

DTI:Planning Review

From: Learey rod [REDACTED]
Sent: Monday, 24 October 2022 7:49 PM
To: DTI:Planning Review
Subject: Attention: Mr John Stimson- Expert Panel- Infrastructure Act - Planning review

[REDACTED] [REDACTED]

Dear Mr Stimson, Ms Hart, Mr McKeegan and Ms Teburea,

Our names are Jen and Rod Learey of [REDACTED]. We reside on a 5-acre property which is classed as a Hills Face Zone area. [REDACTED]

We recently listened to an ABC radio interview with the Minister of Planning, Nick Champion, regarding the establishment of your new Expert Planning & Design Code Review Panel for the Planning, Development and Infrastructure Act 2016.

We are hoping that this Expert Panel will be looking into reviewing the strategic criteria for HFZ areas.

It is our understanding that the Hills Face Zone boundary was last reviewed in **1980/1982** where only minor boundary adjustments were made. NO review of the HFZ boundary has since been made to our knowledge.

The State Government published the " HFZ Review" in **February 2004** that documented the need to undertake a comprehensive review of the HFZ, it's policies and boundaries to ensure that it is updated to reflect the urban growth of Metropolitan Adelaide, the greater accessibility of essential infrastructure and the key areas of biodiversity that warrant protection.

It is **now 2022** and NO review has been initiated since **February 2004**, some **18 years later**.

It was interesting to note also, that the Adelaide Hills Council's recent submission to The State Planning Commission expressed a desire for closer examination and possible refinement and reform regarding the Watershed (Primary Production) Zone which has similar issues to our HFZ predicament.

In a nutshell we are hoping to be a "Case Study" for a Code Amendment for land division on our property. It is a unique parcel of land that we feel has been held in a time warp, it is now surrounded by urban development/housing, southern expressway, sporting infrastructures on HFZ land, and we feel our land does not conform/reflect or should be included in this present time as a HFZ area given the need for affordable current housing, available rental housing and the land shortage crisis.

The 20 house Lucy Court Sub-division backs on to our property and we would envisage either a continuation of this Suburban Neighbourhood Zone or possibly larger lifestyle allotments (Rural Living Zone?) in keeping with the rural "feel" of the area (Glenthorne Park is in close proximity) or whatever the Panel would suggest might be the appropriate Zone or allowed, given the need for urban growth and change for Greater Adelaide in these present times.

Although this letter might fall into the "not relevant" or "too hard basket" we ask you to bear with us in the proceeding information and review or pass on to the appropriate department /persons regarding our concerns (now might be a good time to grab a tea/coffee and settle in for the ride ! :)

We have been pursuing this re-zoning request since the inception of the New Planning & Design Code Portal consolidating SA's 72 complex development plans indicating that **ALL** the zones would be one clear set of planning guidelines for the State.

In February 2020 during Phase 3, we forwarded a submission (with a consultant (Ben Green & Associates) at considerable cost) only to find out in July 2020 we would not have a "line by line" response and that the 1800 submissions were collated on an "issues basis".

In November 2020 we attended another round of Community Information sessions and spoke with Andrew Mitchell, Senior Planner, Planning & Land Use Services, Attorney General's Department. He explained to us that the HFZ areas were not a part of the New Planning and Design codes which actually totally floored us after spending so much money on a consultant for the submission, even they did not know it didn't include the HFZ areas.

Mr. Mitchell suggested we try Marion Council first as SCAP was not "live" until March 2021 and upon a subsequent meeting with them we were told that although our land was unique it would be regarded as non-compliant and not an appropriate outcome, a few trees may become impacted (although the trees are approx. 10 metres apart along Adams Road so questionable a driveway needs to be 10 metres) and also, that we would be setting a precedence for the other rural allotments in the area and they declared this unfavorable.

Our property already has direct access to all the necessary utilities, it needs no civil works undertaken ie: land clearing, earthworks, roadworks, construction of retainer walls as opposed to the other rural allotment properties which are not on a main thoroughfare road.

The Council then suggested that SCAP would be the relevant authority for this type of application.

Just some background to our property, we back onto the old O'Halloran Hill Conservation Park which is now part of and renamed Glenthorne Park. We were told it was originally a buffer zone for the future one-way Southern Expressway owned by the then Dept of Transport. Oakford Homes then purchased this approx. 8-acre allotment and sold off approx. 5.19 acres some 15 years ago. As it was zoned as HFZ they could not commercially develop it so they went on to build 20 homes in the Lucy Court sub-division on the remainder of the land (2.61 acres) this backs onto the Southern end of our property.

As we are on the Southern "back-face" of the "old" O'Halloran Hill Cons Pk we cannot be seen from the flats of the Adelaide Plains nor the Mt Lofty Ranges, therefore it has no visual impact on the residents of Adelaide.

In addition, we are approx.1klm south of Majors Road. Part of this klm is now occupied by The Cove Soccer facility which was originally HFZ land and as we back onto the existing Park, this acts as a visual buffer for our house and property.

Our property then continues south on an approx. **34 metre slope/decline** from the crest of Majors Rd to our bottom fence line which is shared with the Lucy Court Sub-division, all of which is falling away from Adelaide's view.

Over the years we have seen structures on HFZ land be granted approval, these in close proximity to us on Adams Road include the Marion Council Depot which regularly has huge mounds of compost/rubble/soil/ large cement pipes (House height at least) in their yards.

The Onkaparinga Council Depot which houses large machinery and can be seen from the Expressway.

The \$7 Million Dollar Soccer facility with 3 Floodlit turf pitches (4th pitch to be built in the future), Clubrooms and Car Parking for 250 cars, all on HFZ land. The Soccer development had totally erased all trees and flora for their construction of the area which seems at odds to what the Marion Council were indicating to us regarding possible removal of a few trees on our HFZ land.

The very recent BMX track on the crest of the hill on Majors Road (at the crossroads of Adams and Majors Rd ,again on the "old" O'Halloran Hill Cons Pk) has very tall floodlit lighting, a huge approx. 2-3 Storey grandstand, 5 & 8 metre start hills, Clubrooms and associated parking, alongside this is also the Mountain Bike Riding trails and the addition of a set of traffic lights.

The large Indoor Arena for the Riding for the Disabled-on Majors Rd, again on the crest of the hill, would be a minimum building of 30metre x 80 metre area and over 6 metres in height.

We imagine all of these structures would be much more visible to the Adelaide Plains/Mt Lofty ranges than our property due to our location and slope of the land and also seem to negate the HFZ objectives of a need for area where the natural character is preserved or re-established to achieve a buffer between metropolitan districts.

All of these structures and buildings supersede our property in land mass and height and with the ongoing establishment of Glenthorne Pk plus the trees/flora already lining our street, it is unlikely that our very small area will be of great impact to the overall area and the appeal of the foothills view. Our Neighbour to the west is on 10 acres, then alongside her we have another approx 15–20-acre green buffer belt as well as the Conservation Park.

Adding to all this urban growth and infrastructure surrounding us, the current Government has given the green light go ahead for an On/Off ramp off the Southern Expressway to cross Majors Road and come along Adams Rd, hence we feel with all this extra traffic our property doesn't fit into the criteria of a HFZ mould.

The Hon Nick Champion commented on the massive housing affordability and rental market crisis, we often have people call in, email, drop notes in our letterbox enquiring if we could sub-divide our land, therefore we feel this is proof enough the public are constantly showing us a very real need for land and housing in the area which already has existing Community infrastructure.

We have existing established service utilities/ infrastructure such as water, electricity, sewerage, street lighting etc as well as close and easy access to emergency services, medical facilities, schools, shopping centres,(a new refurbishment of the current Hallett Cove Shopping Centre with extra shops has recently been announced) day care centres, library, community centre, church, parks and sporting facilities.

Adams Road is a main thoroughfare to the built up areas of Trott Pk, Sheidow Park, Hallett Cove Heights and as previously stated adjoins the already established Lucy Court Sub-Division.

The HFZ call is for an "area where the natural character is preserved or re-established which achieves a buffer between Metropolitan districts". Our land is for personal horse use and we have just bare pasture grasses in our paddocks.

May we point out the fact that the property is surrounded by the "buffer zones" of:

Glenthorne Park **208 Hectares**

O'Halloran Hill Conservation Park (now part of Glenthorne Pk) **253 Hectares**

Happy Valley Reservoir Reserve **600 Hectares**

Marino Conservation Park **51 Hectares**

Hallett Cove Conservation Pk **51 Hectares**

Plus the Field River areas and Marion Council's green buffer belts

The Total area is more than **1500 Hectares (3706.58 acres)** of open buffer space.

Our 5-acre property is surely an insignificant HFZ area compared to the above and definitely would not be detrimental on the surrounding landscape if it were to be re-zoned from HFZ to another category which allows successful land division under the SCAP recommendations and collaborations.

We feel we are in a David & Goliath situation, caught in an antiquated system and it would be nice if the "little people" could be heard every now and then as opposed to various councils approving 300sqm housing blocks and often 5 townhouses on less than a 1000sqm block. Please, can common sense prevail here.

Throughout this process we have had support letters from our Local MP , the then Minister for Environment & Water now the State Liberal Leader David Spiers.

Also, information from the previous Minister of Planning Vicki Chapman informing us the Commission was currently working on a set of strategic criteria to assist in the assessment of future re-zoning requests for areas such as HFZ.

Hopefully the Malinauskas Labour Government can deliver on its commitment to "embark on a generational review and plan our city for continued community livability with the needs of today and our hopes for the future"

Therefore, we **implore** you and **invite** you to use our property as a "Case Study" on **why** the HFZ areas need to be reviewed. I think we can achieve the Panel's objectives of growth and infill in our area that is not necessarily contentious and we can more than maintain the aesthetics of the land division proposal with proper planning and guidance.

Hopefully you will oblige us with an acknowledgment to this email or any helpful future direction we should take so we anxiously look forward to hearing from you.

A very **BIG** "Thank You" for reading through this "waffle", we greatly appreciate your time and efforts in doing so.

Kind Regards
Jen and Rod Learey

Locality Plan



Source – SAPPA