

Blanchetown shack settlement

Blanchetown

The Blanchetown shack settlement is located south of the Blanchetown township, which is 135km north-east of Adelaide, and 275kms from the Murray Mouth.

Shacks are located in a low area that is subject to flooding. There is a mixture of varying quality structures and surroundings.

Some shack sites have river frontages. The remainder of the shacks are set back in the irregular development behind a river front road. The shack settlement is served by a formal road pattern.

Specific considerations about this shack settlement

The table below will help you understand some of the standards that you may be required to meet, and the regulatory requirements that you may need to consider throughout the application process.

Table 1: Settlement specific considerations

Local Council	Mid Murray Council
Future tenure options available for consideration <i>*tenure options are subject to individual assessment this is just a guide</i>	<p>Long Term Transferrable Lease: Eligible to apply</p> <p>Freehold: Eligible to apply</p> <p><i>*greater tenure options are subject to conditions and final assessment to determine sites suitability.</i></p>
Documentation that may be required to be submitted with an application	
Identity verification	<p>Provide statutory declaration(s) to verify the identity of all current leaseholder/s and where required the identity of the applicant (where applicant is not a current leaseholder).</p> <p><i>* Where any current leaseholders have changed their legal name, an application to note the change/correction of the name is required to be submitted to Land Services SA</i></p>
Deceased estate	<p>Where any current leaseholder/s is/are deceased, a certified copy of the death certificate must be provided to the Department for Environment and Water (DEW).</p> <p><i>* An application to note the death is required to be submitted to Land Services SA.</i></p>
Reason for occupancy	<p>Where a third party wishes to be considered for occupancy, include the details of the third party and the reason for the change, and;</p> <ul style="list-style-type: none"> • Where the current leaseholder/s is/are available, they should nominate third parties with a formal express nomination; and/or • Where the current leaseholder/s is/are deceased, the applicant should describe why they should be considered as a suitable occupant.

Conceptual proposal	Applicant/s must submit a conceptual proposal indicating how they broadly propose to meet the standards.
Standard requirements to secure longer tenure	
Waterfront	Demonstrate how unrestricted public access will be maintained/ made available along the foreshore.
Tenure	<p>An adequate definition of the boundaries of a shack site is mandatory for freeholding and for leasing Crown land.</p> <p>Survey Data: Each allotment within the settlement is covered by a fully certified survey.</p> <p>Legally identified parcel: Allotments have been created within the settlement.</p> <p>Legal access: The road around the current shack sites is a legally gazetted road.</p> <p>Encroachments: All encroachments must be resolved prior to securing longer tenure.</p> <p>Common property: Common property may exist in the shack settlement area and may be a consideration when granting alternative tenure.</p> <p><i>*Applicants will be responsible for arranging and meeting all tenure requirements and any associated costs.</i></p> <p><i>*Some tenure data may already be available for some shack sites. The DEW Shacks team can provide further information.</i></p>
Native Title	Native Title rights may exist on Crown land and must be considered must be considered by Government agencies when granting land tenure. Some blocks are noted to possibly have unconfirmed native title status, which must be resolved during the application assessment process. Where sites are subject to Native title rights, applicants will be provided with further information.
Wastewater	All shack leaseholders will be required to provide evidence that wastewater systems comply with current public health standards. Applicants will be responsible for meeting any costs associated with wastewater.

Regulatory considerations

**The following regulatory considerations, while not mandatory to meet the longer tenure requirements, should be considered as part of your decision-making process to enter into the application process.*

**Shack leaseholders should make themselves aware of any associated regulatory requirements for the ongoing management of the shack site.*

Development	<p>The development potential of a shack site may be constrained by the zoning and other requirements in the relevant Development Plan. Refer to the Mid Murray Council Development Plan for further information.</p> <p>Where any development is proposed pursuant to the <i>Development Act 1993</i> or the <i>Planning, Development and Infrastructure Act 2016</i>, approval from the relevant planning authority may be required. This is the responsibility of leaseholders.</p> <p><i>*Changes to the Planning, Development and Infrastructure Act 2016, to be implemented by July 2020, may affect the zoning for shack areas.</i></p>
Built environment	<p>Building fire safety: The density and proximity of each shack to the neighbouring shack may pose a fire risk. Shack leaseholders should review their building fire safety requirements.</p> <p>Stormwater management: Appropriate stormwater and drainage management should be considered in any development. Shack leaseholders should consider requirements to comply with appropriate stormwater management of the local council.</p>
Natural environment	<p>Environmental management: Appropriate management and control of the surrounding area should always be a consideration.</p> <p>Bushfire management: Where there is a risk of bushfire, but development is not proposed, the shack leaseholder (or landowner in the case of freeholding) should prepare and enact a Bushfire Survival Plan.</p> <p>Riverine flooding, bank slumping and erosion: The settlement may be regularly impacted by environmental, access and liability matters relative to flooding. In most shack settlements the upper limit of dwelling construction and land division has been achieved and new infill or expansion is not envisaged given the capacity constraints for effluent management and disposal, the risk to degradation of water quality and the river bank.</p>
Referral to prescribed bodies	<p>Under the Development Act and regulations, the relevant planning authority must refer certain developments to prescribed bodies (e.g. Coast Protection Board, Country Fire Service etc.) for advice, concurrence or direction.</p>
Other regulatory requirements	<p>A number of other regulatory requirements may need to be complied with when meeting the standards to secure longer tenure.</p>

Fees and charges

The fees and charges that apply to lease applications will be in accordance with the [Crown Land Management Regulations 2010](#) as at the date the Department receives the application.

Fees and charges for lease applications are comprised of:

- A non-refundable application fee, which is an initial advance towards the cost of processing applications; and
- Charges for processing activities including (but not limited to) the negotiation and preparation of documents for execution and the costs of document lodgement with the Lands Titles Office.

The approximate fees that will be required to be paid to DEW throughout the process can be found in the table below.

Table 2: Example when fees may be due for payment

On submission of an application		Section of the Regulations
Application fee	\$446.00*	Schedule 1 (4)(a)
Following the acceptance of the Minister's letter of offer (issue of a 5-year lease)		
Surrender of 78B lease	\$353.00*	Schedule 1 (4)(b)(iv)
Document preparation fee (issue of new 5-year lease)	\$297.00*	Schedule 1 (4)(b)(i)
Additional costs that may also apply		
Request for title (freeholding only)	\$297.00*	Schedule 1 (7(a))
Freeholding purchase price and associated costs	For applications that are eligible for freehold, the market value of the shack site will be obtained by a professional valuer consistent with the International Valuation Standards 2020, as part of the application process.	

*Crown Lands Management Regulations 2010 fees as at the 2019-20 financial year.

These fees do not include fees associated with alterations to lease certificates, such as notation of death or change or name due to marriage/divorce and other such requests.

All other costs, such as personal legal advice, conveyancer needs, survey requirements, stamp duty etc. will be required to be met by the applicants.

Any costs relating to improvements or demolition to the site are the responsibility of the leaseholder.

Further Information

For further information about the Retaining Shacks commitment please visit www.environment.sa.gov.au/topics/crown-land/retaining-shacks-commitment or contact the DEW Shacks Team by email at dewshacks@sa.gov.au or by phone on (08) 8204 1218.

The *Crown Land Management Act 2009* and the *Crown Land Management Regulations 2010* are available online at www.legislation.sa.gov.au.

Disclaimer

The information set out in this shack settlement information sheet is not intended to be exhaustive and any applicants should make their own enquiries regarding:

- the contents of this shack settlement information sheet;
- the suitability of their shack site for all the likely requirements and obligations the eligible shack leaseholder will need to comply with in order to be granted greater tenure;
- whether the eligible shack leaseholder will be able to comply with all the likely requirements and obligations in order to be granted greater tenure.

None of the Minister or any employee, agent or contractor of the Minister provides any warranty or makes any representations, expressed or implied, as to the completeness or accuracy of the information contained in this shack settlement information sheet or any information which may be provided in connection with this shack settlement information sheet.

For more information

For enquiries, please contact the DEW Retaining Shacks Project team:

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P: (08) 8204 1218

M: Retaining Shacks Project

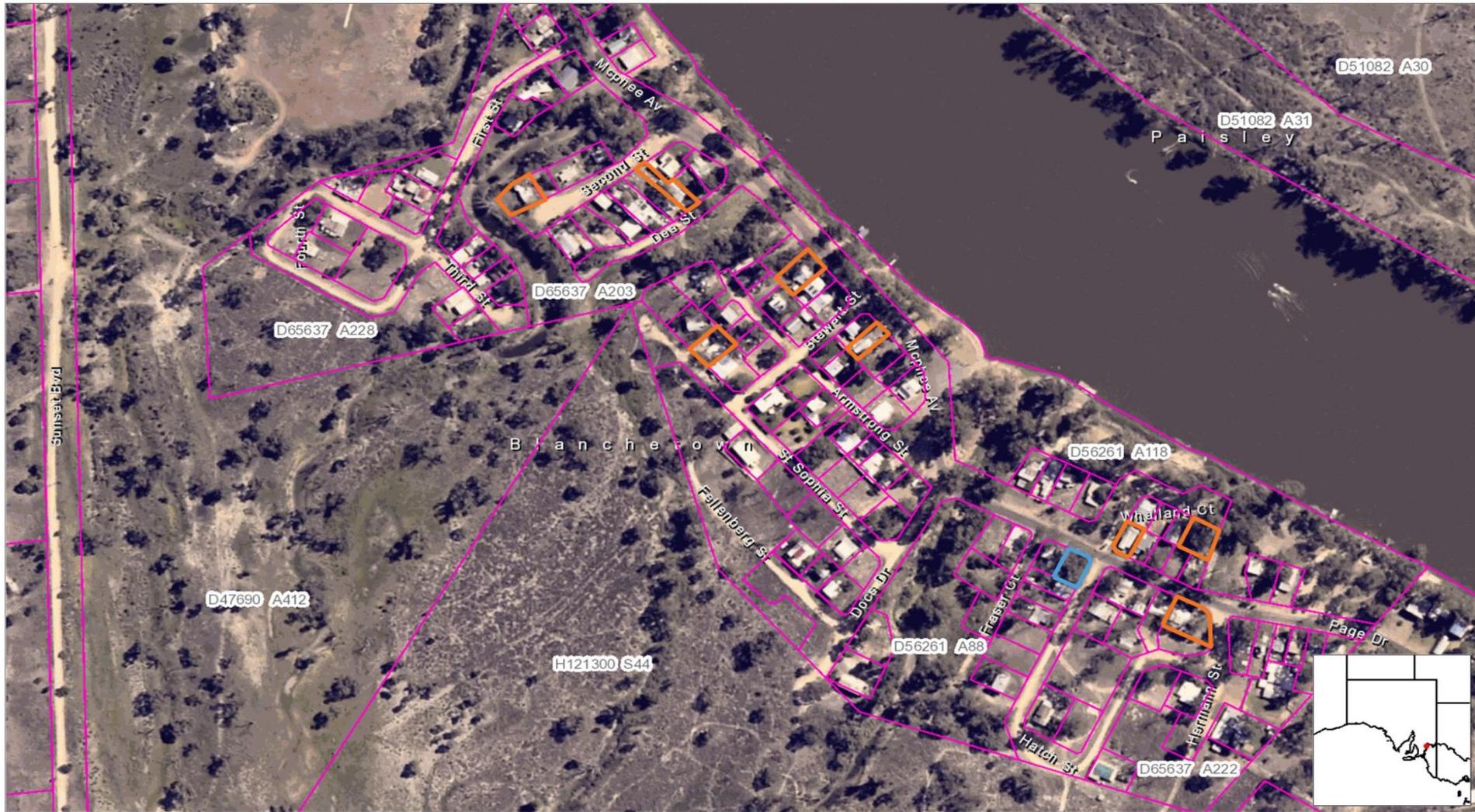
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ADELAIDE 5001

W: www.environment.sa.gov.au

Locality map*

Blanchetown Shack Area



Map data is compiled from a variety of sources and hence its accuracy is variable.

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Datum: Geocentric Datum of Australia, 1994
Projection: Web Mercator (Auxiliary Sphere)



*Lease areas defined with orange squares