

Consultation Submission Form

COMPLETE

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Page 1: Planning and Design Code for South Australia

Q1 Which part of the Planning and Design Code would you like to make a submission about?(Please click the circle to select which part of the Code you wish to comment on. You can also see which council areas are included in the rural and urban code via the links below.)

My submission relates to Rural code. (click here for council areas)

Page 2: Planning and Design Code for South AustraliaPersonal Details

Q2 Please provide your contact details below (Name, Postcode & Email are mandatory)Please be advised that your submission will be made publicly available on the SA Planning Portal.

Name	sandy hansen
Address	[REDACTED]
Suburbs/Town	[REDACTED]
State	SA
Postcode	5250
Country	Australia
Email Address	[REDACTED]

Page 3: Planning and Design Code for South Australia

Q3 Which sector do you associate yourself with?

General Public

Page 4: Planning and Design Code for South Australia

Q4 Would you like to make comment on

Specific Topics for example : - Rules of Interpretation
- Zones and Sub-zones - Overlays - General Provision
- Mapping Land Use Definitions - Administrative Definitions
- Referrals - Table of Amendments

Page 5: Planning and Design Code for South Australia

Consultation Submission Form

Q5 Enter your feedback for Rules of Interpretation

Respondent skipped this question

Q6 Enter your feedback for Referrals

Respondent skipped this question

Q7 Enter your feedback for Mapping

- Certificate of Title, Volume 6091 Folio 704, Allotment 2, in the area named Pinks Beach, Hundred of Lacepede in DP 88821. – 12 Pinks Beach Road Pinks Beach
 - Certificate of Title, Volume 6094 Folio 705, Allotment 20, in the area named Pinks Beach, Hundred of Lacepede in DP 88821. – 8 Pinks Beach Road, Pinks Beach
 - Certificate of Title, Volume 6091 Folio 703, Allotment 1, in the area named Pinks Beach, Hundred of Lacepede in DP 88821. – 10 Pinks Beach Road, Pinks Beach
- These should be zoned GENERAL NEIGHBOURHOOD and not Conservation
-

Q8 Enter your feedback for Table of Amendments

Respondent skipped this question

Page 6: Planning and Design Code for South Australia

Q9 Please enter your feedback for overlaysclick next at the bottom of the page for next topic

Respondent skipped this question

Page 7: Planning and Design Code for South Australia

Q10 Please enter your feedback for zones and subzonesclick next at the bottom of the page for next topic

Respondent skipped this question

Page 8: Planning and Design Code for South Australia

Q11 Please enter your feedback for general policyclick next at the bottom of the page for next topic

Respondent skipped this question

Page 9: Planning and Design Code for South Australia

Q12 Please enter your feedback for Land use Definitionclick next at the bottom of the page for next topic

Respondent skipped this question

Page 10: Planning and Design Code for South Australia

Q13 Please enter your feedback for Admin Definitionsclick next at the bottom of the page for next topic

Respondent skipped this question

Page 11: Planning and Design Code for South Australia

Consultation Submission Form

Q14 Please enter your general feedback here

There was not enough time for public consultation on Phase Two of the Code with so much information to review and digest

Page 12: Planning and Design Code for South Australia

Q15 Do you have any attachments to upload?(pdf only)

Submission to Planning and Design Code Pinks Beach from S Hansen.pdf(308.9KB)

Subject sites:

- Certificate of Title, Volume 6091 Folio 704, Allotment 2, in the area named Pinks Beach, Hundred of Lacepede in DP 88821. – 12 Pinks Beach Road Pinks Beach
- Certificate of Title, Volume 6094 Folio 705, Allotment 20, in the area named Pinks Beach, Hundred of Lacepede in DP 88821. – 8 Pinks Beach Road, Pinks Beach
- Certificate of Title, Volume 6091 Folio 703, Allotment 1, in the area named Pinks Beach, Hundred of Lacepede in DP 88821. – 10 Pinks Beach Road, Pinks Beach

Proposed: P & D Code Zone – Conservation

Request: P & D Code Zone – General Neighbourhood

Background:

The landowner purchased this land in 2002 when it was zoned Urban Coastal. In 2008 the State Government rezoned the land Conservation, which was not supported by the Council or landowner. The landowner was advised to pursue non-complying Development Applications to develop the land for residential purposes. There have been several non-complying Development Applications that have been approved, including a dwelling.

The landowner has been seeking to have the land rezoned since 2008 and was initially advised that they would have to wait until the Development Plan Review was undertaken, this review was commenced by Council in 2010 and 2014 but did not progress. The State Government then advised that a complete review of the Planning System would be undertaken and therefore the rezoning of land, or amending the Development Plan, would not be supported until this process had been completed. Council supported the commencement of the rezoning of the land in January 2018 but in light of the Planning Reform process the amendment process was not able to be commenced.

The landowner has undertaken several non-complying Development Applications to develop the land for residential purposes, including a land division to create three allotments and an application to construct a single residential dwelling. Two of the allotments have been sold to others parties. (All landowners have given their written consent for the land to be included in the General Neighbourhood Zone). The landowner has obtained the consent of the relevant State Government agency to clear the land and the relevant State Government agencies have provided their written support for the rezoning of the land back to Urban Coastal / Residential. The landowner is seeking to have the land zoned “General Neighbourhood” under the Planning and Design Code, as per the balance of the Pinks Beach settlement.

The State Planning Department have advised that they may consider rezoning the land as part of the Planning Reform process but have indicated that they would prefer the adjoining property owners have an opportunity to comment on the proposed rezoning. Letters were sent to 19 adjoining properties, by registered post, advising of the landowners intention to lodge a submission for the allocation of the General Neighbourhood Zone. There were three submissions, two that supported the proposed Zone and one that did not support the proposed Zone, stating they wanted the land to remain under Conservation Zone and undeveloped.



Figure 5: Proposed Zoning Map:

- Change Proposed Zone from “Conservation” to “General Neighbourhood”
- ★ Neighbours who supported Zone
- ★ Neighbour who did not support Zone

Conclusion

Having regard to the history of the site, its location in relation to the Pinks Beach settlement, its availability for residential development and minimal impact on the coastal environment and Conservation Park the proposed General Neighbourhood Zone has significant merit. In addition, it would not be premature to include the rezoning of the land in the first round of the Development Plan conversion under the Planning Reforms., as it has been intended for residential development as reflected through the approval of the non-complying Development Applications to develop the land for residential purposes.

The landowners have been trying to rectify the Zone change in 2008 that was not supported by the Council or the landowner. The Minister in 2008 alluded to the development of the site for residential purposes through advising the landowner to pursue non-complying development applications to develop the land as residential. Allocating the General Neighbourhood Zone to the land has the support of the relevant State Government agencies and all attempts to pursue rezoning the land have been postponed through firstly, the requirement to review the Development Plan and then the implementation of the Code. The land is ideally suited for residential development and was allocated the Coastal Conservation Zone through the Better Develop Plan and General DPA process without the support of Council or the landowner. The vegetation that the Minister advised would need to be protected was granted approval for removal a couple of years later.

The objection from the landowner is not considered to warrant enough merit to stop the allocation of the General Neighbourhood Zone as the land is not used for Conservation purposes as the vegetation was not deemed to be of significant to be retained. The land has been intended for residential development since it was purchased in 2002 and it was not a sound planning decision to allocate the Coastal Conservation Zone in 2008 as the reasons for allocating this zone were deemed to be unfounded. It is also noted that there have no submission against any of the non-complying Development Applications.

It is therefore requested that the land in question be allocated the General Neighbourhood Zone.

Regards,
Sandy Hansen
Planning Consultant

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