

Glenelg River shack settlements

Glenelg River

The Glenelg River shack settlements are located 30km south-east of Mount Gambier, within the area of the Donovans township. There are a number of separate shack settlements along the Glenelg River known as Donovans, Dry Creek and Reed Beds.

Most shacks are constructed along the edge of the river and jut out into the river, standing over the water.

The Donovans settlement is served by boardwalk access on Crown land in front of the shacks with no formal road access available directly to most individual shacks. The other settlements, have various informal access arrangements.

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	District Council of Grant
Future tenure options available for consideration <i>*tenure options are subject to individual assessment (this is just a guide)</i>	Long Term Transferrable Lease: Eligible to apply Freehold: Not eligible <i>*greater tenure options are subject to conditions and final assessment to determine sites suitability.</i>
Documentation that may be required to be submitted with an application	
Identity verification	Provide statutory declaration(s) to verify identity of all current leaseholder/s and where required identity of the applicant (where applicant is not a current leaseholder). <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>
Deceased estate	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). <i>* An application to note the death is required to be submitted to Land Services SA.</i>
Reason for occupancy	Where a third party wishes to be considered for occupancy, include the details of the third party and the reason for the change, and; <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	<p>Demonstrate how unrestricted public access will be maintained/made available.</p>
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: To enable a longer term lease then an uncertified survey by a licensed surveyor may be required. To enable freeholding a fully certified survey by a licensed surveyor is required.</p> <p>Legally identified parcel:</p> <ul style="list-style-type: none"> • In order to freehold, the proposed allotment needs to meet the land division and allotment requirements in the relevant Development Plan. • To enable a Crown Lease to be issued by Land Services SA, the described leased area must be uniquely identified to their satisfaction. <p>Legal access:</p> <ul style="list-style-type: none"> • Formal access may be a consideration when assessing applications for longer term leases. • To enable freehold tenure the road will need to be formalised and required standards met (where eligible). <p>Common property: Common property may exist in the shack settlement and may be a consideration when securing longer tenure.</p> <p>Encroachments: All encroachments must be resolved prior to securing longer 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	<p>Native Title rights may exist on Crown land and must be considered by the Minister before being able to grant future 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.</p>
Wastewater	<p>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.</p>

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 to secure longer term tenure.*

**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 District Council of Grant's Development Plan for further information.</p> <p>Where any development is proposed pursuant to the <i>Development Act 1993</i> or <i>Planning, Development and Infrastructure Act 2016</i> then approval from the relevant planning authority may be required. This is the responsibility of the shack leaseholders.</p> <p><i>*Note the Planning, Development and Infrastructure Act 2016 changes 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 storm water and drainage management should be considered in any development. Shack lease holders 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 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: Settlements 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. Further information may be provided throughout the assessment process.</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 in accordance with Schedule 1 (4a) of the *Crown Lands Management Regulations 2010*, which must be paid when submitting an application form. The application fee covers the work required to be completed during the assessment process.
- Charges for processing activities including (but not limited to) the negotiation and preparation of documents for execution, and the costs of document lodgement with Lands Services SA.

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 of when fees may apply

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:

E: DEWshacks@sa.gov.au

P: (08) 8204 1218

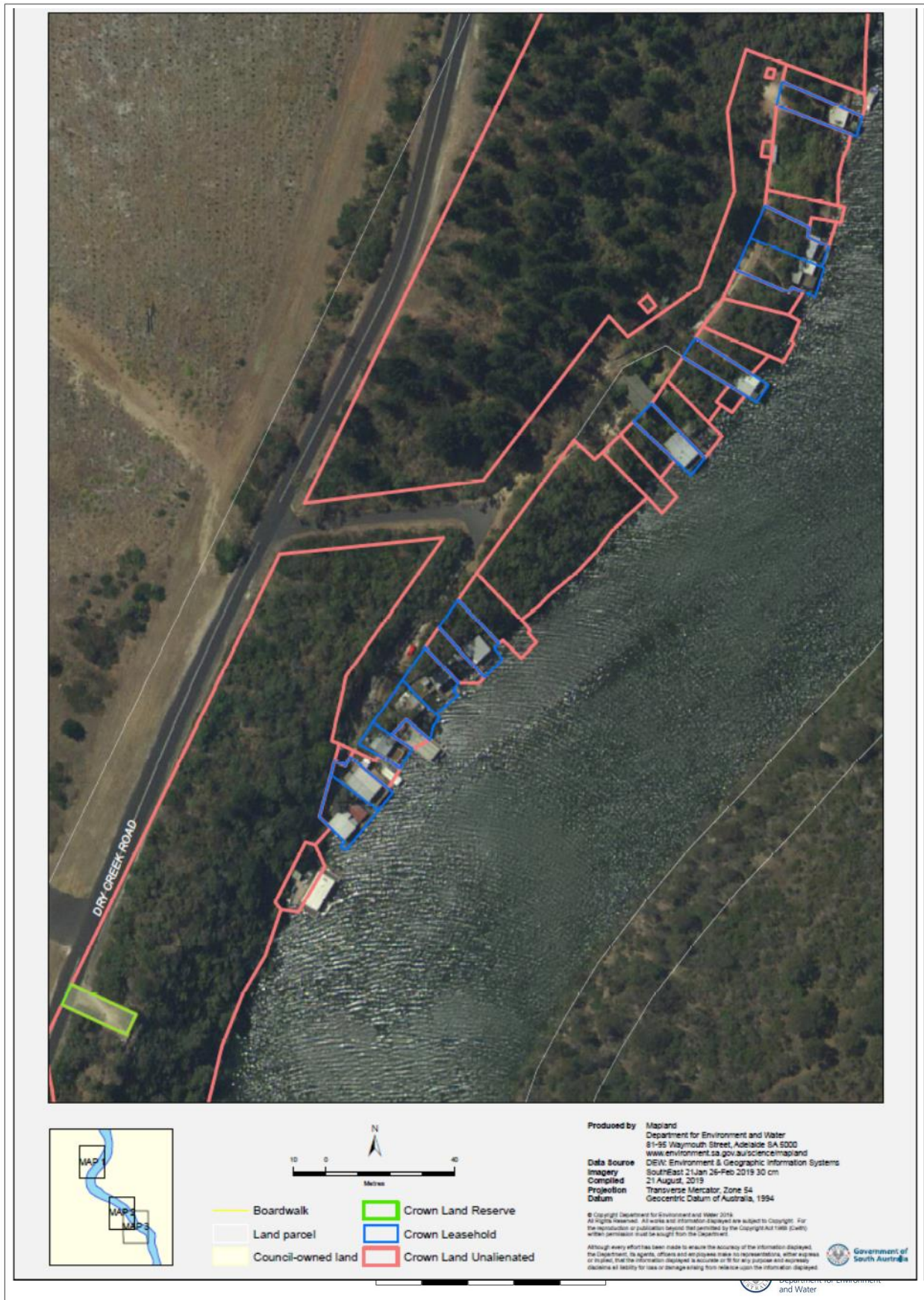
M: Retaining Shacks Project

GPO Box 1047

ADELAIDE 5001

W: www.environment.sa.gov.au

Locality Map*



*Lease areas defined with blue squares

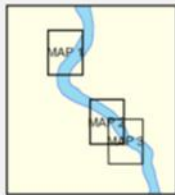


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|  Boardwalk |  Crown Land Reserve |
|  Land parcel |  Crown Leasehold |
|  Council-owned land |  Crown Land Unalienated |

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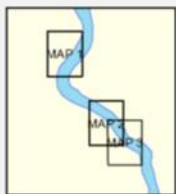
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