays, retired peoples annual holidays and public holidays. at other times quiet residential country towns.

Some more relevant information regarding the Stansbury Rural Living Zone. (refer Maps YOP22 and YOP56)

Contains 23 allotments. – 12 are under 1 hectare smallest is 3230 sq metres (.3230 hectare)

None of the 23 allotments are used for livestock or horses or cropping.

I have doorknocked 21 of the allotment owners and all but one support our Land division proposals.

9 owners of allotments larger than 1 hectare said that the siting of their homes on the allotment would not facilitate any land division.

Besides ourselves and Hienrichs (lots 20 and 21) most of the others allotment owners said they would like to have the option of land division but would not consider this for a long time, if at all.

Trevor and Jacqueline Boerth, have two young local people who are currently interested in buying a .6 hectare seaview allotment if it became available following land division, build a home and raise their children in Stansbury.
Further Information re Stansbury Rural living Zone changes proposal..

The land division of Lots 20 and 21 will create 2 extra lots of, similar size to 10 of the allotments in the adjoining vicinity in the Rural Zone. (6 of these allotments are much smaller than 6000 sq metres) Also will create two more Rural Living Allotments that have potential buyers waiting to purchase and build homes.

The proposed allotments both have adequate frontage to the road and provide a safe and convenient access.

Smaller Rural living allotments are much easier to maintain regards bushfire risk protection.

Both lots have had existing feral vegetation removed and are being planted with local indigenous plants.

Both of us allotment owners are not property speculators or land developers. Just wanting to build our retirement homes funded from proceeds of sale of half our allotments, Thus providing an opportunity to our young potential purchasers to fulfil their lifestyle ambitions to own a larger desirable home site allotment by the sea.

The 2 attachments confirm that the land division complies with the many Yorke Peninsula Council and State Planning rules and regulations, barring the allotment size and road frontage restrictions which we wish to have changed.

We believe our submission is based on good sense and sound research and judgment regarding benefits to us and Rural Living Zones in Stansbury and SA.

Thank You, Sincerely,

Trevor Boerth for Jacqueline Boerth and Graeme and Tanya Hienrich 26/11/2019
Some information from Trevor and Jacqueline Boerth regards Land division in the rural zones within Yorke Peninsula Council boundarys.

The attached paperwork refers to submissions and correspondence regards reducing the permitted size of our block in the Stansbury Rural living Zone from 1.2312 Ha to 2 RULs of 6156 square metre blocks to facilitate the funding of our retirement home by the sale of one block. We have 2 young families who have indicated that they would buy the other allotment and build a family home to raise there children in Stansbury. Most of the attachments have been professionally researched and prepared by John Outhred Planner.

The contents probably applies to all Rural Living Zones on Yorkes, and outlines the positive outcomes of the proposed land division both to the applicant, but particularly to the community of Stansbury and the Yorke peninsula as a whole.

There is many variable RUL allotment sizes on the peninsula and currently RUL zoned allotment vary from normal size residential house blocks to up to 40 hectares. The attached sheet shows the map references to the many similar to much smaller allotments currently existing, for your information as you work through Planning Reform.

We have spent much time looking at the State Planning Reform website.

The Yorke Peninsula Council paper approx 1200 pages has no index or page numbers and is very difficult to navigate.

We also would like more info regards proposed the new Residential neighbourhood zone in regards to changing our allotment to this zone.

Also if possible perhaps we can look at the “Restricted Development” and “Performance based assessment” which was briefly explained to me by Sarah from your 1800 number. I did not fully understand what she told me, but was looking for more information regards these two documents locations on your website, as perhaps another avenue to help us and others with land division in Rural living zones on Yorke peninsula.

For your information and consideration to help you with planning the new Codes.

I am happy to discuss any aspect of these papers and/or the planning review. We are not land developers, just retired people endeavouring to build a retirement home funded by sale of half of our allotment.

Trevor Boerth
5 March 2012

Chief Executive Officer
District Council of Yorke Peninsula
PO Box 88
Minlaton SA 5575

Attention: Mr Michael Cartwright

Dear Michael

Re: Brief Statement of Support – Proposed Land Division – Lot 21, Hundred of Dalrymple, Klein Point Road, Stansbury.

I write on behalf of my clients – Trevor & Jacqueline Boerth with respect to the land division proposal for the division of Lot 21 Klein Point Road, Stansbury into two allotments.

The subject land is located entirely within the Rural Living Zone of the Yorke Peninsula (DC) Development Plan. In PDC 16 of the zone, land division creating allotments of less than one hectare, in parts of the zone external to specified locations, is listed as a non-complying form of development. The Stansbury part of the zone, is not a specified location. As the land division will result in the allotments being 6,156m², the application is non-complying.

Therefore, this letter has been prepared as a brief statement of support pursuant to Regulation 17(1) of the Development Regulations 1993.

SUBJECT LAND

The subject land consists of a single allotment – Lot 21, Hundred of Dalrymple. The subject site is the shape of a parallelogram. It has an area of 1.2312 hectares. The property has a frontage of 75.09 metres along Klein Point Road. In addition, the boundary dimensions are as follows: 182.61m - northern boundary; 158.29m - southern boundary and 85.03m - eastern boundary. The eastern side of the land abuts the coastal reserve and the coastal zone.

The subject land (Lot 21) is contained in the Certificate of Title Volume 6032 Folio 583.

The land is vacant apart from a shed and rainwater tank. The land slopes from the road to the coastal reserve. However, all of the subject land is significantly higher than the sea (over
20 metres). Beyond the subject land on the coastal reserve the land drops very steeply to a coastal plain about 150 metres wide.

The subject land contains clumps of established coastal vegetation (predominantly acacia cyclops), but the majority of land is clear of vegetation.

**LOCALITY**

The subject land is located within the rural living zone, immediately south of the Stansbury township.

The *Rural Living Zone* is located between Klein Point Road to the west and the coastal reserve to the east. The *Rural Living Zone* contains a total of 23 allotments, and 15 dwellings. Ten of the dwellings are located on allotments less than one hectare in area. In fact the majority of allotments containing a dwelling are less than one hectare in area.

Allotments in the *Rural Living Zone* are of various sizes ranging from 3232 m² to 2.62 hectares in area. However, eleven allotments are less than one hectare in area and twelve are in excess of one hectare. The smaller allotments are primarily located between the subject allotment and Stansbury township. A list of allotments and their area (from north to south) are contained in the following table:

<table>
<thead>
<tr>
<th>Allotment No</th>
<th>Area (Ha)</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>0.704</td>
</tr>
<tr>
<td>2</td>
<td>0.504</td>
</tr>
<tr>
<td>12</td>
<td>0.554</td>
</tr>
<tr>
<td>2</td>
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<tr>
<td>3</td>
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<td>50</td>
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<td>0.826</td>
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<td>21</td>
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<td>11</td>
<td>1.454</td>
</tr>
<tr>
<td>572</td>
<td>1.214</td>
</tr>
<tr>
<td>1</td>
<td>1.775</td>
</tr>
</tbody>
</table>

The town of Stansbury is located immediately north of the *Rural Living Zone* and farming land used primarily for cropping is located to the west of the zone. Stansbury with a population of 522 (2006 census) is the fifth largest town within the Yorke Peninsula Council area and is
located on the east coast adjacent St Vincent Gulf. The township of Stansbury is an important rural centre and tourist destination in the area.

PROPOSAL

It is proposed to divide Lot 21 into two allotments. Details of the proposed allotments are as follows:

<table>
<thead>
<tr>
<th>Lot No</th>
<th>Area</th>
<th>Frontage</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 22</td>
<td>6,156m²</td>
<td>36.21m</td>
<td>vacant</td>
</tr>
<tr>
<td>Lot 23</td>
<td>6,156m²</td>
<td>38.88m</td>
<td>contains existing shed</td>
</tr>
</tbody>
</table>

Proposed Allotment 23 contains the existing shed and rainwater tank.

PLANNING MERIT

The general areas covered by the provisions of the Yorke Peninsula Development Plan of particular relevance to the land division are:

- Rural Living Zone
  - Objectives 1 – 3, Desired Character statement and Principles of Development Control 1 – 3, 5 – 7 & 13 - 16

- Council Wide – Form of Development
  - Objectives 1 – 3 and Principles of Development Control 1, 2, 5 – 8 & 10

- Council Wide – Residential Development
  - Objective 1 and Principles of Development Control 7, 9 – 11, 15, 16 & 18 – 21

- Council Wide – Land Division
  - Objective 1 and Principles of Development Control 1, 2, 4 – 6 & 8

- Council Wide – Public Utilities
  - Objective 1 and Principles of Development Control 1 & 2

- Council Wide – Conservation & Heritage
  - Objectives 1 – 5 and Principles of Development Control 1 – 3, 9 – 14, 16 & 17

- Council Wide – Transportation (Movement of People & Goods)
  - Principles of Development Control 1, 3 & 4

- Council Wide - Appearance of Land & Buildings
  - Objectives 2 – 4 and Principles of Development Control 1 – 3

- Council Wide – Coastal Development
  - Objectives 1, 2, 5 – 16 and Principles of Development Control 1 – 9, 14, 18 – 20, 25 – 28, 31 – 33, 35, 37 & 41

- Council Wide – Bushfire Protection
  - Objectives 1 & 2 and Principles of Development Control 1, 2 & 6 – 8
Rural Living Zone
The new allotments are of an area that can easily accommodate a detached dwelling while retaining the rural character of the area. Lot 23 will retain the existing shed. The existing shed on proposed Lot 23 is setback about 8 metres from the street. In addition, the shed is set lower than the road and screened with some existing vegetation. Proposed Lot 22 can support a dwelling adequately setback from the street and associated structures can be sited unobtrusively. Future dwelling sites for both proposed allotments would be located midway between the eastern and western boundaries, resulting in the single-storey dwellings set below the road.

While is it recognised that PDC 16 of the Rural Living Zone states that allotments less than one hectare are non-complying, the majority of allotments in the zone in the vicinity of the subject land are below this requirement. Thus the proposed allotments are of a size that is consistent with existing allotments in the northern portion of the zone, near the Stansbury township.

Form of Development
The proposal is in accordance with the structure plan, as the land will continue to be retained for the purpose of rural living. In addition, the land division is:
• Orderly and economic;
• Creates rural living allotments consistent in size with other allotments in the immediate vicinity;
• Will not prejudice the future expansion of Stansbury;
• Will not cause the degradation of important land forms;
• Does not involve the removal of native vegetation;
• Will have minimal impact upon adjoining land uses; and
• There will be minimal physical changes to the land other than the planting of additional vegetation.

Residential Development
The size, shape and topography of the proposed allotments, are appropriate to ensure that future dwellings and ancillary buildings and facilities can satisfactorily be accommodated in accord with all relevant criteria as contained in the Development Plan.

Land Division
The proposed land division divides the allotments in an orderly and economic manner, consistent with allotments in the area. The allotments are of a size and shape that would support a dwelling and any ancillary facilities. Nine of the eleven rural living allotments between the subject land and the township of Stansbury contain a dwelling. There appears to be a reasonable demand for small rural living allotments in the Stansbury area with two-thirds of all the allotments in the Rural Living Zone containing a dwelling.

The proposed allotments have adequate space to accommodate additional building structures associated with a dwelling such as a carport, verandah and outbuilding/s, outdoor open space, vehicle parking, landscaping and effluent disposal. Both allotments have adequate frontage along Klein Point Road in ensure adequate access to and from the properties.
Public Utilities
The allotments have adequate space to easily manage on-site stormwater and an appropriate effluent disposal system. In addition, both allotments have access to power and a good quality unsealed public road.

The infrastructure requirements associated with the proposal will be minimal, utilising the existing infrastructure without exceeding its capacity.

Conservation & Heritage
The proposal involves a substantial re-vegetation program and replacement of existing acacia cyclops species once individual plants dies off. My clients intentions in regard to re-vegetation is evidenced in the commencement of native plantings along the road frontage and southern boundary.

The proposed allotments are suitable for the application of stormwater reuse and wastewater treatment for future dwellings. A nominal area for irrigation of the treated effluent is shown on the re-vegetation plan for both proposed allotments. These areas are located a substantial distance (in excess of 270m) from the coast.

There are no elements of the proposal that would cause erosion. In fact the re-vegetation program will significantly reduce the likelihood of erosion. While the subject land is adjacent the coastal reserve, it is much higher and is not subject to the possibility of flooding or inundation.

Transportation (Movement of People & Goods)
The new allotments can support the safe and convenient access of vehicles to and from each property. In addition, the sites have sufficient space to allow for the movement, egress, manoeuvring and parking of domestic, emergency and service vehicles.

Appearance of Land & Buildings
The allotments are of an open nature, consistent with the rural character of the area. Each land parcel has space to establish a significant setback from the road and be well screened from the road and adjoining neighbours. The proposal incorporates a substantial re-vegetation schedule of native vegetation with particular emphasis on areas adjacent boundaries.

Coastal Development
Albeit that the subject land abuts the coastal zone, there are no elements of the proposed land division development that would impinge upon the natural coastal environment. In particular, the proposed land division:

- Will not interfere with environmentally important coastal features;
- Maintains public access to coastal areas;
- Is protected from coastal hazards;
- Will have no adverse affect upon the management of land adjoining the coast; and
- Will enhance the amenity of the locality as a result of the re-vegetation program with particular reference to the appearance as viewed from the beach, coastal reserve and public walking track.
**Bushfire Protection**

The subject land is shown as an area of general bush fire risk on Map YoP(BPA)/29 and /61. The site contains existing scattered coastal vegetation and the slope of the land is relatively constant and not excessively steep. Therefore it does not pose a significant bushfire threat. The new allotments have adequate space to accommodate a 5,000L rainwater tank for dedicated fire-fighting purposes.

**SUMMARY**

Whilst recognising the non-complying nature of the land division, the proposal is substantially consistent with the relevant provisions of the Yorke Peninsula (DC) Development Plan and warrants further consideration for the following reasons:

- The land division creates allotments that are a similar size and shape to allotments in the immediate vicinity;
- There appears to be reasonable demand for small rural living allotment in the Stansbury area;
- The land division is orderly and economic;
- The land division retains and supports the rural character of the locality;
- The land division will retain existing vegetation and incorporate the planting of substantial additional native vegetation;
- Allotments have sufficient access to infrastructure and can support stormwater drainage and effluent disposal systems;
- There are no aspects of the proposal that would interfere with the environmentally important coastal features;
- The proposed re-vegetation program will enhance the amenity of the locality including views from the beach, coastal reserve and public walking track;
- Allotments have adequate frontage, access to public roads and are able to provide safe and convenient access to and from the sites; and
- The proposed allotments are able to accommodate future dwellings that can adequately satisfy the criteria for bushfire protection.

Yours sincerely

John Outhred
BA Planning; Grad Dip Pub Sec Man; Adv Dip Bus Dev; Dip FLM; MPIA; CPP
16 September 2014

Mr Roger Brooks
Director Development Services
District Council of Yorke Peninsula
PO Box 88
MINLATON SA 5575

Dear Roger

Re: Section 30 Review.

I write on behalf of my clients – Trevor & Jacqueline Boerth of PO Box 237, Willunga and Graeme & Tania Heinrich of 199 Trial Hill Road, Lyndoch, in regard to the Section 30 Review.

Trevor & Jacqueline Boerth are the owners of Allotment 21, Klein Point Road, Stansbury. Graeme and Tania Heinrich are the owners of Allotment 20, Klein Point Road, Stansbury.

The purpose of this submission is to put a case for a reduction in the minimum allotment size within the Rural Living Zone at Stansbury.

Clients Land

Allotments 20 & 21 Klein Point Road are located within the Rural Living Zone, immediately south of the Stansbury township.

Both allotments are in the shape of a parallelogram. Details of the areas and dimensions of Lots 20 & 21 are contained on the following table:

<table>
<thead>
<tr>
<th>Lot No</th>
<th>Area (m²)</th>
<th>Frontage to Road (m)</th>
<th>Frontage to coastal reserve (m)</th>
<th>Northern boundary length (m)</th>
<th>Southern boundary length (m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>12,310</td>
<td>66.19</td>
<td>74.94</td>
<td>204.05</td>
<td>182.61</td>
</tr>
<tr>
<td>21</td>
<td>12,310</td>
<td>75.09</td>
<td>85.03</td>
<td>182.61</td>
<td>158.29</td>
</tr>
</tbody>
</table>

The western boundary of both allotments have frontage to a public road (Klein Point Road) and the eastern boundary of both allotments abuts the coastal reserve and the Coastal Conservation Zone.

Rural Living Zone

The Rural Living Zone is located between Klein Point Road to the west and the coastal reserve to the east. The Rural Living Zone presently contains a total of 23 allotments and 16 dwellings. Nine of the
dwellings are located on allotments less than one hectare in area. In fact the majority of allotments containing a dwelling are less than one hectare in area.

The 23 allotments in the Rural Living Zone are of various sizes ranging from 3232m² to 2.62 hectares in area. However, more than half the allotments (12) are less than one hectare in area and eleven are in excess of one hectare. The smaller allotments are primarily located to the north near Stansbury township. A list of allotments and their area (from north to south) are contained in the following table:

<table>
<thead>
<tr>
<th>Property Reference</th>
<th>Area of Land</th>
<th>Use Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot 11</td>
<td>7,040m²</td>
<td>Vacant - shed</td>
</tr>
<tr>
<td>Lot 2</td>
<td>5,040m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 12</td>
<td>5,540m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 2</td>
<td>3,230m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 3</td>
<td>4,970m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 4</td>
<td>5,540m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 1</td>
<td>5,540m²</td>
<td>Vacant</td>
</tr>
<tr>
<td>Lot 52</td>
<td>8,170m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 50</td>
<td>6,650m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 51</td>
<td>8,260m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 20</td>
<td>12,310m²</td>
<td>Vacant</td>
</tr>
<tr>
<td>Lot 21</td>
<td>12,310m²</td>
<td>Shed</td>
</tr>
<tr>
<td>Lot 10</td>
<td>14,120m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 11</td>
<td>10,540m²</td>
<td>Vacant</td>
</tr>
<tr>
<td>Lot 6</td>
<td>26,190m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 1</td>
<td>9,170m²</td>
<td>Vacant</td>
</tr>
<tr>
<td>Lot 2</td>
<td>9,250m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 8</td>
<td>18,390m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 60</td>
<td>10,030m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 61</td>
<td>18,420m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 11</td>
<td>14,540m²</td>
<td>Vacant - shed</td>
</tr>
<tr>
<td>Lot 572</td>
<td>12,140m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td>Lot 1</td>
<td>17,750m²</td>
<td>Dwelling</td>
</tr>
<tr>
<td><strong>Total Area</strong></td>
<td><strong>24.511 Ha</strong></td>
<td></td>
</tr>
</tbody>
</table>

The town of Stansbury is located immediately north of the Rural Living Zone and farming land used primarily for cropping is located to the west of the zone. Stansbury with a population of 543 (2011 census) is the fifth largest town within the Yorke Peninsula Council area and the second largest coastal town within the Council area. The 2011 population of the larger towns on the peninsula being Ardrossan 1136; Maitland 1047; Minlaton 744 & Yorketown 680.

Stansbury is an important rural centre and tourist destination.

**The Submission Proposal**

The submission proposes a reduction in the minimum area for an allotment in the Rural Living Zone at Stansbury from one hectare to 6,000m².

The area within the existing Rural Living Zone is about 24.5 hectares. The potential for additional allotments with a 6000m² minimum area is limited to a maximum of 13 from the division of existing allotments. A further 3 allotments maybe possible with boundary alterations between existing allotments.
Stansbury

The population growth of Stansbury between the 2006 census (522) and 2011 census (543) was a little over 4% or about 0.8% per year. Growth in dwelling numbers at 6.64% (2006 to 2011) or 1.33% per year is considerably higher than the population growth. This is consistent with a coastal holiday destination where there are a high proportion of holiday homes. The number of dwellings increased from 422 in 2006 to 450 in 2011 (ABS census). This represents an additional 28 dwellings.

While population and dwelling growth is not significant, it is moderate. Therefore, it is important to ensure that there is ample land available to provide for the future demand for a variety of accommodation types in and adjacent the town. While there appears to be ample land zoned for residential purposes within the township, vacant rural living allotments are limited.

Rural living adjacent to Stansbury is limited to the existing 23 allotments within the subject Rural Living Zone located immediately south of the township. The nearest alternative rural living zone is located at Wool Bay inland from the coast.

It is noted that limited opportunities exist to provide additional rural living allotments near primary townships and in close proximity to the coast, within existing rural living zones, within the Council area.

Infrastructure

Additional rural living allotments at Stansbury can be achieved orderly and economically. In respect to infrastructure, the following efficiencies are recognised:

- No additional public road is required
- Additional allotments with access to Klein Point Road will provide efficiency in the provision of services – power supply, garbage collection & road maintenance
- Adequate area is available on 6000m² to provide on-site wastewater treatment and rainwater collection, including a suitable setback from the coast for wastewater irrigation

Coastal Environment

Albeit that the Rural Living Zone abuts the Coastal Conservation Zone there is unlikely to be any significant impact upon the natural coastal environment resulting from reducing the minimum allotment area to 6000m². In particular, additional allotments in excess of 6000m²:

- Will not interfere with environmentally important coastal features located within the adjacent Coastal Conservation Zone;
- Public access to coastal areas would be maintained;
- It is unlikely to diminish the ability to appropriately manage land adjoining the coast;
- Will provide opportunities for re-vegetation programs with new land division proposals; and
- Would be able to accommodate wastewater irrigation at an appropriate setback from the coast and Coastal Conservation Zone boundary

Suggested Amendments to Development Plan

It is noted that both Lots 20 & 21 could be divided into two allotments of at least 6,000m² and achieve all the setback parameters for a dwelling, sheds, garages and outbuildings specified in PDC 8 & 9 of the Rural Living Zone – ie Primary Production Zone boundary – 40m

- Primary road frontage – 20m
- Coastal Conservation Zone boundary – 50m
- Side and rear boundaries – 10m.
The future division of the other seven allotments within the Rural Living Zone, that area in excess of 1.2 hectares in area, should also be able to satisfy the setback parameters contained in PDC 8 & 9 of the Rural Living Zone.

Amendments to the Rural Living Zone would be limited to the following:

PRECINCT SPECIFIC PROVISIONS – After PDC 14 insert the following:
   ‘Precinct 7 Stansbury Rural Living
   15 Land division should not create an additional allotment with an area less than 0.6 hectares and should be able to contain a building envelope that satisfies the setback distances specified in principles of development control 8 and 9.’

PROCEDURAL MATTERS – Non-complying Development
   ‘Land division Exceptions – Add to (b) after (iii):
   (iv) Precinct 7 Stansbury Rural Living and all allotments resulting from the division are at least 0.6 hectares.’
   ‘(iv) renumbered (v).’

MAPPING – Add Precinct Maps YoP/22 & YoP/56

Summary

In summary, the reasons in support of reducing the minimum area for an allotment in the Rural Living Zone as it applies to Stansbury are as follows:

- It will provide greater choice and opportunities for future residential and holiday accommodation at Stansbury and the Yorke Peninsula generally;
- It will facilitate additional supply of rural living land supply without the need to expand the Rural Living Zone at Stansbury;
- It will not compromise the achievement of setback distances from the Primary Production Zone and Coastal Conservation Zone boundaries;
- Any additional allotments will be consistent in area with existing allotments in the northern section of the Rural Living Zone;
- It will not prejudice the future expansion of Stansbury;
- It will not prejudice productive agricultural land within the adjacent Primary Production Zone;
- It would be an orderly and economic opportunity for additional allotments with access to existing infrastructure;
- Additional allotments in excess of 6000m² would not interfere with the environmentally important coastal features within the adjacent Coastal Conservation Zone; and
- It contributes to addressing the following Key Planning Issues identified in the Discussion Paper prepared by Access Planning:
  (i) Protection of productive agricultural land
  (ii) Demand for development along the coast
(iii) Demand for Rural Living development and appropriateness of existing policy

My client/s or a representative would request the opportunity to make a verbal submission at Maitland on the 14th October 2014.

Yours sincerely

John Outhred
Principal Planner
Planning and Property
BA Planning