

27 February 2020

Mr Michael Lennon
Chairman – State Planning Commission

Via email: DPTI.PlanningReformSubmissions@sa.gov.au

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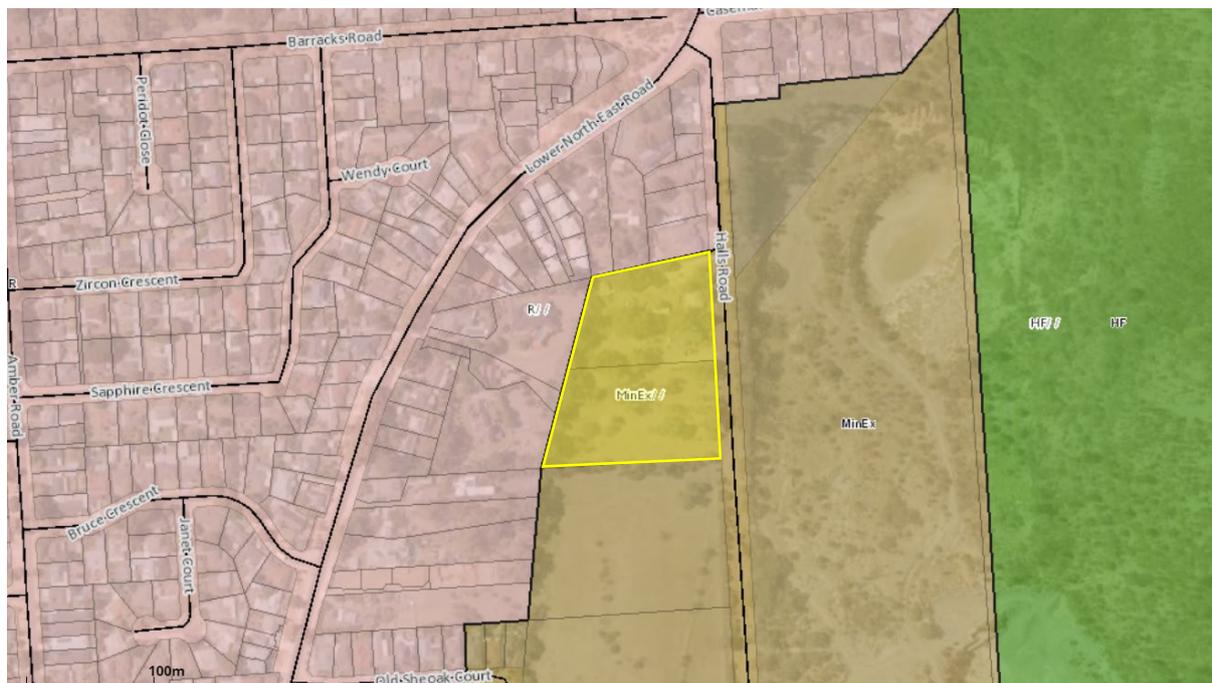
Dear Michael,

**RE: Planning and Design Code Phase 3 Submission –
10 – 20 Halls Road, Highbury.**

We act for Hallan Nominees Pty Ltd, who are the owners of the land identified as 10 – 14 and 16 – 20 Halls Road, Highbury (“the site”). In reviewing the site, we respectfully suggest that the it warrants a different zoning to that outlined in the draft Planning and Design Code.

The subject site and existing zoning as identified by the Tea Tree Gully Council Development Plan (consolidated version 27 December 2018) is shown in Figure 1 below. It depicts that the subject site is located within the Mineral Extraction Zone.

Figure 1 Subject site and existing Zone.



The land comprises two allotments, legally described as:

- 10 – 14 Halls Road – Allotment 11 in Certificate of Title Volume 5768 Folio 114; and
- 16 – 20 Halls Road – Allotment 12 in Certificate of Title Volume 5768 Folio 115.

10 – 14 Halls Road has an area of 8,369 square metres and accommodates a single building.
16 – 20 Halls Road has an area of 10,110 square metres and is currently vacant, but was historically used for crushing of materials (brick and shell grit), storage and distribution of coal.

Along the northern and western boundaries are residential properties located within the Residential Zone.

On the southern boundary of the subject site is a landfill site previously used for gas extraction and ceased operations in the 1996.

Halls Road runs along the eastern boundary of the site, and to the east of this road is a quarry site which, as we understand, closed approximately 15 years ago.

The land owner would like to develop the site for residential purposes, and have previously undertaken investigations (Phase 1 and 2 Environmental Site Assessments, Primary and Secondary Soil and Water testing) to determine the volumes of existing minerals on the site and its suitability for residential development. These tests indicated that no remedial works would be necessary for residential development to be undertaken. Further, it is our understanding that there are no significant deposits of minerals on the site.

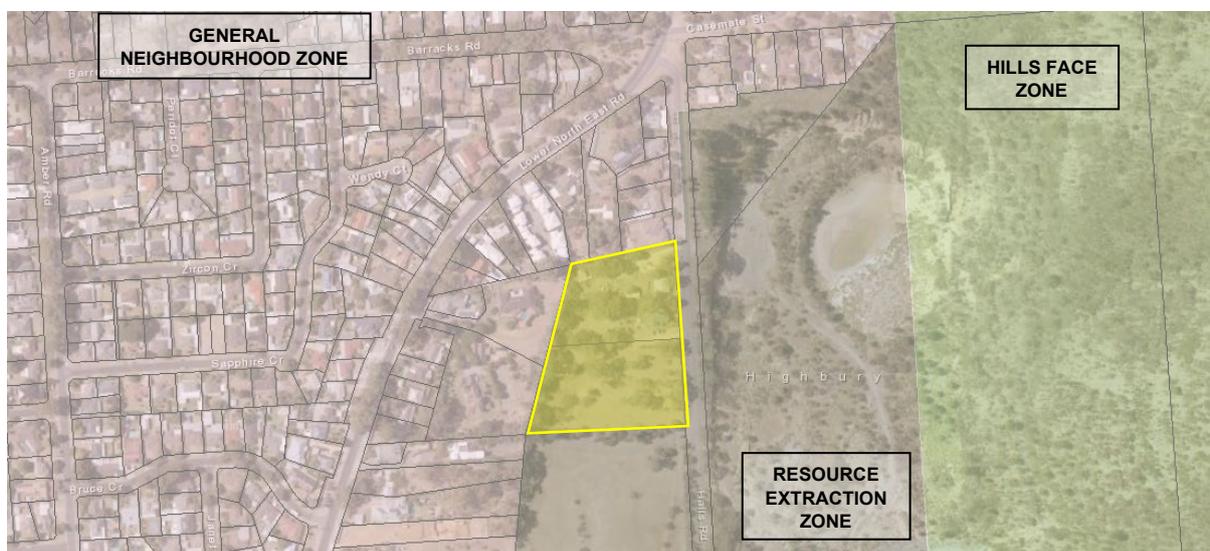
We note that the site offers significant potential for residential development on the basis that:

- residential properties adjoin the western and northern boundaries;
- it is less than 200 metres to Lower North East Road, which has public bus access to the O-Bahn;
- it is approximately 400 metres to high quality public open space (Zircon and Amber Reserve);
- it is within 2 kilometres of Modbury High School, St Agnes Primary School and Ardtornish Primary School;
- it is within 3 kilometres of Westfield Tea Tree Plaza Shopping Centre; and
- it is within 3 kilometres of Modbury Hospital.

In terms of zoning, the draft Planning and Design Code proposes the following outcomes for the land and locality, which for clarity, are reproduced in Figure 2 below:

- Conversion of the current Mineral Extraction Zone to the Resource Extraction Zone; and
- Conversion of the current Residential Zone to the General Neighbourhood Zone.

Figure 2 Subject site and proposed Zoning under the draft version of the Planning and Design Code.



As anticipated, the draft Planning and Design Code has proposed a 'like for like' rezoning.

In the circumstances of this case, we do not consider "Resource Extraction Zone" suitable zoning for the subject site, and instead, believe the General Neighbourhood Zone is more appropriate. We have formed this opinion as:

- there are no significant deposits of minerals on the subject site to extract;
- given the proximity of the subject site to existing residential properties, there are limited opportunities for the site to be developed to accommodate the land uses which are envisaged in the Resource Extraction Zone;
- investigations have indicated that the site is suitable for the residential land uses which are envisaged in the General Neighbourhood Zone; and
- development of the land for residential purposes, along with the necessary interface mitigation strategies, will ensure that future and existing residential land uses are not adversely impacted by mineral extraction operations.

We would be pleased to meet with DPTI staff in order to provide further detail and information in respect to this submission/request.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Milly Nott', with a horizontal line extending to the right.

Milly Nott
Planner