Dear Sir

Re: Submission on South Australian Planning Reform, Maxine R Dickson

Please see attached, my correspondence for submission.

Thank you for your assistance with this matter.

Yours sincerely

Mrs Maxine R Dickson

encl...

Sent from my iPad

Begin forwarded message:
Submission on South Australian Planning Reform, Maxine R Dickson

My submission refers to the Deferred Urban Zone in the new Draft Planning and Design Code.

I am the owner of approximately 12 acres of land known as Lot 2 Fuller East Road DP35975 Victor Harbor. The land is zoned as Deferred Urban in the Victor Harbor Development Plan (Consolidated) of 20 June 2017. Concept Plan Map ViH/5 Deferred Urban (copy attached) identifies the land as Proposed Residential.

My strong contention is that unreasonable planning constraints on Deferred Urban land should be lifted either by amendment of the definition of the zone in finalising the Planning and Design Code or by rezoning the land as Residential. For me, this is a matter of some urgency.

The Council's intention, as far back as 2006, has been for Lot 2 and adjacent land to be rezoned as Residential. References to this in the Victor Harbor Urban Growth Management Strategy 2013 include in Chapter 5:

- page 122, Map 21 Residential Land Concept Plan, 2006;
- page 132, Map 24, Residential Land Release, 2013; and
- Page145, Map 28, Proposed Structure Plan, 2013

However, the question for many years has been, 'when will rezoning occur?’. The land is within 7 km of the Victor Harbor Post Office and within the Victor Harbor ring road that is Armstrong Road. It is adjacent to an area that is developing rapidly with residential and commercial subdivision and a planned neighbourhood centre.

Lot 2 has immediate potential as residential land. With the rate of the adjacent development it make no sense to withhold its subdivision, or for that matter the subdivision of adjacent land.

Lot 2 and some adjacent land has effectively been quarantined from any form of development since 1987, in more recent times through a Deferred Urban zoning. It has been of little value as grazing land and, until the consolidation of the Victor Harbor Development Plan in 2017, the land could not have been be sold as a potential rural residential property. Doing so now, it seems, would be contrary to the Council's plans for the land to be subdivided eventually as residential land.

Under the Council's 2017 development plan, the present objectives of the zone are:

1) A zone accommodating a restricted range of rural uses that are not prejudicial to development of the land for urban purposes and maintain the rural appearance of the zone.

2) A zone comprising land to be used primarily for broad-acre cropping and grazing purposes until required for future urban expansion.
3) Prevention of development likely to be incompatible with long-term urban development, or likely to be detrimental to the orderly and efficient servicing and conversion of the land for urban use.

4) Development that contributes to the desired character of the zone

Building work and subdivision of the allotment are non-complying developments with the exception that one detached dwelling per allotment is permitted subject to conditions. As far as I am aware, this exception was only introduced in the 2017 consolidation.

It is my understanding that the new Draft Planning and Design Code includes and defines a deferred urban zone. This zone will have the same effect as the present Deferred Urban zone in the Victor Harbour Council's Development plan, including the formal exception relating to the construction of a detached dwelling. The Concept Plan Map ViH/5 will form part of the new code. I assume, therefore, that the present planning constraints on Lot 2 will remain when the new planning regime begins.

It is important, as a minimum, that the present conditions are transferred to the new code unchanged.

However, the Deferred Urban zoning has led to significant impositions on the owners of land caught within the zone. Land owners are, in effect, expected to subsidise the development plans of the State and local governments by foregoing the potential of their land. This can be especially so in regard to small holdings adjacent to growing regional towns. This situation cannot be allowed to go on indefinitely.

In my case, my late husband and I purchased Lot 2 in about 1980 as security for the future of our disabled son. Not being able to realise the land's potential, let alone sell it, even at a price well below its true value, has caused, and continues to cause, significant hardship. I have had little option but to hold on to an asset that materially affects my income and my ability to provide for my son as my husband and I intended.

I have two requests, that:

1) the intent and application of the Deferred Urban Zone be reviewed at the earliest opportunity. The objective should be to amend the terms of the zone so that it achieves its objective without causing the inequities inherent in the present definition; and

2) land identified as Lot 2 Fuller East Road identified by the Victor Harbour Council as Proposed Residential Land be rezoned immediately as residential land to remove the long-standing inequity caused by its present Deferred Urban zoning.

Yours sincerely

Maxine R Dickson

Attachments: Victor Harbor Council Concept Plan Map ViH/5
Map identifying Lot 2 Fuller East Road DP35975 Victor Harbor
near Victor Harbor — South Australia