



Development Act 1993

Tea Tree Gully (City)

**Golden Grove Residential & Light Industry (Lot 53
Aristotle Close, Golden Grove) – Minor
Amendments Development Plan Amendment**

**Summary of Consultation and Proposed
Amendments Report for the Minister for Urban
Development and Planning**

by the Development Policy Advisory Committee

1. INTRODUCTION

This report provides an account of the consultation process and the matters raised during the public consultation period in respect to the draft Golden Grove Residential & Light Industry (Lot 53 Aristotle Close, Golden Grove) – Minor Amendments Development Plan Amendment and any recommendations.

2. CONSULTATION

Consultation process

Statutory consultation with State Government Agencies and the public was undertaken in accordance with the Development Plan Amendment (DPA) process B and in accordance with Section 26 of the *Development Act 1993*.

The consultation period commenced on 3 April 2008 and concluded on 29 May 2008.

A list of the State Government Agencies and organisations, along with persons who were advised of the DPA, is contained in *Attachment A*.

Public notification

Notices were published in *The Advertiser* on 3 April 2008 and *the Leader* (Messenger newspaper for the north and north-east region) on 9 April 2008.

Copies of statutory and other public notification documents are contained in *Attachment B*.

The DPA was placed on display at the offices of Planning SA (North Tce, Adelaide) and was made available at the offices of the City of Tea Tree Gully, 571 Montague Road, Modbury.

3. SUBMISSIONS

Public submissions

No public (non-council) submissions were received.

Council submissions

Submissions were received from the City of Tea Tree Gully, the City of Port Adelaide Enfield and the Adelaide Hills Councils. Issues raised in the submissions are summarised below:

- The City of Port Adelaide Enfield and the Adelaide Hills Council, have advised that they have no comment/objection to the draft DPA.
- The City of Tea Tree Gully are the main respondent to this draft DPA and have requested:
 - A greater separation distance (based on Environment Protection Authority (EPA) guidelines), being provided between the existing Golden Grove Light Industry Zone and the proposed Golden Grove South Policy Area.
 - Screen landscaping not be located within the rear boundaries of allotments, as it is more difficult to maintain and is an undesirable use of open space. The preference is that screen landscaping or open space, should have direct frontage to a public road.

- Consideration be given to design guidelines for future development for the residential land uses relative to light industry activity and built form.
- Consideration of an internal road design which limits the opportunity for through traffic between Bicentennial Road and Golden Grove Road (via Kunzea Way).
- A definition for "Affordable Housing", in the context of the policy draft for 15% affordable housing in Policy Area 21 be provided as part of the DPA.

A table containing a summary of each submission, is contained in **Attachment C**.

Agency submissions

Ten (10) responses were received from Agencies. A summary of issues raised in the responses is set out below:

- Some concern among a number of agencies about a lack of information in relation to flood mitigation, in particular the need for engineering advice regarding the construction of the proposed detention basin, its capacity and operation.
- Housing SA have sought further investigations relating to the provision of "affordable housing" for low to moderate income households.
- The Department for Environment and Heritage (DEH) has suggested that a survey of the site be conducted to determine if there are any remnant native trees/grasses, or if the site contains Coolatai Grass which is a highly evasive weed, which has been targeted for eradication.
- The Environment Protection Authority (EPA):
 - is concerned about the lack of investigation into the current industries located within the Light Industry Zone boundary and the potential air pollution/odour impacts (reference is made to the EPA's Guidelines for Separation Distances 2007). EPA is also concerned that little justification for the proposed 800 m² allotment size adjacent to the Golden Grove Light Industry Zone is provided and an unqualified need to determine if all impacts will be acceptable. (i.e. any potential impacts between the immediately adjoining light industrial uses and future residential properties).
 - has raised concerns about the potential impacts on the residential properties which abut 20 industrial allotments.
 - made further calculations, in relation to noise assessment, based on those provided in the Statement of Investigations contained in the draft DPA and concluded that the noise from the 20 light industrial allotments would exceed EPA requirements.
 - raised the potential for site contamination based on an assumption that the previous use of the subject land was "broad acre" agriculture and grazing.
- The Department of Transport, Energy and Infrastructure (DTEI):
 - has recommended that noise from increased traffic volumes (as well as increases in factory noise from industrial uses), should be modelled to ensure problems are not accentuated over time.

- has raised the need for connectivity for new residents to bus routes, and walkways and connections to public transport facilities.
- sought assurance that the safety and efficiency of movement along the arterial roads would not be compromised by the proposed rezoning.

A table containing a summary of agency response is contained in *Attachment D*.

Public's access to submissions about the DPA

Copies of all submissions, were made available for public review following the closure of the public consultation period on the Planning SA website and at the offices of Planning SA.

Public Meeting

Four (4) public submissions were received (one being a duplicate of The City of Tea Tree Gully Council's submission), however no-one requested to be heard, therefore, no Public Meeting was held.

4. DISCUSSION OF ISSUES RAISED IN SUBMISSIONS

Separation of Activities

The City of Tea Tree Gully and the EPA have raised a number of issues about separation between the existing Golden Grove Light Industry Zone and the proposed Residential (Tea Tree Gully) Zone – Golden Grove South Policy Area.

In regard to separation requirements attached to potentially incompatible land uses (i.e. residential and industrial activities), the EPA has highlighted its publication Guidelines for Separation Distances EPA 2007. However, this document is intended to be used as a guide only and has no statutory basis and relates to specific, industrial activities. Applying the guide to the Golden Grove Light Industry Zone, in the absence of any specific information about the types of industrial uses likely to be established on these sites, would be difficult and impractical.

Notwithstanding this, while the Golden Grove Light Industry Zone anticipates a range of land uses, it does so on the proviso that such uses are 'primarily, small scale commercial and light industry facilities which do not create any appreciable noise, smoke, smell, dust or other nuisance, or generate heavy traffic' (see Zone Principle of Development Control 1), which is consistent with the definition for 'Light Industry' under the Development Regulations 1993.

The draft DPA, however, does include requirements that recognise the need to separate potentially incompatible uses by:

- in proposed Policy Area 21, introducing a requirement that residential allotments adjacent to the Golden Grove Light Industry Zone, have a minimum site area of 800 square metres and that the subsequent siting of dwellings is such that the dwellings are appropriately separated from industrial activities; and
- in the area proposed to be included in the Golden Grove Light Industry Zone (southern area adjacent to the existing creek line), requiring all buildings to be set back a minimum 15 metres from residential properties.

In addition to the above, the proposed stormwater detention basin and associated screen landscaping along the existing creek line, are likely to further separate activities in the Residential Policy Area 21 and the additional area being zoned for light industry. This is

underpinned by existing Residential (Tea Tree Gully) Zone policies which require development to demonstrate that it will not unduly impact on the free flow of flood waters from watercourses (as indicated by the "River/Creek Floodwater area").

In light of the above, it is recommended that two BDP policies relating to noise (as contained in the 'Interface between Land Uses' module) be included in Policy Area 21, rather than attempt to identify and introduce separation distances. The addition of these new policies would allow a range of design solutions to be considered to mitigate impacts (i.e., type of fencing, building materials and construction requirements like double glazed windows etc). This would also allow the proposed requirement for a landscape buffer (see proposed Principle of Development Control 2) along the boundary of the 800 square metre allotments to be removed, given Council's concerns about access and maintenance of the landscape buffer area.

In relation to, the EPA is concerned about air quality, while there are established methods and practices for addressing noise related issues in a planning policy context, such measures are not readily apparent in respect to addressing air pollution impacts. On this basis and given the Environment Protection Authority's responsibilities in monitoring and addressing air quality issues, an amendment to the draft DPA is not considered necessary in response to this issue. If concerns and issues currently exist, then these should be addressed by the EPA.

5. RECOMMENDED AMENDMENTS FOLLOWING CONSULTATION

Based on a review of all the submissions, the DPAC recommends the following amendments to the draft DPA document:

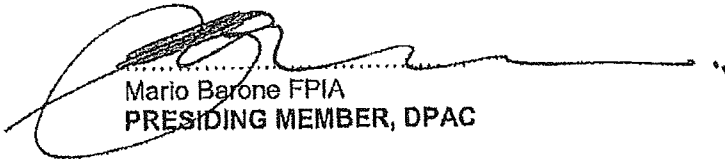
- Insert the following Principles of Development Control into Policy Area 21:
 - *'Development should be designed, constructed and sited to minimise negative impacts of noise and to avoid unreasonable interference.'*
 - *'Development should be consistent with the relevant provisions in the current Environment Protection (Noise) Policy.'*
- Delete the following words from proposed Principle of Development Control 2 of Policy Area 21 *'and enable the provision of landscaped buffers along the boundary'* and insert the following *'and allow for the siting of dwellings on allotments to provide an appropriate separation between dwellings and the boundaries of existing light industrial allotments.'*
- Insert the following paragraph in the Desired Character Statement for Policy Area 21: *'Consideration should be given to the design and siting of residential buildings, along with the materials used in their construction, to minimise potential impacts of industrial activities located at the interface between residential and industrial land uses.'*
- Insert the following Principle of Development Control within Policy Area 21: *'Development, including land division and associated road layouts, should be designed to discourage through vehicular traffic in residential areas.'*

There have been a number of amendments made to the City of Tea Tree Gully Development Plan since the release of the draft DPA for public consultation. As a result, it is DPAC's understanding that the amendment instructions will include renumbering of the Golden Grove South Policy Area 21 in text and on affected maps.

DPAC also advises that there is also an error in wording in relation to paragraph 3 (pg. 17, Section 2.2 of the Statement of Investigations) which may confuse the interpretation of policies for the Golden Grove Light Industry Zone (i.e. the stippled area shown on Concept Plan Fig GGLIn/2). The paragraph reads "*Within the proposed new residential areas, which will flank established industrial areas, the onus will be placed on 'buffering' potential impacts within the new residential development area*" the latter part of this statement should read as "*the onus will be placed on 'buffering' potential impacts within the new industrial development area.*" The intent of the policy is to place limitations on any new developments within the southern portion of land in the proposed Golden Grove Light Industry Zone rather than impose limitations on existing areas within adjoining residential zones. It is DPAC's understanding that this wording anomaly will be corrected as part of the final DPA document.

6. RECOMMENDATION

The DPAC is of the opinion that the draft Golden Grove Residential & Light Industry (Lot 52 Aristotle Close, Golden Grove) – Minor Amendments Development Plan Amendment is in a form which is suitable for approval, pursuant to Section 26(5c)(c) of the *Development Act, 1993* subject to the amendments, as set out on the previous page, being made to the draft DPA.



Mario Barone FPIA
PRESIDING MEMBER, DPAC

Date: 6/8/08

LIST OF ATTACHMENTS

Attachment A:

A list of the agencies and persons who were advised of the Development Plan Amendment

Attachment B:

Copies of statutory and other public notification documents

Attachment C:

Summary of public and council submissions

Attachment D:

Summary of agency submissions