

# **O'SULLIVAN BEACH CODE AMENDMENT ENGAGEMENT REPORT**

Prepared in accordance with section 73(7) of the *Planning, Development and Infrastructure Act 2016*

OSB PTY LTD

Date:  
**20.04.2022**

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### Document Control

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V3	Final (with client's edits)	Client / KGH	21.02.2022
V4	Final Engagement Report (with evaluation)	KGH	28.03.2022
V5	Update to include SA Housing Authority	KGH	20.04.2022

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## **1. PURPOSE**

This report has been prepared by Future Urban Pty Ltd on behalf of OSB Pty Ltd (the Designated Entity) for consideration by the Minister for Planning (the Minister) in adopting the O'Sullivan Beach Code Amendment (the Code Amendment).

The report details the engagement that has been undertaken and the outcomes of the engagement, including:

- a summary of the feedback made;
- the response to the feedback; and
- the changes to the Code Amendment.

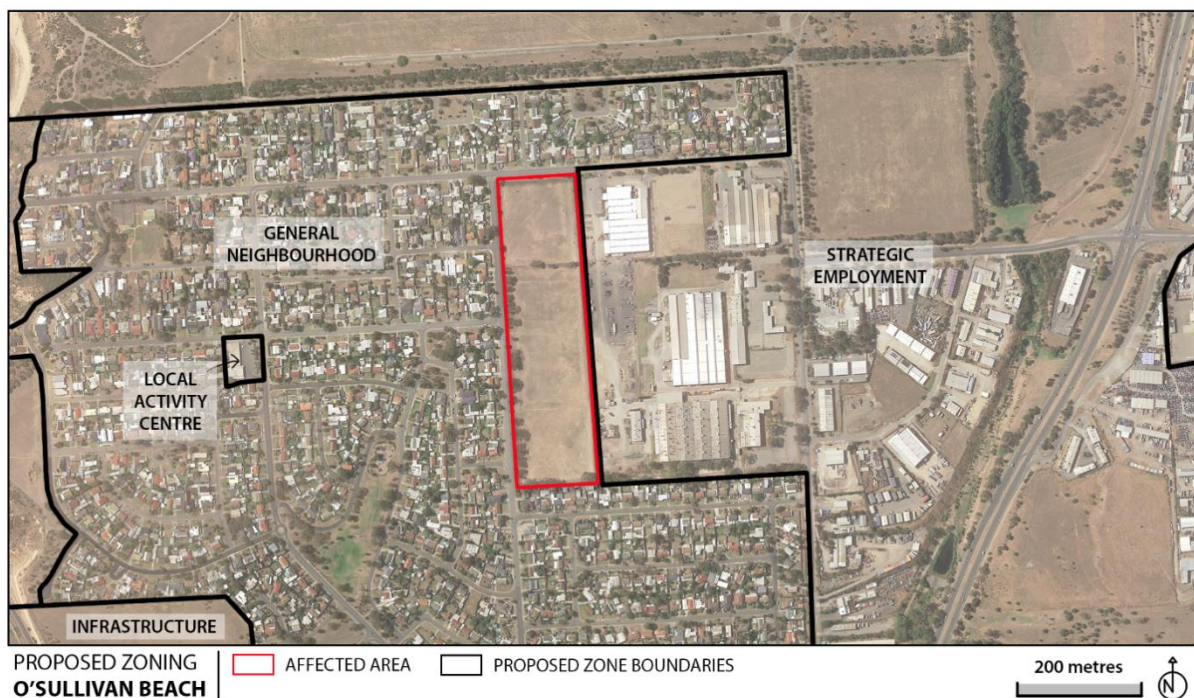
In addition, the report evaluates the effectiveness of the engagement and whether the principles of the Community Engagement Charter have been achieved. Any changes to the engagement plan during the process is also outlined.

## 2. INTRODUCTION

OSB Pty Ltd (the 'Designated Entity') is proposing to amend the Planning and Design Code ('the Code Amendment') in relation to 6 hectares of vacant land at Baden Terrace and Gumeracha Road in O'Sullivan Beach. The affected area and the proposed Zoning is shown within Figure 2.1 below.

The land adjoins established employment generating uses to the east, however residential uses are located to the north, south and east.

**Figure 2.1** Proposed Zone boundaries and Affected Area



The overall intent of the Code Amendment is to enable the low to medium density residential development of the land. To do this, the land is proposed to be rezoned from the Strategic Employment Zone to the General Neighbourhood Zone. The General Neighbourhood Zone currently applies to the adjacent residential area to the north, south and west.

More information on the Code Amendment and the investigations undertaken to support the Code Amendment are available here: <https://www.futureurban.com.au/engagement>

On 4 April 2022 the Designated Entity approved the Code Amendment and this Engagement Report to be furnished on the Minister for Planning and Local Government.

## 3. ENGAGEMENT APPROACH

The process for amending a designated instrument (including the process to amend the Planning and Design Code) is set out in the *Planning, Development and Infrastructure Act 2016* (the Act). The Act requires public engagement to take place in accordance with the Community Engagement Charter.

The Designated Entity prepared an Engagement Plan to apply the principles of the Community Engagement Charter.

The purpose of the engagement was to inform the rezoning of land. In more detail, the key objectives of the engagement were to:

- share information with the public about the Code Amendment;
- create an understanding of the reasons for the Code Amendment;
- understand the views of the stakeholders (including the public);
- inform and improve the quality of the policy within the Code Amendment; and
- comply with the Community Engagement Charter and the *Planning, Development and Infrastructure Act 2016* (PDI Act).

The Engagement Plan detailed the various engagement activities proposed for each engagement level<sup>1</sup>.

The engagement activities occurred over the following three stages:

- Preliminary Engagement, undertaken prior to the drafting of the Code Amendment Report;
- Early Engagement, undertaken after the initial draft of the Code Amendment Report is prepared, but allowing for early input and sharing of information before the Code Amendment is publicly available; and
- Code Amendment Engagement, undertaken after the draft of the Code Amendment Report is completed and includes the Report being made available to the public and all stakeholders for review and input.

Each stage has three milestones. These stages and milestones and where we are in the process are summarised in Figure 3.1 below.

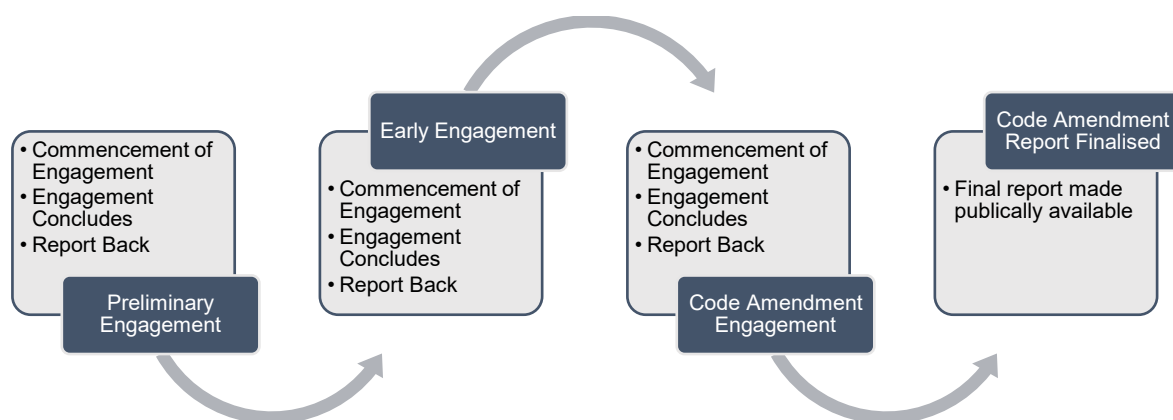
The engagement activities outlined below occurred as set out in the Engagement Plan. However, the Engagement Plan was varied to include:

- Additional engagement with one of the adjacent owners (DeYoungs Pty Ltd) including:
  - » A direct email to advise them of the Code Amendment prior to the engagement commencing (sent on 10 September 2021);
  - » An on-site meeting following the engagement upon their request;
- Ongoing discussion with the Environment Protection Authority (EPA) to ensure that their initial concerns were adequately resolved;
- Consultation with the SA Housing Authority, Department of Infrastructure and Transport and utility providers including SAPN, Electranet, APA Group, SA Water, EPIC Energy, NBN and Telstra in accordance with the advice of the State Planning Commission pursuant to section 73(6)(e) of the *Planning Development and Infrastructure Act 2016*.

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<sup>1</sup> The levels of engagement were informed by the IAP2 Spectrum of Public Participation (see section 4 of the Engagement Plan).

**Figure 3.1** Summary of Stages and Milestones



### 3.2 Engagement Activities

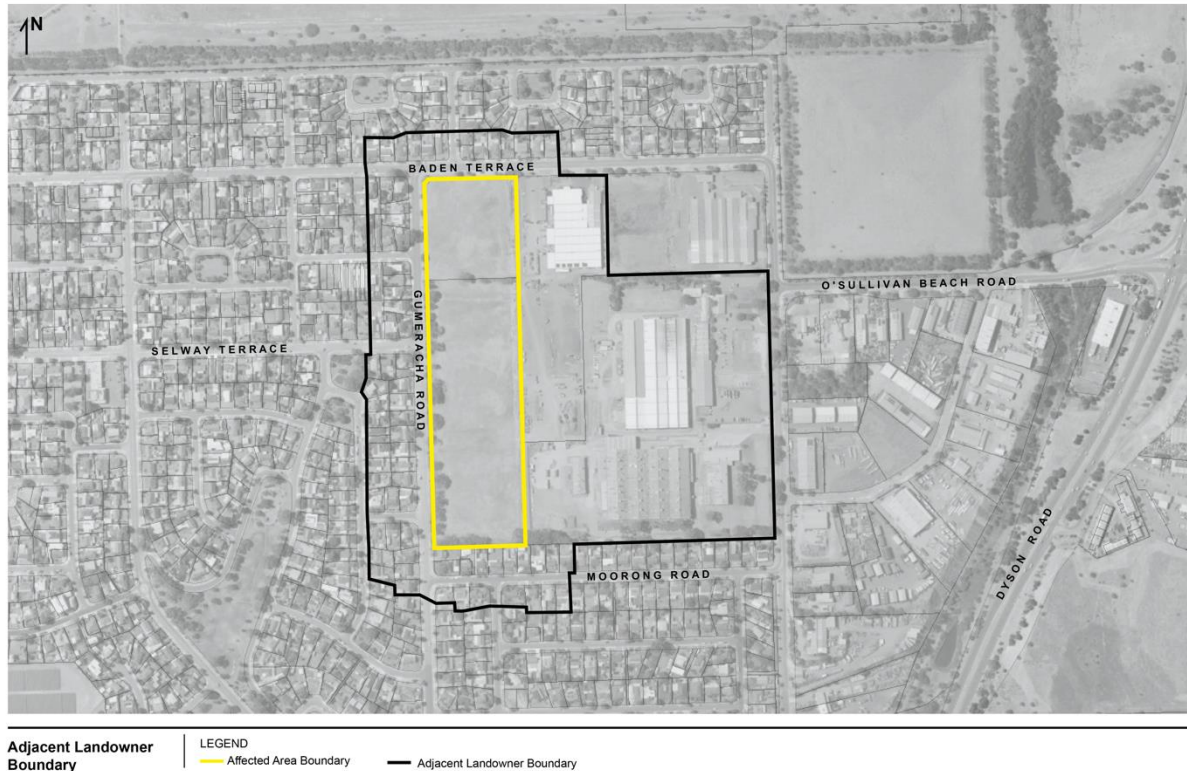
The engagement activities were selected to ensure that the method of engagement was appropriate for achieving the objectives and level of influence of the engagement.

A summary of the engagement activities is provided in **Table 3.1** below. A letter was sent to each of the stakeholders (except the general public) to advise that the Code Amendment Report was available and how they could make a submission. The public were able to view the Code Amendment Report and were invited to make a written submission providing their feedback on the Code Amendment. The report was publicly available with an invitation for submissions for a period of 6 weeks from 13 September to 24 October, 2021.

**Table 3.1** Summary of Engagement Activities

Stakeholders	Engagement level	Engagement Activity
<ul style="list-style-type: none"> <li>Adjacent landowners shown in <b>Figure 3.2</b></li> <li>State Planning Commission</li> </ul>	Consult	<ul style="list-style-type: none"> <li>Letter</li> <li>Information provided on website</li> <li>Written submissions</li> </ul>
<ul style="list-style-type: none"> <li>City of Onkaparinga</li> <li>Local Government Association</li> <li>Attorney General's Department</li> <li>Country Fire Service</li> <li>Environment Protection Authority</li> <li>State MP</li> <li>Department of Infrastructure and Transport</li> <li>Utility Providers</li> <li>SA Housing Authority</li> </ul>	Involve	<ul style="list-style-type: none"> <li>Letter</li> <li>Written submission</li> <li>Ongoing discussion to resolve any matters raised in written submission</li> </ul>
<ul style="list-style-type: none"> <li>General Public</li> </ul>	Inform	<ul style="list-style-type: none"> <li>Information provided on website</li> <li>Social Media</li> </ul>

**Figure 3.2** *Extent of Adjoining Land Owners*



### 3.3 Mandatory Requirements

The following mandatory engagement requirements have been met:

1. Notice and consultation with the City of Onkaparinga;
2. Notice and consultation with the Local Government Association; and
3. Notice and consultation with Owners or Occupiers of Land which is specifically impacted and each piece of adjacent land<sup>2</sup>.

A copy of the notice that was sent to each of the owners or occupiers of land which is specifically impacted and/or each piece of adjacent land forms **Appendix 1**. In addition to adjacent land, the Designated Entity identified additional allotments that are in close proximity to the Affected Area and chose to send this notice to as part of the engagement. All of the land owners or occupiers that were sent this notice are highlighted in **Figure 3.2** above.

<sup>2</sup> Adjacent land is defined by the *Planning Development and Infrastructure Act 2016* as 'in relation to other land, means land that is no more than 60 metres from the other land'.



## 4. ENGAGEMENT OUTCOMES

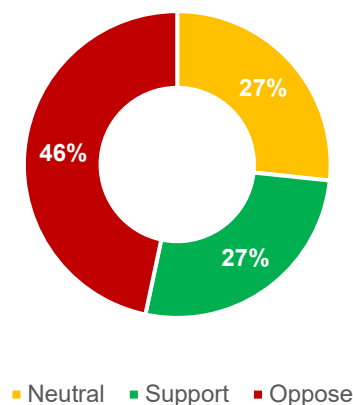
### 4.1 What We Heard?

A total of 30 written submissions were received from five different groups. These groups, and how many submissions were received from each group are summarised below:

Adjacent or nearby land owners / occupiers <sup>3</sup>	The O'Sullivan Beach community <sup>4</sup>	State Government Agencies	Council	Utility Providers	The Public <sup>5</sup>
1 submission	7 submissions	1 submission	1 submission	1 submission	19 submissions

Overall, 14 of the submissions indicated that they opposed the Code Amendment whilst 8 supported the Code Amendment and 8 were neutral by making observations or comments above the Code Amendment. Figure 4.1 illustrates the proportion of submissions received in support and opposition.

**Figure 4.1** Proportion of submissions received in support and opposition



<sup>3</sup> Adjacent or nearby land owners / occupiers are shown in Figure 3.2.

<sup>4</sup> The O'Sullivan Beach community includes people who indicated that they live or work within O'Sullivan Beach.

<sup>5</sup> The public includes anyone who did not identify themselves as falling within any of the above groups.

It is noted that 27% of submissions were supportive of the land being used for residential purposes. The submissions received in support were mostly from the O'Sullivan Beach community (4 submissions) and Council (1 submission).

In relation to those opposed to the Code Amendment, 4 of the submissions were from the local O'Sullivan Beach community or an adjacent owner, with the remaining 10 submissions being from the public generally.

The three most common comments received in the written submissions were:

- The area should be made into a green space or nature reserve (13 submissions) and the future development should allow for replacement trees for habitat/amenity in the new development (4 submissions);
- Support the land being developed for residential purposes (8 submissions); and
- Do not support the proposed density (4 submissions).

A more detailed summary of the feedback received is provided in **Appendix 2** and a copy of all submissions are available in **Appendix 3**.

Following the engagement, further discussions occurred with the Environment Protection Authority (EPA) and the adjacent land owner to the east of the site, DeYoungs Pty Ltd. A copy of all correspondence with the EPA, including their original submission and subsequent correspondence is provided in **Appendix 4** and an email record of the meeting with DeYoungs Pty Ltd is provided in **Appendix 5**.

The City of Onkaparinga also advertised the consultation on their Facebook page. The Facebook post reached 17,041 people, resulted in 70 people clicking the link to the Plan SA Portal and attracted 215 comments. A detailed analysis and response to all comments has not been prepared noting that a significant number of comments did not comment on the Code Amendment (e.g., were simply tagging someone or commenting on unrelated matters such as cat controls). A number of comments were made in relation to the interface with the industrial land uses, creating a recreation or green space and concerns about density. Each of these matters are discussed further in section 4.2 below.

A copy of the Facebook insights and comments are attached in **Appendix 6**.

## 4.2 Responses to What We Heard?

Based on the review of all of the feedback we received through the engagement activities, the key matters calling for a response are:

- The interface with the existing business in the Strategic Employment Zone based on the comments received from adjacent land owner;
- Green space and nature reserves; and
- The proposed density.

Each of these matters are discussed under the relevant headings below.

### 4.2.1 Interface with Strategic Employment Zone

Two submissions made comment on the interface with the Strategic Employment Zone. These submissions were from the EPA and one of the adjacent land owners, DeYoungs Pty Ltd.

Both the EPA and DeYoungs Pty Ltd want to ensure that the interface between the future residential uses in the proposed General Neighbourhood Zone and the existing uses within the Strategic Employment Zone is managed appropriately, particularly in relation to noise.

A summary of the key feedback received in relation to this interface is summarised in Table 4.1 below.

**Table 4.1** *Summary of Feedback in Relation to Interface*

Stakeholder	Feedback
EPA	<ul style="list-style-type: none"> <li>• Concerns with the noise modelling and approach within the original Sonus report (i.e., referencing former standards in the Development Plan due to being prepared prior to the implementation for Planning and Design Code)</li> <li>• Concerned that the Noise and Air Emissions Overlay has not been applied to the Affected Area as part of the Code Amendment</li> <li>• Concerned with the 10 metre depth of the Interface Management Overlay</li> <li>• Concerned that the proposed policy changes provide no mechanism to ensure that the noise mitigation measures would be implemented at the planning or building consent stages</li> </ul>
DeYoungs Pty Ltd	<ul style="list-style-type: none"> <li>• Concerned that residential uses will encroach on the existing businesses within the Strategic Employment Zone</li> <li>• Concerned about the proposed density adjacent the Zone boundary</li> <li>• Concerned with the 10 metre depth of the Interface Management Overlay</li> <li>• Concerned with the absence of 'buffers' within the Code Amendment</li> <li>• Requested an <i>'amendment to the proposed policy to ensure further design and layout considerations (creating a larger physical separation / buffer'</i></li> <li>• Do not want a metal acoustic barrier adjacent the boundary, would prefer concrete, that is to be maintained by the developer</li> <li>• DeYoungs had made a similar proposal to develop a school and dwellings on this land (prior to selling it to the Designated Entity)</li> </ul>

Following this feedback, the Designated Entity arranged further acoustic investigations including monitoring noise levels continuously between 8 November and 19 November 2021 at three locations adjacent the proposed Zone boundary. A copy of these investigations have been included in the amended Code Amendment Report (see **Appendix 7** available here: <https://www.futureurban.com.au/engagement>).

These investigations confirmed that to provide a suitable interface between existing industry in the Strategic Employment Zone and future residents, the following measures are recommended:

- construction of a minimum height 2.4m barrier at the industry interface;
- restricting development on a portion of the land to only single storey residences (within 45 metres of the noise barrier); and
- upgrades to dwelling facades (i.e. a performance standard of sound exposure category 1 in the MBS010, or a comparable or better level of acoustic performance).

Accordingly, the Designated Entity has reviewed the Code Amendment to ensure that the policies which will apply to the Affected Area enable the above measures to be delivered as part of future development applications. This included investigating various policy options available to address the feedback from the EPA and DeYoungs Pty Ltd. A summary of the policy options investigated and outcomes are provided in the Code Amendment Report (see **Appendix 15** available here: <https://www.futureurban.com.au/engagement>).

Following these investigations, the Code Amendment has been amended to apply the Interface Management Overlay to the whole of the Affected Area. The application of this Overlay allows the relevant authority to consider the interface management between the residential uses and existing industrial uses as part of any future development application for a land division or land use. This approach was also recommended by the Attorney General's Department's Code Control Group (see advice in **Appendix 7**) and is consistent with the approach for a similar Code Amendment that rezoned land from Strategic Employment to Housing Diversity Neighbourhood (65-73 Mooringe Avenue Plympton Code Amendment).

It is anticipated that the acoustic measures will be delivered as part of the future land division, which will likely require the construction of the acoustic barrier. Building height restrictions and upgrades to dwelling facades would then be required via conditions to planning consent or a Land Management Agreement entered into at land division stage.

In relation to the comments made by DeYoungs Pty Ltd regarding a buffer, it is important to reiterate that the Interface Management Overlay serves to ensure that the interface is appropriately dealt with at the time of any future land division or change of land use application having regard to the nature of the relevant application. The environmental noise investigations demonstrate that attenuation measures can be adopted to bring future sensitive receivers on the Affected Area within the environmental noise policy, were the rezoning to proceed. Such measures will be consistent with the recommendations contained within the Environmental Noise Assessment which forms part of the Code Amendment (see **Appendix 7** available here: <https://www.futureurban.com.au/engagement>). Hence a buffer is not necessary to protect receivers or prevent encroachment by new uses on to existing businesses.

#### 4.2.2 Green Space and Nature Reserves

Some 13 submissions suggested that the area should be made into a green space or nature reserve and 4 submissions mentioned that the future development should allow for replacement trees for habitat/amenity in the new development.

The land is currently within the Strategic Employment Zone and could be developed for a range of commercial land uses. No policy within the Planning and Design Code would require the provision of public open space as part of this development and some policies would apply in relation to landscaping.

The proposed Code Amendment seeks to rezone the land to the General Neighbourhood Zone and as a result, policies will apply to the future development of the land relating to the provision of public open space, landscaping and planting of street trees. As a result, the proposed Code Amendment will increase the likelihood that public open space and additional trees will be accommodated on part of the land.

#### 4.2.3 Density

Four submissions raised concerns with the density proposed as part of the Code Amendment.

The proposed General Neighbourhood Zone has a minimum allotment size of 300 square metres for most dwellings, which is consistent with the minimum allotment size applied to the adjacent residential areas. As a result, the density will be less than 35 dwellings per hectare, which is defined as low net residential density within the Planning and Design Code.

The General Neighbourhood Zone does not contain policy that refers to Technical and Numeric Variations (TNVs). Accordingly, no TNVs to alter allotment sizes are proposed.

### 4.3 Changes to the Code Amendment

Based on the feedback that was received, additional investigations were undertaken, including:

- Site contamination investigations undertaken by WSP in order to respond to EPA's feedback;
- A revised Environmental Noise Assessment prepared by Sonus; and
- A review of policy options to address the interface with the Strategic Employment Zone.

As a result of the feedback and the above investigations, the following changes have been made to the Code Amendment:

- The Interface Management Overlay has been extended to apply to the whole of the site.

The updated Code Amendment Report, including the updated investigations are available here: <https://www.futureurban.com.au/engagement>

The Engagement Report and Code Amendment Report will be available on the Plan SA Portal following the completion of the evaluation of the engagement.

## 5. EVALUATION OF ENGAGEMENT

To ensure the principles of the Community Engagement Charter (the Charter) are met, an evaluation of the engagement process for the Code Amendment has occurred.

### 5.1 Performance Indicators for Evaluation

The minimum mandatory performance indicators have been used to evaluate engagement on the Code Amendment. These measures help to gauge how successful the engagement has been in meeting the Charter's principles for good engagement.

#### *Evaluation of Engagement by Community Members*

The minimum mandatory performance indicators required an evaluation of responses from members of the community on the engagement. This includes an evaluation of whether (or to what extent) community members felt:

1. That the engagement **genuinely sought** their input to help shape the proposed Code Amendment.
2. **Confident their views were heard** during the engagement.
3. They were given an adequate **opportunity to be heard**.
4. They were given **sufficient information** so that they could take an informed view.
5. **Informed** about why they were being asked for their view, and the way it would be considered.

This evaluation was undertaken through an online survey which was made available from 13 September 2021 until 27 March 2022, enabling stakeholders to evaluate the engagement at any point during the process. No survey responses were received during this period.

#### *Evaluation of Engagement by the Designated Entity*

A further evaluation of the engagement process is required to be undertaken by (or on behalf of) the Designated Entity. The minimum performance indicators require an evaluation by the Designated Entity of whether (or to what extent) the engagement:

1. **Occurred early enough** for feedback to genuinely influence the planning policy, strategy or scheme.
2. **Contributed to the substance** of the final draft Code Amendment.
3. **Reached those identified** as communities or stakeholders of interest.
4. **Provided feedback to community** about outcomes of engagement.
5. Was **reviewed throughout** the process and **improvements put in place**, or recommended for future engagement.

The evaluation of the engagement was undertaken by Future Urban Pty Ltd on behalf of the Designated Entity. The results of the evaluation are contained in **Appendix 8** of this Engagement Report.

## 5.2 Evaluation against the Charter principles

The following is a summary of the evaluation of the engagement against the five principles of the Charter. The full results of the evaluation can be found in **Appendix 8** to this Engagement Report.

No responses were received to the online survey. Given the Code Amendment itself only returned 30 submissions suggests interest levels in the Code Amendment were low and this is reflected in the lack of responses to the evaluation.

### 5.2.1 Engagement is Genuine

*People had faith and confidence in the engagement process*

All parties were genuine and honest in their participation and the Designated Entity used their best endeavours to seek participation and genuinely understand the range of views, noting further investigations and changes were made to the Code Amendment as a result of feedback during engagement.

The engagement process provided 6 weeks for each stakeholder to provide input into the Code Amendment which is considered to be adequate notice and time for input.

### 5.2.2 Engagement is inclusive and respectful

*Affected and interested people had the opportunity to participate and be heard*

Effort was made to ensure that those affected or interested in the proposed Code Amendment were aware of the proposal and were engaged directly by letter.

Engagement allowed people from different ages, abilities and perspectives to participate by offering multiple means of making a submission (online, via post or via phone).

All comments and views have been captured and considered as part of the engagement and are included in **Appendix 2**.

### 5.2.3 Engagement is fit for purpose

*People were effectively engaged and satisfied with the process*

*People were clear about the proposed change and how it would affect them*

The 'reach' of the engagement was tailored based on the extent of the impact of the proposal and the relatively low level of community interest and engagement activities were aligned to the scope of influence each stakeholder had (i.e. what they could or couldn't change).

Information sheets were made available to clearly communicate the proposed change and how it would affect the subject land.

### 5.2.4 Engagement is informed and transparent

*All relevant information was made available and people could access it*

*People understood how their views were considered, the reasons for the outcomes and the final decision that was made*

Information about the Code Amendment was made available online for the entire duration of the engagement process to ensure participants were informed. Hard copies of the Code Amendment were also made available at the Council offices.

Responses to each of the submissions is provided in **Appendix 2** to ensure participants know how their views were considered and the rationale for final decisions.

#### **5.2.5 Engagement processes are reviewed and improved**

*The engagement was reviewed and improvements recommended*

The engagement process was reviewed and changes were made during to enable additional engagement with the adjacent land owner and with the Environment Protection Authority to ensure their feedback was accurately captured and responded to, as mentioned in section 3 of this report.

In addition, for future Code Amendments, formalising communication via email after the outcomes of the engagement are available is recommended to encourage responses to the evaluation survey.

### **6. REFER TO MINISTER FOR PLANNING**

On 4 April 2022 the Designated Entity approved the Code Amendment and this Engagement Report to be furnished on the Minister for Planning.



**APPENDIX 1. NOTICE SENT TO OWNERS/OCCUPIERS**



Level 1, 74 Pirie Street  
Adelaide SA 5000  
PH: 08 8221 5511  
W: [www.futureurban.com.au](http://www.futureurban.com.au)  
E: [info@futureurban.com.au](mailto:info@futureurban.com.au)  
ABN: 71 651 171 630

September 13, 2021



PH\_CODE

Title First Name Surname  
Company Name  
Address 1  
Address 2  
Address 3  
Suburb State Postcode

Dear Sir/Madam,

## RE: CONSULTATION BY OSB PTY LTD ON THE O'SULLIVAN BEACH CODE AMENDMENT

OSB Pty Ltd has now released the O'Sullivan Beach Code Amendment for consultation as required under the *Planning, Development and Infrastructure Act 2016* (the Act).

Please see the **attached** Notice as required under Regulation 20 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

The Notice provides details of the land which is specifically impacted by the Code Amendment, including a description of the impact on that land. The Notice also provides details of where you can inspect the Code Amendment and information about other consultation which will occur on the Code Amendment.

Consultation on the Code Amendment commences on Monday, 13 September 2021 and comments are invited until 5:00pm on Sunday, 24 October 2021 through either:

- the SA Planning Portal at [https://plan.sa.gov.au/have\\_your\\_say/general\\_consultations](https://plan.sa.gov.au/have_your_say/general_consultations) (QR Code link provided below); or



*Use your smart phone to scan this code*

- by email to [info@futureurban.com.au](mailto:info@futureurban.com.au) or
- by post addressed to:  
Attn: Kayla Gaskin-Harvey  
O'Sullivan Beach Code Amendment  
Future Urban Pty Ltd  
Level 1 / 74 Pirie Street  
ADELAIDE SA 5000

Feedback during the consultation will be used to:

- inform and improve the Code Amendment, particularly in relation to the spatial application of the proposed Overlays; and
- maintain the quality of the engagement activities.

Please note that feedback received during the engagement process may be made publicly available.

A summary of the feedback received during the consultation, as well as any changes made to the Code Amendment, will be made publicly available. If you would like to receive an email confirming when this is available, please let us know at [info@futureurban.com.au](mailto:info@futureurban.com.au) or advise us as part of your written submission.

As part of the engagement process, we are also required to evaluate the success of the engagement activities. As part of this evaluation, you are invited to complete a survey via this link: <https://www.surveymonkey.com/r/YWVGL63>



*Use your smart phone to scan this code*

This survey will be open until 2 weeks after the summary of feedback and the updated Code Amendment are made available, should you wish to view the outcomes of the engagement before evaluating the engagement.

A final Engagement Report and Code Amendment Report will be made publicly available here following the evaluation of the engagement process: [https://plan.sa.gov.au/have\\_your\\_say/general\\_consultations](https://plan.sa.gov.au/have_your_say/general_consultations).

Should you have any questions regarding the Code Amendment, please contact Kayla Gaskin-Harvey on (08) 8221 5511 or via email at [info@futureurban.com.au](mailto:info@futureurban.com.au).

Yours sincerely,

A handwritten signature in black ink, appearing to be the name Kayla Gaskin-Harvey.

**Kayla Gaskin-Harvey**  
Senior Consultant

# Notice of Code Amendment to Owner or Occupier of Land

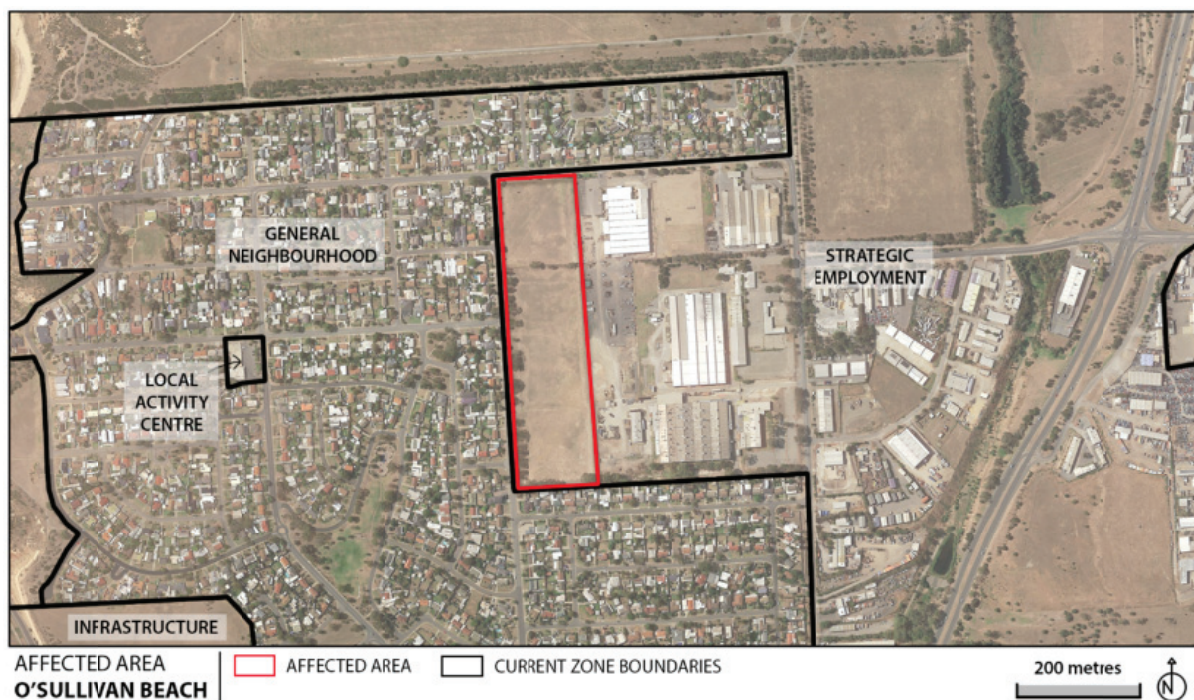
Regulation 20 of the *Planning, Development and Infrastructure (General) Regulations 2017*

This Notice is provided to you as an owner or occupier of land (or owner/occupier of adjacent land) under section 73(6)(d) of the *Planning, Development and Infrastructure Act 2016* (the Act) and Regulation 20 of the *Planning Development and Infrastructure (General) Regulations 2017*. This Notice relates to land in a particular zone or subzone which will be specifically impacted by a draft amendment to the Planning and Design Code (the Code Amendment).

## Area of Land Impacted

The pieces of land which will specifically be impacted by the Code Amendment is legally described as Allotment 67 on Certificate of Title 6136/727 (northern portion) and Allotment 20 on Certificate of Title 6214/427 (southern portion). It is otherwise known as 36-70 Gumeracha Road and 64 Baden Terrace, O'Sullivan Beach ('Affected Area'). The Affected Area is shown in **Figure 1**.

**Figure 1:** Affected Area and Current Zone



## Impact on the Land

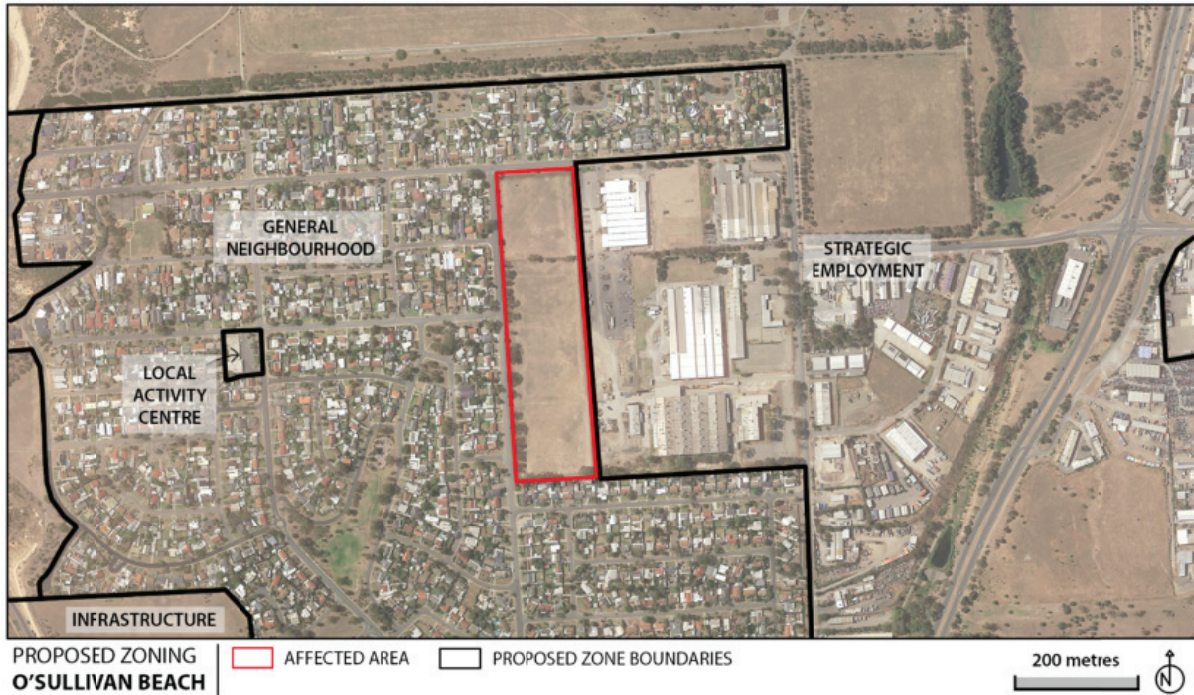
The land described above will be specifically impacted by the Code Amendment as follows:

- Rezone the Affected Area to the General Neighbourhood Zone.
- Retain the following Overlays to the Affected Area:
  - » Hazards (Bushfire – Urban Interface) Overlay;
  - » Hazards (Flooding – Evidence Required) Overlay;
  - » Native Vegetation Overlay;
  - » Regulated and Significant Tree Overlay; and
  - » Prescribed Wells Area Overlay.
- Apply the following Overlays to the Affected Area:

- » Affordable Housing Overlay;
- » Interface Management Overlay for a ten-metre wide depth along the entire eastern property boundary;
- » Stormwater Management Overlay; and
- » Urban Tree Canopy Overlay.

The proposed rezoning of the Affected Area is shown in **Figure 2** below.

**Figure 2: Affected Area and Proposed Zoning**



### Inspection of the Code Amendment

The Engagement Plan, Code Amendment and supporting documents can be inspected online on the SA Planning Portal at [https://plan.sa.gov.au/have\\_your\\_say/general\\_consultations](https://plan.sa.gov.au/have_your_say/general_consultations).



*Use your smart phone to scan this code*

### Information on Consultation under the Community Engagement Charter

Consultation on the Code Amendment will take place in accordance with the Engagement Plan prepared by Future Urban on behalf of OSB Pty Ltd and as required by the Community Engagement Charter under the Act. This will include providing an opportunity for written submissions from:

- adjacent landowners and occupiers;
- City of Onkaparinga;
- Local Government Association;

- State Planning Commission;
- Attorney Generals Department;
- Country Fire Service (CFS);
- Environment Protection Authority (EPA);
- state Member of Parliament; and
- the general public.

A copy of the Community Engagement Charter can be found at the below link:  
[https://plan.sa.gov.au/resources/planning/community\\_engagement\\_charter](https://plan.sa.gov.au/resources/planning/community_engagement_charter).



**APPENDIX 2. SUMMARY OF WRITTEN SUBMISSIONS**

NAME	OPPOSE OR SUPPORT	STAKEHOLDER TYPE														Summary of Submission	Response	
			Do not support high density living / the proposed density	Make the area into a green space/nature reserve	Support this land being developed for residential purposes	Not enough infrastructure to support this	Housing market needs a boost	Build affordable housing	Include a park with amenities	No houses should be built on this site	Should be changed to a dog park habitat/amenity in the new development	Allow for replacement trees for habitat/amenity in the new development	Further site history investigations should be undertaken	Concerns that the interface with industrial is not suitably addressed	The rezoning will not have a negative effect on the overall supply			
Cameron Veal	NEUTRAL	PUBLIC		1					1				1				Would like to see a local park, amenities and trees with the future development to allow O'Sullivan Beach to grow with the development	Policy is contained within the Planning and Design Code to ensure that public open space is provided for or payment of a contribution is made, ensuring that new development contributes to local open space.
Hayley Milbank	NEUTRAL	PUBLIC		1	1												Would like to see the land made into a green recreation space or used for an environmentally friendly residential development (such as a tiny house village)	The vision for an eco-friendly village is acknowledged and the form of the future development will be guided by market preferences at the time. The land is currently within the Strategic Employment Zone and could be developed for a range of commercial land uses. The proposed Code Amendment seeks to rezone the land to the General Neighbourhood Zone and as a result, policies will apply to the future development of the land relating to the provision of public open space and the planting of trees. The proposed Code Amendment will increase the likelihood that trees and a public area will be accommodated on part of the land.
Krystal Clarke	NEUTRAL	PUBLIC						1									Supports the use of the area for residential purposes and in particular, would like to see the area made available for affordable housing	The comments in relation to affordable housing are acknowledged. The Affordable Housing Overlay is proposed as part of the Code Amendment to ensure affordable outcomes are considered as part of the future development of the land.
Patrick Jolly	NEUTRAL	PUBLIC											1				Would like trees and habitats to continue to be made available for bird life.	There are policies within the Planning and Design Code to guide the design of the future development, including policies relating to street tree planting and the provision of public open space. The future development of the land will be assessed against these policies.



NAME	OPPOSE OR SUPPORT	STAKEHOLDER TYPE	Do not support high density living / the proposed density Make the area into a green space/nature reserve Support this land being developed for residential purposes Not enough infrastructure to support this Housing market needs a boost Build affordable housing Include a park with amenities No houses should be built on this site Should be changed to a dog park habitat/amenity in the new development Allow for replacement trees for habitat/amenity in the new development Further site history investigations should be undertaken Concerns that the interface with industrial is not suitably addressed The rezoning will not have a negative effect on the overall supply													Summary of Submission	Response		
Samantha LordRiley	NEUTRAL	PUBLIC		1					1									Would like land to be made available for housing trust or left vacant with trees planted.	The land is currently underutilised and development of the land will follow the Code Amendment. The land is currently within the Strategic Employment Zone and could be developed for a range of commercial land uses. The proposed Code Amendment seeks to rezone the land to the General Neighbourhood Zone and as a result, policies will apply to the future development of the land relating to the provision of public open space and the planting of trees. The proposed Code Amendment will increase the likelihood that trees and a public area will be accommodated on part of the land.
Sean LePera	NEUTRAL	PUBLIC		1														Would like rubber trees planted to offset carbon.	There are policies within the Planning and Design Code to guide the design of the future development, including policies relating to street tree planting and the provision of public open space. The future development of the land will be assessed against these policies.
SA Water	NEUTRAL	UTILITY PROVIDER																Advised that SA Water provides water and sewerage services for the area and augmentation of the existing system may be required	Feedback is noted and further engagement will occur with SA Water as part of the eventual development of the site in relation to augmentation works.
EPA	NEUTRAL	STATE AGENCY											1	1				EPA's feedback relates to site contamination and management of the interface with the adjacent industrial land uses in relation to noise	Consultation with the EPA has continued beyond the initial consultation period and additional information has been prepared in response to the EPA's comments. Following this consultation, EPA are now supportive of the proposed Code Amendment and a copy of their updated response is also attached
DeYoungs Pty Ltd	OPPOSE	ADJACENT LAND OWNER														1		Opposed to the Code Amendment due to potential interface impacts between sensitive residential type uses (General Neighbourhood Zone) and the commercial interests within the Strategic Employment Zone. Has provided a series of recommendations in order to address their concerns. A more detailed summary of their feedback is provided in section 4.2 of the Engagement Report.	The concerns in relation to the interface are acknowledged. The response to these concerns is provided in more detail within section 4.2 of the Engagement Report.

NAME	OPPOSE OR SUPPORT	STAKEHOLDER TYPE													Summary of Submission	Response	
			Do not support high density living / the proposed density	Make the area into a green space/nature reserve	Support this land being developed for residential purposes	Not enough infrastructure to support this	Housing market needs a boost	Build affordable housing	Include a park with amenities	No houses should be built on this site	Should be changed to a dog park habitat/amenity in the new development	Allow for replacement trees for habitat/amenity in the new development	Further site history investigations should be undertaken	Concerns that the interface with industrial is not suitably addressed			The rezoning will not have a negative effect on the overall supply
Louise McCauley	OPPOSE	COMMUNITY		1												Would prefer a nature park area	The land is currently within the Strategic Employment Zone and could be developed for a range of commercial land uses. The proposed Code Amendment seeks to rezone the land to the General Neighbourhood Zone and as a result, policies will apply to the future development of the land relating to the provision of public open space and the planting of trees. The proposed Code Amendment will increase the likelihood that trees and a public area will be accommodated on part of the land.
Sophie McInnes	OPPOSE	COMMUNITY							1		1					Would like the area turned into a dog park with walking trails	The land is currently within the Strategic Employment Zone and could be developed for a range of commercial land uses. The proposed Code Amendment seeks to rezone the land to the General Neighbourhood Zone and as a result, policies will apply to the future development of the land relating to the provision of public open space and the planting of trees. The proposed Code Amendment will increase the likelihood that trees and a public area will be accommodated on part of the land. No dog park is proposed on the land.
Stephen Hayes	OPPOSE	COMMUNITY									1					Land should be turned into a dog park and is concerned with the noise and night time activities of existing uses.	The land is currently within the Strategic Employment Zone and could be developed for a range of commercial land uses. The proposed Code Amendment seeks to rezone the land to the General Neighbourhood Zone and as a result, policies will apply to the future development of the land relating to the provision of public open space and the planting of trees. The proposed Code Amendment will increase the likelihood that trees and a public area will be accommodated on part of the land. No dog park is proposed on the land.

NAME	OPPOSE OR SUPPORT	STAKEHOLDER TYPE														Summary of Submission	Response	
			Do not support high density living / the proposed density	Make the area into a green space/nature reserve	Support this land being developed for residential purposes	Not enough infrastructure to support this	Housing market needs a boost	Build affordable housing	Include a park with amenities	No houses should be built on this site	Should be changed to a dog park & walking trails	Allow for replacement trees for habitat/amenity in the new development	Further site history investigations should be undertaken	Concerns that the interface with industrial is not suitably addressed	The rezoning will not have a negative effect on the overall supply			
Benjamin Napier	OPPOSE	PUBLIC	1	1													Does not want the land rezoned to allow for 'gutter to gutter high density'. Is concerned about the impact of overcrowding and would prefer a new town to be established 'out further'.	High density development is not anticipated by the proposed Code Amendment. The proposed General Neighbourhood Zone has a minimum allotment size of 300 square metres for most dwellings. As a result, the density will be less than 35 dwellings per hectare, which is defined as low net residential density within the Planning and Design Code. In relation to planning a new town, the State Planning Policies, coupled with the 'urban growth boundary' (enforced by the Environment and Food Production Area and Character Presentation District), seek to consolidate new residential development within existing residential areas, before extending infrastructure networks to new areas. As a result, this underutilised site was identified to accommodate new low density residential development.
Desiree Bartlett	OPPOSE	PUBLIC		1													Would like to see the land made into a green recreation space.	The land is currently within the Strategic Employment Zone and could be developed for a range of commercial land uses. The proposed Code Amendment seeks to rezone the land to the General Neighbourhood Zone and as a result, policies will apply to the future development of the land relating to the provision of public open space and the planting of trees. The proposed Code Amendment will increase the likelihood that trees and a public area will be accommodated on part of the land.
Erin Ripon	OPPOSE	PUBLIC	1	1													Would like to see the land made into a green recreation space.	The land is currently within the Strategic Employment Zone and could be developed for a range of commercial land uses. The proposed Code Amendment seeks to rezone the land to the General Neighbourhood Zone and as a result, policies will apply to the future development of the land relating to the provision of public open space and the planting of trees. The proposed Code Amendment will increase the likelihood that trees and a public area will be accommodated on part of the land.
Graham Crowhurst	OPPOSE	PUBLIC				1				1							Concerned about the traffic implications resulting from increased housing in the area, in addition to the existing school traffic.	Cirqa has undertaken traffic and access investigations for this Code Amendment. Their investigations concluded that the potential traffic volumes generated by this Code Amendment will be distributed relatively evenly between Baden Terrace, Moorong Road and Gumeracha Road and that such traffic volumes are well within the capacity envisaged for these roads to cope with.

NAME	OPPOSE OR SUPPORT	STAKEHOLDER TYPE														Summary of Submission	Response	
			Do not support high density living / the proposed density	Make the area into a green space/nature reserve	Support this land being developed for residential purposes	Not enough infrastructure to support this	Housing market needs a boost	Build affordable housing	Include a park with amenities	No houses should be built on this site	Should be changed to a dog park habitat/amenity in the new development	Allow for replacement trees for habitat/amenity in the new development	Further site history investigations should be undertaken	Concerns that the interface with industrial is not suitably addressed	The rezoning will not have a negative effect on the overall supply			
Jamie Horsnell	OPPOSE	PUBLIC		1							1						Would like the site used for conservation or a public park.	The land is currently within the Strategic Employment Zone and could be developed for a range of commercial land uses. The proposed Code Amendment seeks to rezone the land to the General Neighbourhood Zone and as a result, policies will apply to the future development of the land relating to the provision of public open space and the planting of trees. The proposed Code Amendment will increase the likelihood that trees and a public area will be accommodated on part of the land.
Julie Gaghan	OPPOSE	PUBLIC	1										1				Concerns raised include crowding, size of the allotments, landscaping and with the form of affordable housing	The proposed Code Amendment applies the same General Neighbourhood Zone, including the same minimum allotment sizes and frontages, that apply to the surrounding area of O'Sullivan Beach, to ensure that the proposed development harmonises with the surrounding area. In addition, the Planning and Design Code includes policies which seek to ensure that landscaping and street tree planting are considered as part of the future development of the land.
Kayla Poulton	OPPOSE	PUBLIC															Would like the area made in a bike park with dirt trails and a dirt pump track	The land is currently within the Strategic Employment Zone and could be developed for a range of commercial land uses. The proposed Code Amendment seeks to rezone the land to the General Neighbourhood Zone and as a result, policies will apply to the future development of the land relating to the provision of public open space and the planting of trees. The proposed Code Amendment will increase the likelihood that trees and a public area will be accommodated on part of the land.
Kayley Gordon	OPPOSE	PUBLIC				1											Insufficient infrastructure to support this development	The land is currently within the Strategic Employment Zone and could be developed for a range of commercial uses which will have varying degrees of impact on existing infrastructure. The proposed rezoning is not anticipated to exceed the capacity of existing infrastructure. Utility providers have been consulted as part of this engagement process and have not raised any concerns.

NAME	OPPOSE OR SUPPORT	STAKEHOLDER TYPE														Summary of Submission	Response
			Do not support high density living / the proposed density	Make the area into a green space/nature reserve	Support this land being developed for residential purposes	Not enough infrastructure to support this	Housing market needs a boost	Build affordable housing	Include a park with amenities	No houses should be built on this site	Should be changed to a dog park & walking trails	Allow for replacement trees for habitat/amenity in the new development	Further site history investigations should be undertaken	Concerns that the interface with industrial is not suitably addressed	The rezoning will not have a negative effect on the overall supply		
Kylie Cook	OPPOSE	PUBLIC	1	1												Would like to see a community or recreational space here and small residential allotments would not suit the area	The land is currently within the Strategic Employment Zone and could be developed for a range of commercial land uses. The proposed Code Amendment seeks to rezone the land to the General Neighbourhood Zone and as a result, policies will apply to the future development of the land relating to the provision of public open space and the planting of trees. The proposed Code Amendment will increase the likelihood that trees and a public area will be accommodated on part of the land.
Lisa Francis	OPPOSE	PUBLIC		1												Would like to see the area used as a green space for the community to assist with climate change adaption and residents mental health	The land is currently within the Strategic Employment Zone and could be developed for a range of commercial land uses. The proposed Code Amendment seeks to rezone the land to the General Neighbourhood Zone and as a result, policies will apply to the future development of the land relating to the provision of public open space and the planting of trees. The proposed Code Amendment will increase the likelihood that trees and a public area will be accommodated on part of the land.
Allyson Spry	SUPPORT	COMMUNITY			1							1				In support and would like to see trees included in future development	The supportive comments are appreciated. The comments in relation to habitat are also noted. An assessment of the existing trees will be undertaken to identify trees suitable for removal and new replacement street trees will be proposed in the new development to provide habitat and shade.
Carol Balmer	SUPPORT	COMMUNITY			1											In support	The supportive comments are appreciated.
Chloe Kowalczuk	SUPPORT	COMMUNITY			1											In support	The supportive comments are appreciated.
Daniella Daffren	SUPPORT	COMMUNITY			1											In support and says 'it would be great to see this become residential land'	The supportive comments are appreciated.

NAME	OPPOSE OR SUPPORT	STAKEHOLDER TYPE	Criteria													Summary of Submission	Response
			Do not support high density living / the proposed density	Make the area into a green space/nature reserve	Support this land being developed for residential purposes	Not enough infrastructure to support this	Housing market needs a boost	Build affordable housing	Include a park with amenities	No houses should be built on this site	Should be changed to a dog park habitat/amenity in the new development	Allow for replacement trees for development	Further site history investigations should be undertaken	Concerns that the interface with industrial is not suitably addressed	The rezoning will not have a negative effect on the overall supply		
Council	SUPPORT	COUNCIL			1										1	In support and have emphasised Councils desire to see environmental and affordable outcomes on the site. In addition, technical advice was provided to guide the future development of the site.	The supportive comments are appreciated. In relation to the comments made by Council regarding the future development of the land, this will be guided by the relevant policies within the Planning and Design Code and sound urban design practices. The technical comments made by Council will be addressed as part of the future development application, noting that the preliminary layouts shown on the site may evolve between now and the future development application.
Laura Meredith	SUPPORT	PUBLIC		1												Supports proposed use. Advised that new residential areas should include water sensitive urban design and landscaping to reduce urban heat impacts.	There are policies within the Planning and Design Code to guide the design of the future development, including policies relating to water sensitive urban design, street tree planting and the provision of public open space. The future development of the land will be assessed against these policies.
Lauren Watson	SUPPORT	PUBLIC			1		1									In support and feels that the rezoning is long overdue.	The supportive comments are appreciated.
Michael Gage	SUPPORT	PUBLIC			1											In support	The supportive comments are appreciated.

**APPENDIX 3. COPY OF WRITTEN SUBMISSIONS**

## Kayla Gaskin-Harvey

---

**From:** allyson.spry  
**Sent:** Sunday, 24 October 2021 3:13 PM  
**To:** info  
**Subject:** O'Sullivan Beach Code Amendment

Hello Kayla,

My husband and I have read through the plans for the code amendment at O'Sullivan Beach and are thrilled of the idea that the allotment on Gumeracha Road and Baden Terrace will be turned into residential land.

My only concern is that there will be loss of vegetation including trees that have been there for many years, while these are not indigenous to the area they still home and feed many native birds. It would be fantastic if when planning for park/recreational space and road side tree plantings within the new area that these trees were replaced with native species to help with habitat destruction.

Kind regards,

Allyson Spry

Sent on the go with Vodafone



## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Tuesday, 14 September 2021 3:01 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Benjamin

Family name: Napier

Organisation:

Email address:

Phone number:

Comments: Do not rezone to housing we have far to many people living in gutter to gutter high density developments here in the sth and it is causing so much mental health as it is unnatural and not normal to live this close to one another life has become a constant stress from traffic to nieghbour disputes from being on top of one another and the negitives go on n on we need more nature parklands reserves areas to go when life is to stressful at home to just be away from cramped living. Build a new town out further if housing is needed and take the lead in building a new relaxed development with space between houses to fight the mental illness pandemic stop only thinking \$\$ and start thinking about the community I know 4 fact around 75% of community do not want more housing development locally its just gone to far already and we need a fresh look at how to do housing !!!!! If it is rezoned to housing you obviously do not take in what your community is saying and that must change I will bring the change myself if you gov officals cannot think outside of the money box be the new age the lead the council to change the negative push we are all forced to endure be someone remembered for making living better for us all by finding better places to build out away from this over crowded south please and use that site to reverse the mistakes made in past with gutter to gutter by making it open land please!!!!!!

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sent to

proponent info@futureurban.com.au

email:

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Wednesday, 22 September 2021 8:48 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Cameron

Family name: Veal

Organisation: Cameron Veal

Email address:

Phone number:

Comments: Please include local part with amenities. Respect native trees and push to improve and develop local amenities, parks, infrastructure to help the rest of o'sullivan's beach grow with the new development

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sent to proponent email: info@futureurban.com.au

## Kayla Gaskin-Harvey

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Monday, 18 October 2021 11:14 AM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Carol

Family name: Balmer

Organisation:

Email address:

Phone number:

Comments: I think it's fair to rezone this section residential. The buildings in this section are quite derelict and the land has remained vacant for far too long (if businesses were interested in operating out of this area, they would have done so long ago). My partner and I have often commented how we would like to build in the area (we rent a few streets over). I believe the school would manage with student numbers increasing (it is quite a small school, but rooms are unused). There is already public transport past the area. It just seems feasible.

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sent to  
proponent info@futureurban.com.au  
email:

## Kayla Gaskin-Harvey

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**From:** Chloe Brzycki  
**Sent:** Monday, 18 October 2021 10:52 AM  
**To:** info  
**Subject:** Rezoning of the land at O'Sullivan Beach

Hello

I am a home owner in O'Sullivan Beach, I also run the local community social page on Instagram and Facebook, called Sullies Social.

I have just done a post regarding this proposal.

I think the rezoning to residential would be fantastic for the local community.

I fully support this proposal, it's time to see the land, currently just going to waste, utilised and also as the report notes there is an abundance of employment zoned land in the surrounding areas like Lonsdale, which is totally underutilised.

O'Sullivan Beach is a beautiful suburb which is trying very hard to move away from the oil refinery / industrial stigma and a housing development will help this.

Thank you,  
Chloe Kowalczyk



Your Ref:

Our Ref: 5585424

20 October 2021

Ms Kayla Gaskin-Harvey  
Future Urban  
Email: [info@futureurban.com.au](mailto:info@futureurban.com.au)

Dear Ms Gaskin-Harvey

### **O'Sullivan Beach Residential Code Amendment**

Thank you for the opportunity to provide comment on this private proponent led O'Sullivan Beach Residential Code Amendment, which was considered by [Council](#) at its meeting held on 19 October 2021.

Council acknowledges that the merit to rezone the land for residential development has been demonstrated through the consideration of council and state government strategic documents. The Code Amendment references and relies on the Onkaparinga Employment Land Study 2016, a study undertaken on behalf of the City of Onkaparinga that specifically notes 'there is potential to consider part rezoning to residential / home industry along Gumeracha Road'.

We accept that, based on the analysis of supply and demand for employment lands in the City of Onkaparinga, the rezoning would not have a negative effect on the overall employment land supply.

Council notes the Amendment has also demonstrated that the land can be appropriately developed for residential purposes without adverse impacts at the interface with lawfully existing land uses.

We agree with the application of the General Neighbourhood Zone over the land, as this is consistent with the existing zoning and planning policy framework of the surrounding residential area.

A number of technical matters have been identified by our Technical Services team that need to be addressed and resolved. These are contained in **attachment 1**.

Should the Affected Area be approved by the Minister to rezone for residential development, notwithstanding our comments as outlined above, we have several key matters that we seek further discussion on as detailed below.

#### **Sustainable suburbs**

The concept of 'sustainable suburbs' in Onkaparinga has been gaining momentum in our community, and is supported by our own and state government strategies and programs.



City of Onkaparinga  
O Box 1  
Ioarlunga Centre  
South Australia 5168  
[www.onkapingacity.com](http://www.onkapingacity.com)

Noarlunga office  
Ramsay Place  
Noarlunga Centre  
Telephone (08) 8384 0666  
Facsimile (08) 8382 8744

Aberfoyle Park office  
The Hub  
Aberfoyle Park  
Telephone (08) 8384 0666  
Facsimile (08) 8382 8744

Willunga office  
St Peters Terrace  
Willunga  
Telephone (08) 8384 0666  
Facsimile (08) 8382 8744

Woodcroft office  
175 Bains Road  
Morphett Vale  
Telephone (08) 8384 0666  
Facsimile (08) 8382 8744

We note the state government policies and directions such as the Climate Change Action Plan 2021-25; the State Planning Policies; and the recently released 'Raising the bar on Residential Infill in the P&D Code', as well as those being implemented by Green Adelaide, that are also seeking improved sustainability outcomes in residential development.

We strongly believe there is an opportunity to demonstrate the on-ground reality of these policies in new developments by incorporating Water Sensitive Urban Design and Ecologically Sustainable Development principles in the development.

We welcome further discussion with you on such opportunities to deliver a quality new housing development based on ecologically sustainable development principles.

### **Affordable and social housing**

As noted in the Code Amendment, the Affordable Housing Overlay will be applied which ensures delivery of 15 percent affordable housing. Whilst we understand the general delivery of housing will be near or under the affordable housing threshold set by the state government, we would argue that this threshold is not affordable for many people.

We would welcome further consideration by the future developer of options to involve the South Australian Housing Authority and/or community housing providers to deliver other housing options.

### **Allotment sizes**

The Code Amendment is proposing the General Neighbourhood Zone, which we note is an extension of the surrounding zoning and allows allotments for detached dwellings to have a 9m frontage and 300m<sup>2</sup> site area.

We further note the draft concept plan indicates approximately 114 allotments with a range of sizes from the minimum of 300m<sup>2</sup> to over 400m<sup>2</sup> across the site.

Nonetheless, we consider there needs to be further consideration of a mix with the provision of larger allotment sizes, particularly along the interface to the Strategic Employment Zone. We believe this has a positive twofold outcome; it provides additional separation consistent with the Interface Management Overlay; and would cater for a wider housing market, noting this would likely be reflected in the price point.

Should you have any questions or require further clarification of any of the above matters, please do not hesitate to contact Jonathan Luke, Team Leader Development Policy on 8301 7212 or [jonathan.luke@onkapinga.sa.gov.au](mailto:jonathan.luke@onkapinga.sa.gov.au).

Yours sincerely



Scott Ashby  
**Chief Executive Officer**

## **O'Sullivan Beach Residential Code Amendment**

### **Attachment 1: City of Onkaparinga Technical Services Comments**

#### **Submission Report - Future Urban**

1. Item 4.3.1 – Outcomes for the stormwater investigations are not adequate and should include detention of the allotments facing Gumeracha Road and Baden Terrace. The stormwater report findings and the second dot point for the outcomes of the stormwater assessment should be revised to omit the words “Allotments facing Gumeracha Road or Baden Terrace are capable of discharging to the existing road”.

The stormwater report findings and the 3<sup>rd</sup> dot point should be revised to “A headwall and connection to the road drainage system is available on the south-west corner of the site, existing site drainage from neighbouring allotments currently runs underground through an easement within the allotment and will be maintained”.

2. Turning provision on culs-de sac shown on preliminary layout does not meet council requirements.
3. Item 3 Proposed Development does not address the interface with the neighbouring industrial site. Retaining wall heights to be determined with appropriate screening.
4. Open space shown is largely utilised by stormwater detention. Calculations required to demonstrate that adequate useable open space will be provided.

#### **Civil Engineering Report – MLEI, dated 30th Aug 2021**

#### **Stormwater Management Report – MLEI, dated 30th Aug 2021**

1. Item 7 Summary - to include commentary on item 6 of City of Onkaparinga email dated 1st July 2021 (included in report) noting that stormwater from allotments facing Gumeracha Road and Baden Terrace to be routed into the detention basin.
2. Item 7 Summary – the last sentence “It has been demonstrated that this proposal includes stormwater harvesting and reuse, as well as stormwater quality treatment” contradicts the first sentence of item 7 “Stormwater quality is to be addressed during the planning documentation submission”.

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Wednesday, 15 September 2021 7:12 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Daniela

Family name: Draffen

Organisation:

Email address:

Phone number:

Comments: My name is Daniela and I live down the road from this spot on Galloway Road. It's such a waste of land. It would be so great to see this become residential land to be able to build new homes on. Property is selling so quickly with the current market and I think it would be fantastic for our beautiful neighbourhood. I'm all for it 😊👍

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sent to

proponent info@futureurban.com.au

email:



22 October 2021

Kayla Gaskin-Harvey  
O'Sullivan Beach Code Amendment  
Future Urban Pty Ltd  
Level 1, 74 Pirie Street  
ADELAIDE SA 5000

via email – [info@futureurban.com.au](mailto:info@futureurban.com.au)

Dear Kayla

## **O'SULLIVAN BEACH RESIDENTIAL CODE AMENDMENT** **De Youngs Pty Ltd – Adjoining Land Owner Submission**

### **1. Introduction**

Ben Green & Associates has been requested by DeYoungs Pty. Ltd. to review the effect of the proposed *O'Sullivan Beach Residential Code Amendment* prepared by Future Urban Pty. Ltd. and provide our opinions in relation to its adjoining land holdings that are directly affected by the proposed amendment.

We understand that the Code Amendment remains on Public Consultation, commenced on 13 September 2021 and due to conclude on 24 October 2021 and accordingly submit the following submission pursuant to Section 73 (6) of the *Planning, Development and Infrastructure Act 2016* (the Act).

Our client has a number of real concerns and reservations in relation to the proposed Code Amendment that seeks to alter the current Strategic Employment Zoning of land to General Neighbourhood Zone - essentially a zone for sensitive residential uses on the boundary of long standing commercial and industrial business activities.

Our client is opposed to an amendment of the zoning over the subject land on the basis of the potential interface impacts between sensitive residential type uses (General Neighbourhood Zone) and our client's commercial interests within the Strategic Employment Zone. Therefore, we seek to ensure as far as practicably possible, that the existing and ongoing uses of our client's land holdings are preserved and protected from encroachment of sensitive uses potentially being impacted by valuable long standing industrial land as the new zone interface will entrench uses which are severely incompatible with one another with limited policy protection.

With this in mind there are a number of potential alternatives for the subject land that should be considered in the *O'Sullivan Beach Residential Code Amendment*, which we seek to bring to your attention prior to determination of the Code Amendment.

As detailed further below, our clients' primary concerns include:

1. Density of sensitive residential use is considered too high so close to industrial land uses with no meaningful buffers provided at the interface.
2. Insufficient interface buffer area between the proposed General Neighbourhood Zone from the Strategic Employment Zone -
  - a. Without appropriate consideration, separation and treatment, the proposed zoning may jeopardise the Desired Outcomes of the Strategic Employment Zone by the introduction of sensitive receivers on the subject land.
3. Insufficient boundary interface fence/barrier treatment –
  - a. boundary fencing options should be reconsidered to a type not dissimilar to aesthetically appealing/detailed concrete road barriers, and assurance should be provided that the fence/barrier is to be paid for and maintained by the developer rather than our client.
4. Buffer Implementation / Maintenance –
  - a. Clear and direct policy required to ensure future development of the site provides adequate ongoing management of the buffer
5. No correspondence or verbal discussions of this proposal with our clients in any form prior to the Code Amendment being undertaken.

## 2. Subject Land

### 2.1 Subject of the Code Amendment

Our client, through various entities, previously owned the land that is the subject of the proposed Code Amendment and retains a large proportion of the land to the east of the subject land supporting their current commercial and industrial interests. The land was sold as surplus to its requirements but at no point in time was it envisaged that the land would be used for residential purposes. It was located within an **Interface Area** and thought to be used for transitional type uses possibly in the form of Service Trade Premises or a school etc with adequate open space buffers towards the industrial interface.

The Code Amendment land is comprised of:

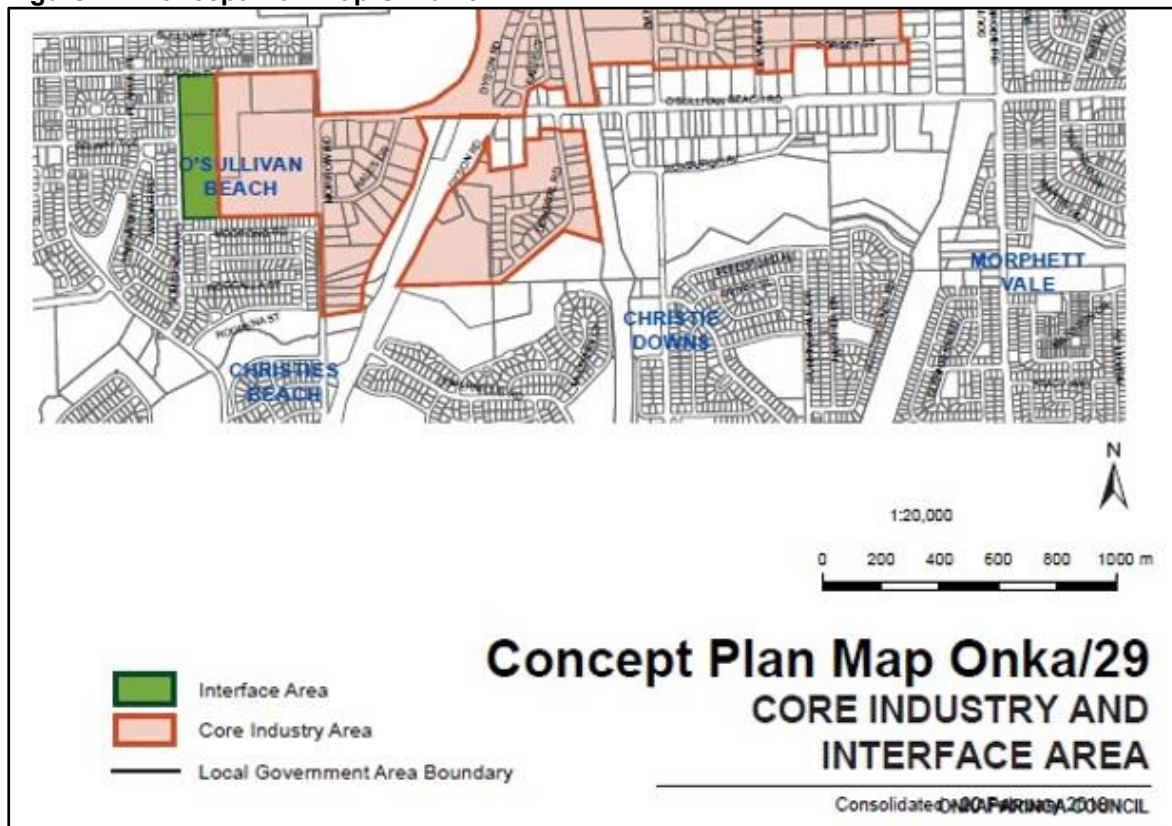
- Allotment 67 (No. 64 Baden Terrace - CT 6136/727)
- Allotment 20 (36-70 Gumeracha Road CT 6214/427)

This land was the subject of alteration in 2017 in the Employment Lands Development Plan Amendment, within the (now ceased) Onkaparinga Council Development Plan, referenced in **Concept Plan Map Onka/29**, as a part of the *General Industry Zone* defined as the **Interface Area**, shown as a green 'buffer zone' in Figure 1 below, and exhibits dissimilar planning policy controls than the remainder of the *General Industry Zone*, that is also shown as being located within the *Core Industry Zone*, with the intent to support local diverse employment activities which would effectively form a buffer between the residential uses (now *General Neighbourhood Zone*) and general industry uses (now *Strategic Employment Zone of the Planning and Design Code*).

The 'buffer zone' created by the **Interface Area**, appears to have not been transferred as part of the transition to the Planning and Design Code from the Onkaparinga Council Development Plan and does not exist in contemporary zoning or within any Onkaparinga Council Concept Plans in Part 12 of the Code. This is of extreme concern given the Council's and State Government's recent 2017 Employment Lands DPA decision to specifically create the **Interface Area** for the protection of long-standing industrial uses from adjoining residential uses and providing for more appropriate uses to

transition between vastly conflicting land uses, which we note is in total contrast to what is being proposed as part of this Code Amendment.

**Figure 1 – Concept Plan Map Onka/29**



## 2.2 DeYoung Pty Ltd Land Holding

The DeYoung Pty Ltd land holdings are identified as:

- Allotment 21 (No. 74 Baden Terrace - CT6197/338) and
- Allotment 22 (51/85 Morrow Road - CT 6214/428)

The DeYoung Pty Ltd land holding is considered quite significant in the O’Sullivan’s Beach / Lonsdale “industrial” area as it is approximately 13.5 hectares in area and located within close proximity to Adelaide and the Lonsdale highway.

The subject land holding also currently employs over 250 people.

The land holding has and will continue to attract larger scale business operations given the size of the land holding and offers both existing built form and vacant land for expansion and growth. One of the attractions of the land is also that it only has close residents along one boundary (the southern boundary) as it retains effective public road separation to residential uses on the western and northern boundaries.

The allotment at the corner of Baden Terrace and Morrow Road does not currently form a part of DeYoung’s ownership or usage.

Figure 2 delineates the subject land areas, identifying the land subject to the proposed Code Amendment “re-zoning” in green and the land holding in DeYoung’s ownership in blue.

**Figure 2: Aerial image of subject land, Locality & Zoning details added**



Source: SAPPA

### 3. Subject Locality - Current Planning and Design Code Policy

The whole of the subject land is contained within the Strategic Employment Zone identified within the Planning and Design Code. The land is bounded to the north, west and south aspects by the General Neighbourhood Zone with dedicated residential land uses.

A small Local Activity Centre Zone is situated approximately 370 metres west of Gumeracha Road, containing a small assortment of local conveniences and the O’Sullivans Beach Treatment Plant is located to the south west and located within an Infrastructure Zone.

Substantial areas of land to the north-west and east / south-east are also located within the Strategic Employment and Employment Zones, with the Port Stanvac complex situated just 130 metres north of Baden Terrace having previously been identified for residential re-zoning (*Marion Council and Onkaparinga Council Development Plans - Lonsdale Residential Development Plan Amendment 2019*).

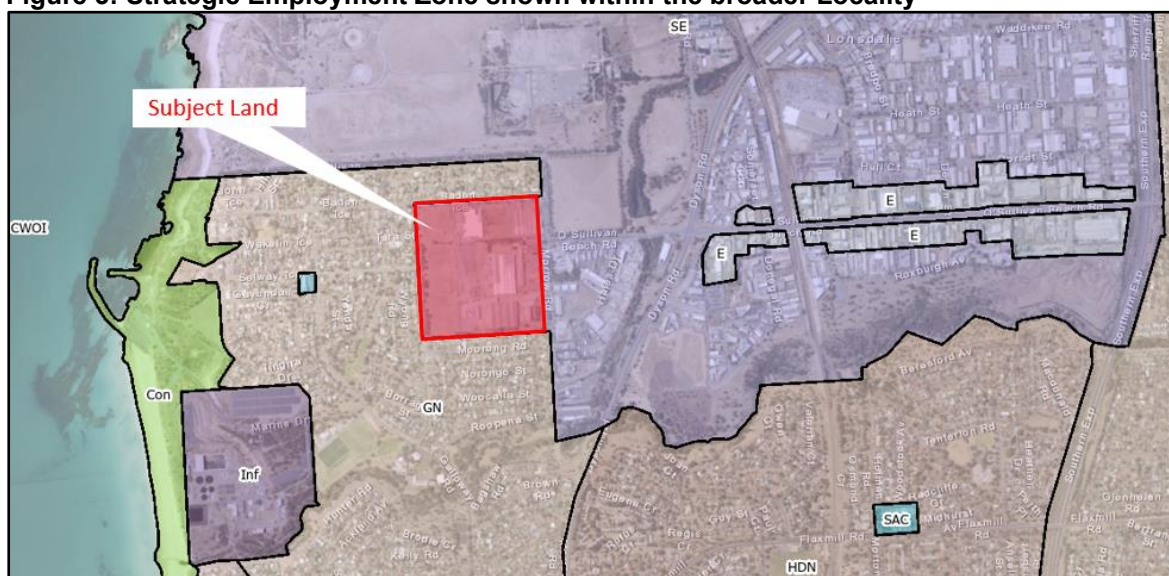
The intent and objectives of the Strategic Employment Zone is identified by its prescribed *Desired Outcomes* (DO) in the Code to support and pursue a range of industrial, logistical, warehousing, storage, research and training land uses together with compatible business activities generating wealth and employment for the state, with employment-generating uses are arranged to strategically

support the efficient movement of goods and materials on land in the vicinity of major transport infrastructure (such as ports and intermodal freight facilities and transport corridors) and to create new and enhance existing business clusters whilst managing adverse impacts on the amenity of land in adjacent zones and visible from public realm areas, to enhance entrance ways to cities, towns and settlements.

The Zone identifies a series of envisaged land uses, which include various industrial, manufacturing, office, transport distribution and warehousing type land uses, which are not inconsistent with those carried out on the subject land. Residential uses are not currently envisaged and would be classified as a Restricted form of development given the potential for land use conflict.

As confirmed there is no **Interface Area** or buffer area over the land that is subject to this Code Amendment but there is a physical separation by way of Gumeracha Road which has a 20 metre wide road reserve to the front boundary of residential uses.

**Figure 3: Strategic Employment Zone shown within the broader Locality**



Source: SAPPA

The land is also subject to the *Hazards (Bushfire - Urban Interface)*, *Hazards (Flooding - Evidence Required)*, *Native Vegetation*, *Prescribed Wells Area* and *Regulated and Significant Tree* policy overlays which are not considered to present any impediment to development generally within the zone.

### Zones

[Strategic Employment - SE](#)

### Overlays

[Hazards \(Bushfire - Urban Interface\)](#)

The *Hazards (Bushfire - Urban Interface)* Overlay seeks to ensure urban neighbourhoods adjoining bushfire risk areas allow access through to bushfire risk areas, are designed to protect life and property from the threat of bushfire and facilitate evacuation to areas safe from bushfire danger.

[Hazards \(Flooding - Evidence Required\)](#)

The *Hazards (Flooding - Evidence Required)* Overlay adopts a precautionary approach to mitigate potential impacts of potential flood risk through appropriate siting and design of development.

[Native Vegetation](#)

The *Native Vegetation* Overlay seeks to protect, retain and restore areas of native vegetation.

[Prescribed Wells Area](#)

The *Prescribed Wells Area* Overlay seeks to ensure sustainable water use in prescribed wells areas.

[Regulated and Significant Tree](#)

The *Regulated and Significant Tree* Overlay seeks to mitigate the loss of regulated trees through appropriate development and redevelopment.

#### 4. Existing Land and Land Uses

The subject land contains a number of existing land uses including both industry / general industry and service trade premises. A number of the uses have had a long-standing history with the site.

It is understood that prior to the 1960s when industrial uses were established on the land that it had previously been used for grazing purposes.

The topography of the land is relatively flat with a general cross fall from north-east to south-west, with approximately 15 metres total variation in elevation and a grade in the order of 1:32 at its steepest.

Built form and established land uses are generally concentrated to the eastern three-quarters of the Strategic Employment Zone, with a comparatively narrow tract of land on the western side remaining undeveloped, now subject to the proposed Code Amendment (and formerly identified as an **Interface Area**).

Despite the current zoning this area has acted (and was recently reinforced as) a buffer providing separation between the industrial zoned land and its established activities and the adjoining residential development to the west.

The depth of this western margin is in the order of 120 metres and currently presents chain-wire security fencing, earth berms and native vegetation landscape screening upon the boundary, fronting Gumeracha Road and facing the adjacent residential developments.

Evaluation distances are assessed under the *EPA Evaluation distances for effective air quality and noise management Guidelines (2016) - Appendix 1*, and these provide appropriate evaluation / separation distances for prescribed activities.

Not to diminish the need for rigorous assessment of the off-site impacts for sensitive receivers, the activities involving the movements of heavy machinery, including DeYoung's earthmoving equipment and construction & demolition (C&D) salvage should also be given reasonable consideration on the basis of noise and air quality / dust (and may in fact warrant consideration under 'Stockpiling' activities, subject to Individual assessment under Appendix 1 of the Guidelines).

Notwithstanding the bounds of the existing land uses and required separation distances, our client is concerned as to the security of their existing land parcels capability to sustain ongoing and future commercial and industrial land uses, with the potential for residential development on the land affected by the Code Amendment so close to its boundary with little protection.

#### 5. O'Sullivan Beach Residential Code Amendment

The O'Sullivan Beach Residential Code Amendment seeks to amend portion of the existing zoning from the *Strategic Employment Zone* to *General Neighbourhood Zone* including the application of the additional *Affordable Housing Overlay* that in itself creates opportunities for higher density development (than the standard General Neighbourhood Zone) close to industrial uses whilst also proposing a further additional and somewhat site / interface specific ***Interface Management Overlay***, with a ten metre depth buffer along the eastern property boundary as a means of attenuating interface and impact issues from the Strategic Employment Zone activities, which is simply not considered a sufficient enough means of treating the transition between general industry and sensitive residential land uses.

The proposed *General Neighbourhood Zoning* is identified in the MLEI Consulting Engineers Code Amendment Report with detailed land division designs of the proposal to establish a comprehensive development of 114 residential allotments, of between 220m<sup>2</sup> and 560m<sup>2</sup> with roads, footpaths, open

space and landscaping provisions, with allotments in the concept land division arrangement having as little as 14.5 metre width from the boundary of the DeYoung land and its uses, and includes the previously mentioned **Interface Management Overlay**, 10 metre wide depth in some instances allowing no more than 4.5 metres useable width of allotments, notwithstanding larger allotments with rear boundary orientated to the zone boundary within the concept plan, will achieve in the order of 40 metres depth.

**Figure 4 – Interface Management Overlay**



**Source – OSB Code Amendment**

The intent of the *General Neighbourhood Zone* is identified in its Desired Outcomes (DO) described as supporting *Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.* The Performance Outcomes (PO's) used for assessment pursue an emphasised residential character, punctuated with a range of commercial and business activities, such as *Community facility, Consulting room, Educational establishments, Office, Place of Worship and Shop* type uses principally intended to conveniently serve occupiers within the locality.

The relationship therefore between the existing lawful uses of land within the *Strategic Employment Zone* and the prospective uses within the proposed *General Neighbourhood Zone* are significant and must be carefully assessed and addressed to ensure that conflicts associated with dissimilar land uses do not prevail or create untenable living arrangements for proposed development of the

*Neighbourhood Zone* or conversely then require severe and strict limitations on longstanding commercial / industrial business operations in regard to limits imposed on hours of operation / noise / dust / traffic / waste / vibration / odour / underground site contamination etc.

It is acknowledged that open space may be allocated on the south-western extent of the land, inclusive of stormwater management / detention infrastructure as part of the land division concept that could change if the zone is amended. The design and layout of the open space and the layout of allotments on the eastern margin is of significant concern to our client and would benefit greatly from a committed approach to creating a genuine buffer, preferably including a Road Reserve along the entire eastern boundary with at least 20 plus metres with landscaped road reserve (on the eastern side) with a complimentary and aesthetically treated long-lasting concrete retaining wall and acoustic wall dedicated at the interface between zones.

The introduction of the proposed '*Interface Management Overlay Area*' on the subject land is of concern to our client for the reasons outlined, as its application appears to be an ineffective mechanism for prescribing separation distances between sensitive receivers and existing industry orientated land uses, particularly at only 10 metres wide. It is noted there is no Concept Plan provided within the Code Amendment confirming allocations of a buffer area and nor is there a Desired Character Statement, Sub-Zone or specific Zone policy that could prescribe the requirement for such buffer treatments.

## **6. Proposed Interface Management Overlay' Area**

The O'Sullivan Beach Residential Code Amendment proposes to introduce an *Interface Management Overlay*, providing for a 10-metre-wide buffer.

A different approach was taken in the previous policy regime by imposing the *Interface Area*, intended to provide a transition between the former general industry, now Strategic Employment Zone activities and adjoining residential areas. By encouraging a greater mix of low intensity non-residential land uses, supported with policies to ensure good building design, noise and impact mitigation and landscaping. The current proposal within the O'Sullivan Beach Residential Code Amendment does not establish such explicit bordering between land uses.

The actual effect of the *Interface Management Overlay* area is identified in the below image.

The effect of the overlay area 'buffer' is considered insubstantial considering the Environment Protection Authority separation guidelines in respect of air and noise attenuation of heavy industrial uses supported in the Strategic Environment Zone whilst also generally seeking to preserve a reasonable degree of amenity for residents.

The image below identifies on the proposed / concept development plan, the substantial compromise of **9** of the 'north-south' orientated allotments adjoining the proposed zone boundary and subject to the 10 metre proposed *Interface Management Overlay* area, with a further thirteen 'east-west' orientated allotments subject to a smaller impact at their rear boundaries.



Figure 5 – Proposed 'Interface Management Overlay' Area



The *Interface Management Overlay* should be extended and should be ensuring that a significant physical buffer such as a 20m wide road be developed along the entire length of the eastern boundary (not a 10m buffer where side and rear yards of dwellings can still be established). This road width will enable landscaping on the eastern side of the road with the interface and also provide some separation to the start of the residential allotment where there is also likely to be at least a 5m dwelling setback. This requirement in association with the interface impact mitigation measures such as acoustic walling / dwelling development requirements could lead to an appropriately managed interface between conflicting land uses.

The proposed adaption of the applicable planning policy to include an *Interface Management Overlay* area will by its very nature have a negative impact for future industrial activities for either existing or new business owners, as the policy is employed in place of observing the contemporary environmental guidelines for separation from industrial activities. Put simply, the above supporting policy will potentially diminish the opportunity for existing and additional like operations on the land to successfully endure or expand operations on the land and in turn has a potentially negative impact on land valuations and assurances if no protection of desired land uses establishing or operating within the Strategic Employment Zone is provided.

In our view the rezoning of the land in such a manner without adequate physical buffer separation and mitigation technics has the ability to jeopardise the attainment of the Desired Outcome sought within the Strategic Employment Zone. This should not be underestimated and further investigations and amendments are required.

The Environmental Noise Assessment report prepared by Sonus Acoustic Engineers is largely based upon the previous DPA, has been given due regard. The findings of the assessment fundamentally suggest that adequate noise attenuation for the re-zoned land and prospective residential uses would be satisfactory where a 3.0 metre high barrier 'fence' is installed at the boundary between zones, however is summarised as being variable based upon height of dwellings (upper storey portions of two storey dwellings at the interface will enjoy a far lesser degree of noise attenuation, and hours of operation, suggesting that impacts of the industrial land uses will already be a matter of contention for future residential development so close to commercial / industrial uses.

It is further considered that a 3.0 metre high 'fence' upon the eastern aspect of the allotments bordering the interface of zones, would be considered generally to be a poor interface both aesthetically and practically, and whilst according the maximum zone boundary mass management shown in PO/DPF4.1 applicable to the Strategic Employment Zone. Given the topography of the subject land this fence would also likely sit atop retaining walls which would add further height when viewed from the western side.

The acoustic barrier's actual effect upon the bounding properties is profound, overshadowing significant portions of rear yards, particularly of those allotments orientated north-south with side boundaries facing the interface of zones, with those portions of land deprived of solar access to a substantial degree. On face value this would not appear to result in an attractive residential amenity.

Should there be no change to buffer areas or the like, concerns remain regarding the materiality of the fence/barrier, and it is suggested that that boundary fence/barrier treatment options are reconsidered to a type not dissimilar to aesthetically appealing/detailed tilt up concrete road barriers.

Assurance should also be provided that the fence/barrier is to be paid for and maintained by the residential land division developer rather than our client? If it is located on the boundary how can my client be assured that they are not requested (or required) to pay half of the boundary treatment?

In saying this, we still emphasise that the extremely close interface represents a poor alternative solution to obtaining greater physical separation by way of a more appropriate design and layout wrapped up in the policy to ensure that any residential development of the land in question is developed with the interface protected.

## **7. Additional land uses in Interface Management Overlay Area and General Neighbourhood Zone**

The proposed adjustment of the General Neighbourhood Zone accommodates a small number of non-residential land uses, and whilst it may in fact result in a natural tendency for the subject land to become developed with non-residential land uses, such as, *Community facility, Consulting room, Educational establishment, Office, Place of Worship or Shop*, all identified as being 'envisaged' in General Neighbourhood Zone PO/DPF 1.1, there is no formal delineation of such uses or desire for non-residential uses to form the buffer between dedicated industrial and residential types of land use.

The investigations and supporting material also identify 'non-traditional' trending uses developing within industrial zones, including, home based light commercial / industry uses and gymnasiums, notwithstanding that within the *Investigations / Recommendations* section of the Code Amendment Proposal, it is stated that

*it is anticipated that the market to develop this land for employment purposes is very limited, given the challenges of developing uses that will rely on residential roads for vehicle access and noting the challenges of interface management and the potential need to provide acoustic barriers along a road frontage (i.e. along Gumeracha Road) rather than a shared property boundary, obscured from public view.*

Land uses such as *Pre-school, educational establishment* and indeed *Place of worship*, are envisaged non-residential forms of development which could reasonably enough cohabit an interface area with car parking and open space areas strategically located near the interface, particularly the interface of lower intensity zones and land use precincts such as Activity Centres, however it is considered that the interface with industry, in the form of the Strategic Employment Zone, and the activities which prevail there including potential for extended operating hours and the associated impacts to these non-residential kinds of activities remains somewhat sensitive.

Conversely the non-typical uses such as *gymnasium* for instance, present far less sensitivity to external noise, vibration etc as the activities within are themselves active and not so susceptible to impact from external noise.

Accordingly, we maintain that without further strategic consideration of the interface between the zones and modification of the *Interface Management Overlay* and concept plan for division, that the land will remain unsuitable for interface land uses for a number of reasons, including the lack of arterial road frontage and a nearby resident population of significant density.

This, in our view supports the concept of increasing formalised buffer separation potentially including a public road at the interface and / or open space areas, landscape & physical noise attenuation and re-configuration of the layout, allotment orientation and size at the interface of the two zones.

## 8. Concluding statements

The O'Sullivan Beach Residential Code Amendment provides the State Government an opportunity to review development policy and offers an opportunity to positively support increased employment, foster innovation and provide additional jobs throughout this locality.

In our view, the Code Amendment significantly impacts the capability and overall value of our client's land for the continuance of general industry and manufacturing purposes and may jeopardise the attainment of the Desired Outcomes of the Strategic Employment Zone.

Reservations are held in respect of amenity of the General Neighbourhood Zone at the interface of the existing industrial activities, however with amendment to the proposed policy to ensure further design and layout considerations (creating a larger physical separation / buffer), with a marginal forfeiture of the number of development allotments potentially created and greater clarity around the quality / longevity and costs associated with acoustic walling may produce a more satisfactory interface where industrial impacts can be substantially attenuated and pleasant residential amenity can be confidently assured.

In summary, the following key issues include:

- The need to establish a *formalised* physical separation buffer area of a public road or open space (or similar designation) within the *Interface Management Overlay* and / or the strategic designation of non-residential land uses only adjacent to the zone boundary, to protect both the Strategic Employment Zone and the General Neighbourhood Zones from dissimilar land use conflicts at the interface of zones – *This may reasonably involve the creation of a Concept Plan to be applied to Part 12 of the Code;*
- Augment the abovementioned public road / open space buffer (and any dedicated non-residential land uses allotments), with public road access, also providing access to any subsequently designed allotments situated west of said road reserve, having an orientation facing the Strategic Employment Zone – *i.e. no allotments for residential purposes abutting the Strategic Employment Zone;*
- At least the 'first row' of allotments for residential purposes (in the amended configuration) having an orientation facing the Strategic Employment Zone, captured within a broadened *Interface Management Overlay Area*, with appropriate DTS or DPF assessment criteria to ensure that dwellings take reasonable design / performance measures to attenuate noise impacts from the adjacent Strategic Employment Zone and preserve their own amenity, - *The Interface Management Overlay Area potentially increased in its width, to capture the width of reserve, road reserve and first row residential allotments – nominally 60 – 70 metres from the western boundary of the Strategic Employment Zone so as to ensure existing and future activities can operate effectively and efficiently within the Strategic Employment Zone.*
- A direct requirement of the *Interface Management Overlay* should be to implement a more suitable material of the required acoustic wall to be an aesthetically appealing/detailed concrete barrier similar to that adjacent to major highways and assurance that the wall /barrier is to be paid for and maintained by the developer rather than our client.

On behalf of our client, we would be pleased to clarify any of the concerns raised in this correspondence and in addition request to be heard at any future public hearing or meeting in relation to the proposed Code Amendment.

Yours faithfully

Ben Green & Associates



Ben Green, RPIA  
**Director**  
[bengreen@bengreen.com.au](mailto:bengreen@bengreen.com.au)

Tom Gregory, RPIA  
**Senior Associate**  
[tomgregory@bengreen.com.au](mailto:tomgregory@bengreen.com.au)

cc *DeYoungs Pty Ltd.*

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Tuesday, 14 September 2021 12:15 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Desiree

Family name: Bartlett

Organisation:

Email address:

Phone number:

Comments: I think it should be made into a green recreational space. Put trees, a playground. An area that all can enjoy. If we are meant to be the "green state" shouldn't we be keeping more green areas not building more cramped in houses?

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Attachment 5: No file uploaded

sent to  
proponent email: info@futureurban.com.au

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Wednesday, 15 September 2021 6:47 AM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Erin

Family name: Ripon

Organisation:

Email address:

Phone number:

Comments: Please no more tiny house block, it's so unfair that people have to settle to live in them because that's all that's being built these days. But preferably please rezone for recreation, with grass and trees. Somewhere people can relax and take their kids to play.

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Attachment 4: No file uploaded

Attachment 5: No file uploaded

sent to

proponent info@futureurban.com.au

email:

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Thursday, 30 September 2021 2:51 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Graham

Family name: crowhurst

Organisation:

Email address:

Phone number:

Comments: I do not want houses to be build on the land proposed. you have a limited entrance to the land , Schools at the bottom of Gumeracha Road and is always busy with pickup and drop offs. The current housing projects would put to many houses and cars with extra danger from motorists.

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Attachment 5: No file uploaded

sent to

proponent info@futureurban.com.au

email:



## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Tuesday, 14 September 2021 8:40 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Hayley

Family name: Millbank

Organisation:

Email address:

Phone number:

Comments: I believe that this zone should either be rezoned as parkland/reserve or turn it into a small eco-friendly tiny house village (actual tiny houses; not the caravan/on wheel style) with lots of green spaces and shared communal areas. I feel that the tiny house idea would cater for people of all ages from first home buyers with a small budget to couples with adult children looking to downsize from the family home. I can't think of anywhere else in Adelaide that offers this type of lifestyle. Otherwise, rezone it as parkland/reserve and plant a number of native species, and put in a nice little walking path.

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Attachment 5: No file uploaded

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proponent info@futureurban.com.au  
email:

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Tuesday, 14 September 2021 10:42 AM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment  
Customer type: Member of the public  
Given name: Jaimee  
Family name: Horsnell  
Organisation:  
Email address:  
Phone number:  
Comments: I think it should be used for conservation or public parks not for residential property.  
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Attachment 3: No file uploaded  
Attachment 4: No file uploaded  
Attachment 5: No file uploaded  
sent to proponent email: info@futureurban.com.au

## Kayla Gaskin-Harvey

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Saturday, 23 October 2021 4:55 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Julie

Family name: Gaghan

Organisation:

Email address:

Phone number

Comments: My husband and I have given this issue much thought over the past few months and feel if our following concerns can not be honestly dealt with and adhered to, then we are in no way comfortable or compliant with this rezoning decision. Also the assumption that only the residents on the immediate boundary of the proposal were notified via mail and not the whole small community of O'Sullivan Beach, feels somewhat unfair. As I contacted our local Neighbourhood Watch representative for the area to see if anybody she knew (which is many) including herself had received such a letter and the reply was no and of general concern. Concerns as follows: Firstly the size of the blocks proposed are showing generally half that of the surrounding residential homes, hence crowding, though we must admit if the homes were tastefully presented and not just slapped together like dog kennels the tenants may be a little happier. We would preferably like land allotment sizes to be that similar to surrounding residences. \*Definitely no multi units or more than one story/ground level modules. \*Tasteful landscaping of what seems to be a parkland area, also thoughtful well presented tree planting on roadside curbing and easements. I was born in this area 60 years ago and it has seen it's fair share of criminal activity being a once housing trust/low income neighbourhood and has only just in the past 10 years seen an uplift of more prestigious housing and general home pride of its now aging residents along with finally a decrease in criminal activity. To see an introduction of "affordable housing" structure worries us that it will reintroduce the most unfavourable characters back into the area again, depressing the lot of us. To pack people in like sardines (compacted community housing-usually high rise) is depressing for both potential new residents and surrounding existing, just for developers to get more bang for their buck at the expense of the poor. Improve it or take it elsewhere.

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sent to  
proponent email: info@futureurban.com.au

## Marissa Virgara

---

**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Tuesday, 14 September 2021 12:20 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Kayla

Family name: Poulton

Organisation:

Email address:

Phone number:

Comments: I think this land should be made into a reserve for bike jumps, similar to tangari regional park. It can be a dirt trails area and could also have a dirt pump track. There could be different skill level areas, including a section for toddler tries and perhaps even training wheels. We don't need more houses in O'Sullivan's Beach, we need more areas for the Southern suburbs kids to utilise and enjoy!

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sent to  
proponent info@futureurban.com.au  
email:

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Tuesday, 14 September 2021 11:00 AM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Kayley

Family name: Gordon

Organisation:

Email address:

Phone number:

Comments: Absolutely not. There is not enough infrastructure to support this. Stop trying to turn the South into an overpopulated wasteland.

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sent to proponent email: info@futureurban.com.au

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Wednesday, 22 September 2021 10:26 AM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Krystal

Family name: Clarke

Organisation:

Email address:

Phone number:

Comments: As a single mother, with a 13 month old (who has been trying to find a house of her own since March 2019) I strongly feel (provided the land/air is not contaminated) this space should be used for housing STRICTLY for low income families/single parents on Centrelink. If you haven't noticed, we are in a rental crisis at the moment and there are families sleeping in their cars, or couch surfing like myself with my daughter. An example of how it is impossible to get a rental via a real estate agent in the current market. My budget is \$250p/w for a rental The cheapest 2 bedroom place I can find in any area is \$300-320! My Centrelink single parent pension is only \$750 a fortnight. 750-600 for rent. Doesn't leave me with enough for food, bills, fuel or other basic necessities. It's not fair that more and more people (boomers) build or buy houses as an investment property and they are continually rented out to double income couples/families. As a single parent on Centrelink we can't even break into the housing market to buy either!!! So at some point someone has to take a lead and change this! Families in category 1, who are in the que for a home through housing Sa should be given priority. Then from there single parents or couples on low income.

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proponent info@futureurban.com.au  
email:

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Tuesday, 14 September 2021 12:33 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Kylie

Family name: Cook

Organisation:

Email address:

Phone number:

Comments: No this land should not be turned I to residential tiny land blocks, it should be done into a community space, BMX track, replanting and greening the area, not tiny 400m<sup>2</sup> blocks that have no garden and don't fit in with the neighbourhood. Think about our children's grandchildren when deciding to turn green spaces into tiny houses with no yards because it profits council

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proponent info@futureurban.com.au  
email:

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Tuesday, 14 September 2021 11:44 AM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Laura

Family name: Meredith

Organisation:

Email address:

Phone number:

Comments: I support the change in land use, however there needs to be more consideration into the sustainability of increased residential spaces, for example urban heating due to increased asphalt/concrete and decreased stormwater infiltration. Any new residential areas must incorporate water sensitive urban design (especially given the sensitive downstream receptors) and landscaping to reduce urban heat impacts. There is limited high quality public recreation spaces and new developments should always be incorporating abs designing these into the development framework

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proponent info@futureurban.com.au  
email:



## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Tuesday, 14 September 2021 4:10 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Lauren

Family name: Watson

Organisation:

Email address:

Phone number:

Comments: I think opening up this industrial area for residential development is long overdue. We need more area to build on as the housing market needs a boost. I personally would love to build a family home in this area and hope that many others get the opportunity to build or buy in this area, without most of the properties ending up in greedy rental investor's hands.

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proponent info@futureurban.com.au  
email:

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Tuesday, 14 September 2021 4:28 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Lisa

Family name: Francis

Organisation:

Email address:

Phone number:

Comments: Open land is being lost at an alarming rate in Australia. Science tells us the crucial role trees & the ecosystem play in our survival. Communities need protection from rising temperatures - trees and greening are what every suburb need to help us adapt into the future of climate change. Councils must stop taking every parcel of land and developing them for profit. Suburbs must be "greened" and this parcel of land presents a great opportunity to do this. Please "green" this parcel of land creating a reserve for this community to use, enjoy and to benefit residents mental health. Thank you.

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sent to  
proponent info@futureurban.com.au  
email:

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Wednesday, 15 September 2021 3:33 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Louise

Family name: McCauley

Organisation: Resident of O'Sullivan Beach 5166

Email address:

Phone number:

Comments: I am a permanent resident home owner at O'Sullivan Beach 5166. I am opposed to the new building development. I would prefer nature park area instead. Thankyou.

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sent to proponent email: info@futureurban.com.au

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Friday, 17 September 2021 7:06 AM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

**Amendment:** O'Sullivan Beach Residential Code Amendment

**Customer type:** Member of the public

**Given name:** Michael

**Family name:** Gage

**Organisation:**

**Email address:**

**Phone number:**

**Comments:** Fully support this unused block of land, that locals have used as the local motorbike track for years, to be converted into residential property

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**sent to proponent email:** info@futureurban.com.au

## Kayla Gaskin-Harvey

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Tuesday, 19 October 2021 9:27 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

**Amendment:** O'Sullivan Beach Residential Code Amendment

**Customer type:** Member of the public

**Given name:** Patrick

**Family name:** Jolly

**Organisation:**

**Email address:**

**Phone number:**

**Comments:** All this information is appreciated. We seek to have as many trees and local and native plants in the proposed development as the current site is used by a vast array of bird life. We would like this to be maintained. Thanks

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**sent to  
proponent email:** info@futureurban.com.au

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Wednesday, 15 September 2021 5:31 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Samantha

Family name: LordRiley

Organisation:

Email address:

Phone number:

Comments: I would like to see the land stay vacant with Trees planted. Or maybe more housing trust homes built for rent, as there is a very low shortage of cheap rent. But then they must only go to good tenants.

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sent to proponent email: info@futureurban.com.au

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Tuesday, 14 September 2021 6:35 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Sean

Family name: LePera

Organisation:

Email address:

Phone number:

Comments: Establish a carbon bank by planting rubber trees. Benefits zero carbon goal, buffer between residential and commercial property, green zone for neighborhood, cooler ambient temperature, and improved value of surrounding residential properties.

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sent to

proponent info@futureurban.com.au

email:

## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Wednesday, 6 October 2021 10:51 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: sophie

Family name: mcinnes

Organisation:

Email address:

Phone number:

Comments: I'm a resident in the local area and I believe this Land should not be rezoned as residential and that the land should be resigned as a dog park that's fully in closed with walking trails trees planted seating in playgrounds and a barbecue

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sent to  
proponent email: info@futureurban.com.au



## Marissa Virgara

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**From:** PlanSA Submissions <noreply@plan.sa.gov.au>  
**Sent:** Wednesday, 6 October 2021 10:44 PM  
**To:** info  
**Subject:** Public Consultation submission for O'Sullivan Beach Residential Code Amendment

Kayla Gaskin-Harvey, Future Urban,

### Submission Details

Amendment: O'Sullivan Beach Residential Code Amendment

Customer type: Member of the public

Given name: Stephen

Family name: hayes

Organisation:

Email address:

Phone number:

Comments: The vacant land in O'Sullivan beach next to de youngs shouldn't not be rezoned as residential. It should be changed into a decent enclosed dog park, and have a waking trail with plenty of trees planted. Make the area a more people friendly area. I'm a resident and live close to this land and would like to see it used in this way. The local shops attract a lot of people doing burnouts as does the boat ramp. During the night we have sometimes heard the Oscan yard making quite a bit of noise.

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proponent info@futureurban.com.au  
email:

16 March 2022

Kayla Gaskin-Harvey  
O'Sullivan Beach Code Amendment  
Future Urban  
Level 1/74 Pirie Street  
ADELAIDE SA 5000

Dear Kayla,

Re: **O'Sullivan Beach** - Code Amendment

I refer to your letter dated 18 February 2022 seeking our comments on the above Code Amendment and wish to advise the following:

SA Water currently provides water and sewerage services to the area subject the above code amendment.

We note the comments regarding water and wastewater infrastructure made on section 4.2 Infrastructure Planning (page 10 of the Code Amendment document). Please note that water and sewer networks augmentation may be required should the proposed rezoning generate an increase in existing demands.

The extent and nature of the augmentation works (if required) will be dependent on the final scope and layout of the future developments and will be required to comply with the SA Water Technical Standards including those for the minimum pipe sizing (refer to 2<sup>nd</sup> paragraph of the "Provision of Infrastructure" section on page 2). This advice should be provided to prospective developers.

Our general comments in respect to new developments or redevelopments are provided below.

#### SA Water Planning

- SA Water undertakes water security and infrastructure planning that considers the longer term strategic direction for a system. That planning seeks to develop a framework that ensures resources and infrastructure are managed efficiently and have the capacity to meet customer requirements into the future. The information contained in the Code Amendment document regarding future re-zoning and land development will be incorporated in SA Water's planning process.

#### Protection of Source Water

- Development/s shall have no deleterious effects on the quality or quantity of source water, or the natural environments that rely on this water. In particular, the following conditions shall apply:
  - Landfill shall be outside of Water Protection Zones;
  - Landfill area to include leachate collection facilities;
  - Effluent disposal systems (including leach drains) to be designed and located to prevent contamination of groundwater; and

- Industry must be located in appropriate areas, with safeguards to ensure wastewater can be satisfactorily treated or removed from the site
- Development shall avoid or minimise erosion.
- Development shall not dam, interfere, or obstruct a watercourse
- The Natural Resources Management Act 2004 includes wide ranging powers over source water quantity issues. The Department for Environment and Water should be consulted, if in doubt, over compliance with this Act. Source water quality issues are addressed by the Environment Protection Authority through the Environment Protection Act 1993.

#### Provision of Infrastructure

- All applications for connections needing an extension to SA Water's water/wastewater networks will be assessed on their individual commercial merits. Where more than one development is involved, one option may be for SA Water to establish an augmentation charge for that area which will also be assessed on commercial merits
- SA Water has requirements associated with commercial and multi-storey developments as outlined below:
  - Multi-storey developments: For buildings with 5 stories and above, a minimum of DN150 water main size is required. For buildings with 8 stories and above, a minimum of DN 200 water main size is required.
  - Commercial/Industrial developments: A minimum of DN 225 receiving main size is required for sewer and a minimum DN 150 main size for water.

#### Trade Waste Discharge Agreements

- Any proposed industrial or commercial developments that are connected to SA Water's wastewater infrastructure will be required to seek authorisation to permit the discharge of trade waste to the wastewater network. Industrial and large dischargers may be liable for quality and quantity loading charges. The link to SA Water's Trade Waste website page is attached for your information: [Trade Waste Guidelines and Fact Sheets](#)

Thank you for the opportunity to comment on the O'Sullivan Beach Code Amendment. Please contact Peter Iliescu, Engineer, Systems Planning Wastewater on telephone (08) 7424 1130 or email [peter.iliescu@sawater.com.au](mailto:peter.iliescu@sawater.com.au) in the first instance should you have further queries regarding the above matter.

Yours sincerely

per Matt Minagall  
Senior Manager, Customer Growth

Phone: 08 7424 1363  
Email: [Matt.Minagall@sawater.com.au](mailto:Matt.Minagall@sawater.com.au)

**APPENDIX 4. EPA SUBMISSION AND CORRESPONDENCE**



**Environment Protection Authority**  
GPO Box 2607 Adelaide SA 5001  
211 Victoria Square Adelaide SA 5000  
T (08) 8204 2000 F (08) 8204 2020  
Country areas 1800 623 445

EPA 603-323

Ms Kayla Gaskin-Harvey  
Senior Consultant  
Future Urban  
Level 1, 74 Pirie Street  
ADELAIDE SA 5000

via email: [kayla@futureurban.com.au](mailto:kayla@futureurban.com.au)

Dear Ms Gaskin-Harvey

### **O'Sullivan Beach Residential Code Amendment**

Thank you for providing the Environment Protection Authority (EPA) with the opportunity to comment on the O'Sullivan Beach Residential Code Amendment (CA).

When reviewing documents such as this CA, the key interest of the EPA is to ensure that all environmental issues within the scope of the objects of the *Environment Protection Act 1993* are identified and considered. The EPA is primarily interested in the potential environmental and human health impacts that would result from any development that may be proposed subsequent to this CA. At the CA stage, the EPA works to ensure that appropriate planning policy is included in the Code to allow proper assessment at the development application stage.

The EPA also reviews relevant technical reports to determine their suitability to support decision-making on the CA.

The EPA understands the CA seeks to rezone six hectares of land from the Strategic Employment Zone to General Neighbourhood Zone at O'Sullivan Beach. The site comprises two adjoining land parcels on the corner of Baden Terrace and Gumeracha Road, O'Sullivan Beach (CT 6136/727 and 6214/427).

The EPA has reviewed the '*O'Sullivan Beach Code Amendment, OSB Pty Ltd - For Consultation*' (2021) prepared by Future Urban and provides comments for your consideration below on a range of environmental issues.

#### Site contamination

A *Preliminary Site Investigation and Targeted Intrusive Site Investigation* (prepared by WSP dated 25 September 2020 – the "PSI") was submitted to support the rezoning.

The PSI identified that the site was previously used for broad-acre agricultural purposes with limited commercial activity comprising the installation of antenna and/or TV testing systems. The PSI identified that no potentially contaminating activities (PCA) were identified on-site with the exception of 'Agricultural activities', a class 3 activity (or low risk activity) for planning purposes. Intrusive soil investigations were completed as

part of the PSI, with WSP concluding that site contamination of soils did not exist for a commercial / industrial land use or residential land use.

However, there were exceedances of metals (zinc) above ecological investigation levels in four surface soil samples, as well as concentrations of metals, Polycyclic Aromatic Hydrocarbons (PAH) and Total Recoverable Hydrocarbons (TRH) above the laboratory limit of reporting with Benzo(a)pyrene (B(a)P TEQ) exceeding *National Environment Protection (Assessment of Site Contamination) Measure 1999* Health Investigation Levels for Residential A<sup>1</sup> and B<sup>2</sup> as well as Recreational use<sup>3</sup>.

In relation to neighbouring sites, the EPA holds site contamination information for the adjacent site (currently undertaking a class 1 PCA being 'Metal coating, finishing or spray painting'), including notifications of site contamination that affects or threatens underground water. The contaminants of concern include chlorinated hydrocarbons which can cause vapour intrusion risk at high concentrations.

#### *Adequacy of the PSI site history*

Site history information in Section 2.4 of the PSI has an error, listing the same CT and allotment twice, omitting CT 6214/472.

The site history section of the PSI notes that the site was owned by Hills Industries Limited (and related entities) as part of the larger industrial site, and states that limited commercial activity took place on the affected area. However, the PSI does not contemplate or provide adequate information on the potential for the affected area to previously have been used for PCAs during the some 50 years of ownership by Hills Industries. The PSI provides no documented interviews with former owners or employees of the site as to what activities occurred on the affected area. Historic aerial photographs show pathway / roadways into the affected area as well as soil stockpiling activities on the southern boundary, with a note that this material was removed off-site.

No groundwater investigations were undertaken as part of the PSI. Groundwater conditions at the site are unknown, with known volatile chemicals present in groundwater adjacent to the site. Site contamination reports held for the neighbouring site indicate that hydrogeological conditions at the site may be restricting movement of groundwater, with dissolved phase groundwater contamination not expected to be moving on to the subject site.

Noting these data gaps within the site history information, the PSI report does not currently provide sufficient information for the EPA to make an informed decision if the affected area can be made suitable with respect to site contamination for the proposed rezoning.

Further site history investigations (and potentially detailed site investigations) should be undertaken to give certainty that the site can be made suitable for the proposed residential land use.

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<sup>1</sup> HIL A – Residential with garden/accessible soil (home grown produce <10% fruit and vegetable intake (no poultry), also includes childcare centres, preschools and primary schools.

<sup>2</sup> HIL B – Residential with minimal opportunities for soil access; includes dwellings with fully and permanently paved yard space such as high-rise buildings and apartments.

<sup>3</sup> HIL C – Public open space such as parks, playgrounds, playing fields (e.g. ovals), secondary schools and footpaths. This does not include undeveloped public open space where the potential for exposure is lower and where a site-specific assessment may be more appropriate.

### Water quality – Stormwater

The EPA notes that section 6.3 (Stormwater quality) of the '*Stormwater Management Report: Gumeracha Road, O'Sullivan Beach*' (MLEI Consulting Engineers, dated 16 August 2021) states "*Stormwater quality is to be addressed during the planning documentation submission*".

Whilst the EPA supports the City of Onkaparinga stormwater quality management targets<sup>4</sup>, the EPA notes that drainage from over two hectares of the affected area from the stormwater concept plan design bypasses the proposed detention basin. The stormwater design at the land division stage should ensure that the stormwater quality targets are met, noting the Planning and Design Code contains stormwater policy that would be applicable at the land division stage.

### Noise

SONUS prepared a report '*O'Sullivan Beach Residential Rezoning Environmental Noise Assessment*' (ref: S6537C2, August 2020) to support the Code Amendment.

There are some issues with the SONUS report, namely:

- Indicative noise levels were derived from the former Onkaparinga (City) Development Plan rather than the Planning and Design Code.
- Noise measurements were undertaken over a 24-hour period at the interface of the industrial area; however, the noise measurement location remains unclear. In addition, given the limited measuring period the noise data may not be representative of the worst-case noise levels likely to be experienced in the area. Noise logging of at least 1-2 weeks would provide a better representation of the existing noise environment.
- Some noise modelling was undertaken but the data has been represented in terms of Sound Exposure Categories instead of actual noise impacts (measured in dB value) compared with the indicative noise levels derived from the *Environment Protection (Noise) Policy 2007*.
- Reference is made to the now superseded Minister's Specification SA78B rather than *Ministerial Building Standard MBS010: Construction requirements for the control of external sound (MBS010)*. The EPA notes that MBS010 is not intended to address impacts of environmental noise from industrial noise sources (neither was SA78B). MBS010 (and SA78B) is designed to reduce internal noise impacts from transportation noise sources such as road and rail corridors and is only applicable when used in conjunction with the Noise and Air Emissions Overlays. MB010 is also not designed to consider external noise levels.

Despite the issues mentioned above, the SONUS report proposes that a three metre-high barrier coupled with treating the dwelling facades (i.e. the requirements of the SA78B) would be sufficient to ensure (internal) acoustic amenity for future residents in the area.

In response, Future Urban do not recommend that the Noise and Air Emissions Overlay apply to the affected area. Future Urban recommend applying the 'Interface Management Overlay' to a depth of 10 metres along the eastern boundary of the Affected Area (adjacent to the Strategic Employment Zone, refer to **Figure 1** below). Based on the SONUS modelling, this policy approach would not provide suitable acoustic amenity for future residents as noted in Figure 2 on pages 13 and Page 14 of the SONUS report.

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<sup>4</sup> Stormwater runoff quality in outflows from new development shall have load reduction (when compared to untreated stormwater outflows) improvement equivalent to: 80% reduction in Total Suspended Solids; 60% reduction in Total Phosphorous; 45% reduction in Total Nitrogen; and 90% reduction in Gross Pollutants.

**Figure 1: Proposed Interface Management Overlay application**



Source: Future Urban (2021), *Appendix 2: Current and Proposed Zone and Overlay Mapping*

The EPA remains concerned that whilst the SONUS report concludes that both façade treatments and barriers are required to achieve an acceptable internal noise environment, the recommended policy change provides no mechanism to ensure that those noise mitigation measures would be implemented at the planning consent or building rules consent stages.

In conclusion, the EPA has highlighted potential site contamination and noise concerns that require further investigation and consideration before any final decision can be made about the suitability of the proposed rezoning.

For further information on this matter, please contact James Cother on 82042093 or [james.cother@epa.sa.gov.au](mailto:james.cother@epa.sa.gov.au).

Yours sincerely

Phil Hazell

**MANAGER PLANNING AND IMPACT ASSESSMENT**  
**ENVIRONMENT PROTECTION AUTHORITY**

20 October 2021



## Kayla Gaskin-Harvey

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**From:** Cother, James (EPA) <James.Cother@sa.gov.au>  
**Sent:** Friday, 11 February 2022 4:18 PM  
**To:** Kayla Gaskin-Harvey  
**Subject:** RE: RE: O'Sullivan Beach Residential Code Amendment - EPA 603-323 [SEC=OFFICIAL]

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

### OFFICIAL

Hi Kayla,

See below for summary comments on acoustic measures.

#### Summary

SONUS conclude that to provide a suitable interface between existing industry in the Strategic Employment Zone and future residents, the following measures are recommended:

- construction of a minimum height 2.4m barrier at the industry interface;
- restricting development on a portion of the land to only single storey residences (within 45 metres of the noise barrier); and
- upgrades to dwelling facades (i.e. a performance standard of sound exposure category 1 in the MBS010, or a comparable or better level of acoustic performance).

Without a concept plan or TNVs or some other policy mechanism, it appears that the Planning and Design Code cannot neatly capture the work that has gone into this Code Amendment beyond the generic application of the Interface Management Overlay.

If the abovementioned acoustic measures can be achieved via the application of the Interface Management Overlay to whole affected area then the EPA is reasonable satisfied that these matters can be resolved at the land division stage.

#### Background

Rezone two parcels from Strategic Employment Zone to a General Neighbourhood Zone. There are existing industrial land uses currently adjacent to the affected area.

The acoustic report '*O'Sullivan Beach Code Amendment: Environmental Noise Assessment*', dated January 2022 (ref. S6537C7) prepared by SONUS provides an updated version of a previous report.

The Planning and Design Code zones have been interpreted to the following land use categories:

Code zone	Land Use Category ( Noise EPP)	Day	Night
Strategic Employment	General Industry	65 dB(A)	65 dB(A)
General Neighbourhood	Residential	59 dB(A)	50 dB(A)

SONUS undertook noise measurements at three locations for approximately 10 days and found that worst case noise levels were 63dB(A)/52 dB(A) for day/night time periods prior to the application of character penalties at the boundary of the affected area. The acoustic report recommends a number of attenuation methods to be undertaken simultaneously to achieve a suitable noise amenity.

It is predicted that the external noise levels at the nearest point would be 57dB(A) and 51 dB(A) at night with only the barrier. These values are prior to the inclusion of character penalties. At 62 dB(A) and 56 dB(A), the external noise levels would still be considered to be exceeding the indicative noise levels of the *Environment Protection (Noise) Policy 2007*.

The requirements of only having one floor for the residential receivers closer to the barrier is supported by the EPA as the height of the barrier is not sufficient to ensure amenity for higher floors.

The acoustic report therefore recommends that the lowest level of attenuation recommended by MBS010 be included as well to ensure that internal noise levels achieve the desired outcome. As discussed, the main issue of this recommendation is that there is no legal mechanism to apply MBS010 for an industrial interface, beyond a voluntarily negotiated outcome through a development application.

The recommendations also means that at worst case scenario external amenity may not be sufficient if only the barrier is applied for some of the closer receivers. This may be alleviated somewhat by the smart arrangement of allotments.

The SONUS report has correctly based recommendations on the worst case scenario, noting a 1 in 10 day non-compliance would likely cause annoyance for future residents.

Regards

James

**James Cother**

Principal Adviser, Planning Policy & Projects

Planning and Impact Assessment  
Environment Protection Authority  
Phone (08) 820 42093  
211 Victoria Square Adelaide 5000



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South Australians

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---

**From:** Kayla Gaskin-Harvey [mailto:kayla@futureurban.com.au]  
**Sent:** Monday, 7 February 2022 5:54 PM  
**To:** Cother, James (EPA) <James.Cother@sa.gov.au>  
**Subject:** RE: RE: O'Sullivan Beach Residential Code Amendment - EPA 603-323 [SEC=OFFICIAL]

Hi James,

I hope you're well.

Have you had an opportunity to review the below?

Kind regards,

**KAYLA GASKIN-HARVEY**  
**Associate Director**



**M.** 0421 957 656  
**E.** [kayla@futureurban.com.au](mailto:kayla@futureurban.com.au)  
**W.** [www.futureurban.com.au](http://www.futureurban.com.au)  
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**From:** Kayla Gaskin-Harvey <[kayla@futureurban.com.au](mailto:kayla@futureurban.com.au)>  
**Sent:** Tuesday, 25 January 2022 11:48 AM  
**To:** Cother, James (EPA) <[James.Cother@sa.gov.au](mailto:James.Cother@sa.gov.au)>  
**Cc:** Chris Turnbull <[ct@sonus.com.au](mailto:ct@sonus.com.au)>  
**Subject:** RE: RE: O'Sullivan Beach Residential Code Amendment - EPA 603-323 [SEC=OFFICIAL]

Hi James,

Thankyou for your feedback below. That sounds quite positive and that the site contamination matters have been resolved.

A copy of the updated acoustic report is attached as discussed. Based on the advice from the AGD and Sonus, we propose to apply the Interface Management Overlay to the entire Affected Area.

If you have any questions, please do not hesitate to let me know.

Kind regards,

**KAYLA GASKIN-HARVEY**  
**Associate Director**



**M.** 0421 957 656  
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**From:** Cother, James (EPA) <[James.Cother@sa.gov.au](mailto:James.Cother@sa.gov.au)>  
**Sent:** Monday, 24 January 2022 1:58 PM  
**To:** Kayla Gaskin-Harvey <[Kayla@futureurban.com.au](mailto:Kayla@futureurban.com.au)>  
**Subject:** [SPAM]RE: O'Sullivan Beach Residential Code Amendment - EPA 603-323 [SEC=OFFICIAL]

OFFICIAL

Hi Kayla,

Thank you for taking my call earlier today. I look forward to the updated Sonus report.

In the meantime see below for a brief summary on site contamination matters.

Site contamination

Further to the EPA's correspondence on the O'Sullivan Beach Residential Code Amendment dated 20 October 2021 (EPA ref: 603-323), the EPA has now reviewed the following information:

- *Preliminary Site Investigation (PSI) and Targeted Site Investigation, Gumeracha Road, O'Sullivan Beach, SA.* Prepared by wsp and dated 25 September 2020 (the PSI)
- *O'Sullivan Beach Residential Code Amendment – Residual Contamination Review.* Prepared by Shya Jackson of wsp and dated 1 December 2021. Ref: PSI20574-SHJ-SA-ADL-CLM-MEM-Rev A. (the memorandum)
- *Phase 1 and 2 Environmental Due Diligence (EDD) Assessment.* Prepared by WSP and dated 31 March 2014. (the EDD report)

The memorandum and EDD both include additional site history information that sufficiently addresses the data gaps previously identified by the EPA. Collectively, the memorandum, PSI and the EDD report appropriately and adequately considers and identifies site contamination issues that are present at the site.

In addition, the site contamination consultant has concluded following review of site contamination information held for the site and broader area of land, that the site can be made suitable for residential purposes with additional assessment and remediation (if required) to be undertaken at the land division stage. Further investigations will also provide further information to allow the EPA to determine the appropriate practitioner to provide a statement of site suitability in the event an EPA referral is required.

Regards

**James Cother**

Principal Adviser, Planning Policy & Projects  
Environment Protection Authority | P (08) 8204 2093

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**From:** Kayla Gaskin-Harvey <[Kayla@futureurban.com.au](mailto:Kayla@futureurban.com.au)>  
**Sent:** Wednesday, 19 January, 2022 4:25 PM  
**To:** Cother, James (EPA) <[James.Cother@sa.gov.au](mailto:James.Cother@sa.gov.au)>  
**Cc:** Chris Turnbull <[ct@sonus.com.au](mailto:ct@sonus.com.au)>  
**Subject:** RE: O'Sullivan Beach Residential Code Amendment - EPA 603-323 [SEC=OFFICIAL]

Hi James,

Happy new year. I hope this email finds you well.

I have spoken with the AGD-PLUS since we previously spoke and a copy of their correspondence is attached. They agree that the Interface Management Overlay is the best approach.

In the light of this, the Noise and Air Emissions Overlay and the Technical and Numeric Variation Overlay are no longer proposed. The Interface Management Overlay will continue to be applied to the land.

Sonus are preparing an updated Acoustic Report that has regard to this and any acoustic techniques referred to by Sonus, Future Urban will propose the suitable planning mechanism to address these. Ideally this will be through policy within the Planning and Design Code. However, other options will be explored if necessary.

We look forward to receiving your updated response in relation to site contamination soon and will send through the updated acoustic information when this is available.

Kind regards,

**KAYLA GASKIN-HARVEY**  
**Associate Director**



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**E.** [kayla@futureurban.com.au](mailto:kayla@futureurban.com.au)  
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**From:** Cother, James (EPA) <[James.Cother@sa.gov.au](mailto:James.Cother@sa.gov.au)>  
**Sent:** Monday, 13 December 2021 3:46 PM  
**To:** Kayla Gaskin-Harvey <[Kayla@futureurban.com.au](mailto:Kayla@futureurban.com.au)>  
**Subject:** RE: O'Sullivan Beach Residential Code Amendment - EPA 603-323 [SEC=OFFICIAL]

OFFICIAL

Hi Kayla,

Thank you for the package of information in relation to the O'Sullivan Beach Residential Code Amendment.

In terms of timing, I think it's probably more likely to be early in January 2022 for a formal written response.

In the interim, AGD-PLUS has confirmed that the Noise and Air Emissions Overlay/MBS 010 was not designed to work with industrial noise/emission sources and that the Interface Management/Significant Interface Management Overlays and Interface between Land Use General Development Policies are more likely to address this (i.e. so MBS 010 will not apply).

Regards

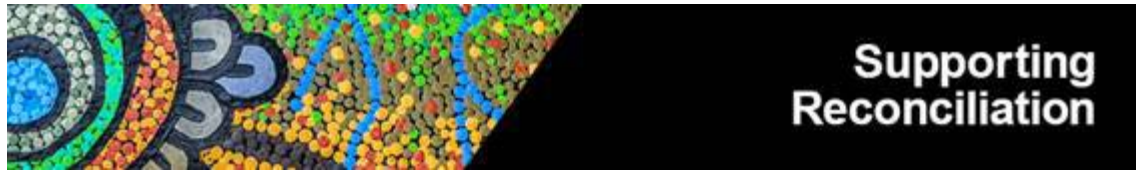
**James Cother**

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**From:** Kayla Gaskin-Harvey <[Kayla@futureurban.com.au](mailto:Kayla@futureurban.com.au)>  
**Sent:** Monday, 13 December, 2021 10:01 AM  
**To:** Cother, James (EPA) <[James.Cother@sa.gov.au](mailto:James.Cother@sa.gov.au)>  
**Cc:** Michael Osborn <[michael@futureurban.com.au](mailto:michael@futureurban.com.au)>; Jackson, Shya <[Shya.Jackson@wsp.com](mailto:Shya.Jackson@wsp.com)>; Chris Turnbull <[ct@sonus.com.au](mailto:ct@sonus.com.au)>;  
**Subject:** RE: O'Sullivan Beach Residential Code Amendment - EPA 603-323 [SEC=OFFICIAL]

Hi James,

Further to our previous correspondence with me, WSP and Sonus, I write in response to the feedback received from the EPA in relation to the O'Sullivan's Beach Code Amendment.

As part of this response, I have attached the following documents:

- A new Environmental Noise Assessment prepared by Sonus, removing reference to the former standards and including noise modelling for a period of 11 days
- A memorandum prepared by WSP, confirming that 'WSP are satisfied that the land can be made suitable for a residential purpose' and providing more clarification regarding the matters raised by the EPA

Based on the feedback from WSP and Sonus, I can confirm the following in relation to the Code Amendment:

- The *Planning Development and Infrastructure (General) Regulations 2017*, Practice Direction 14 – Site Contamination and the Site Contamination General Development Policies within the Planning and Design Code all work together to ensure that the means of making the site suitable for a residential use will be determined and implemented as part of a future land use or land division development application. Accordingly, no further changes to the Code Amendment are proposed in relation to site contamination.

- We will update the Code Amendment to:
  - Include a Noise and Air Emissions Overlay for a width of 100 metres from the eastern boundary, ensuring future dwellings are acoustically attenuated in accordance with MBS 010;
  - Increase the depth of the Interface Management Overlay from 10 metres to 100 metres, ensuring that there is policy enabling a relevant authority to require an acoustic barrier as part of the assessment of a future DA affecting the land (i.e. for land division and/or a dwelling); and
  - Include a Technical and Numeric Variation that designates the area shown as 'Single Storey dwellings' in Sonus' report as subject to a maximum building height of 1 level (this area is 45 metres in width).

I am happy to discuss the above in a meeting or over the phone if you feel it would assist.

I also kindly request that you confirm in writing whether the above adequately addresses your feedback in relation to site contamination and noise.

Should you have any questions, please do not hesitate to contact me on 0421 957 656.

Kind regards,

**KAYLA GASKIN-HARVEY**  
**Senior Consultant**



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**E.** [kayla@futureurban.com.au](mailto:kayla@futureurban.com.au)  
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**A.** Level 1, 74 Pirie Street, Adelaide, SA, 5000

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**From:** Cother, James (EPA) <[James.Cother@sa.gov.au](mailto:James.Cother@sa.gov.au)>  
**Sent:** Wednesday, 17 November 2021 9:56 AM  
**To:** Kayla Gaskin-Harvey <[Kayla@futureurban.com.au](mailto:Kayla@futureurban.com.au)>  
**Cc:** 'John Kefalianos' <[john.kefalianos@sa.gov.au](mailto:john.kefalianos@sa.gov.au)>; Michael Osborn <[michael@futureurban.com.au](mailto:michael@futureurban.com.au)>; Chris Turnbull <[ct@sonus.com.au](mailto:ct@sonus.com.au)>  
**Subject:** RE: O'Sullivan Beach Residential Code Amendment - EPA 603-323 [SEC=OFFICIAL]

OFFICIAL

Hi Kayla,

I've had a conversation with Chris Turnbull (Sonus) and Shya Jackson (WSP) regarding acoustics and site contamination respectively. I believe they have also spoken to EPA specialists to clarify expectations.

I understand and support your reasons for applying the Interface Management Overlay, and this Overlay still has a role to play at the Planning Consent stage, although the proposed spatial application may need review once Sonus complete their work.

I've also contacted the AGD-PLUS Building Team to clarify the practical application of the Noise and Air Emissions Overlay ("N&AE Overlay") together with the Ministerial Building Standard 010: *Construction requirements for the control of external sound* ("MBS 010"). My concern is that even if the N&AE Overlay applies through the Planning and Design Code it may in effect not give rise to any mandatory obligation under MBS 010 at the Building Rules Consent stage having regard to the standard's scope and definitions. I'm awaiting a response from AGD-PLUS.

So there a few moving pieces to work through before the policy solution is resolved.

Regards

**James Cother**

Principal Adviser, Planning Policy & Projects  
Environment Protection Authority | P (08) 8204 2093

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**From:** Kayla Gaskin-Harvey <[Kayla@futureurban.com.au](mailto:Kayla@futureurban.com.au)>  
**Sent:** Tuesday, 16 November, 2021 5:19 PM  
**To:** Cother, James (EPA) <[James.Cother@sa.gov.au](mailto:James.Cother@sa.gov.au)>  
**Cc:** 'John Kefalianos' <[johnk@financelab.com.au](mailto:johnk@financelab.com.au)>; Michael Osborn <[michael@futureurban.com.au](mailto:michael@futureurban.com.au)>; Chris Turnbull <[ct@sonus.com.au](mailto:ct@sonus.com.au)>  
**Subject:** RE: O'Sullivan Beach Residential Code Amendment - EPA 603-323 [SEC=OFFICIAL]

Hi James,

I hope you're well.

I believe Chris Turner may have contacted you directly since my email below. However, subject to the updated information from Sonus, would the below approach resolve your concerns regarding the planning mechanisms for enforcing the acoustic measures?

If you have any questions, I am happy to discuss this via phone or in person.

Kind regards,

**KAYLA GASKIN-HARVEY**  
**Senior Consultant**



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**E.** [kayla@futureurban.com.au](mailto:kayla@futureurban.com.au)  
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**A.** Level 1, 74 Pirie Street, Adelaide, SA, 5000

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**From:** Kayla Gaskin-Harvey

**Sent:** Tuesday, 9 November 2021 5:52 PM

**To:** Cother, James (EPA) <[James.Cother@sa.gov.au](mailto:James.Cother@sa.gov.au)>; Chris Turnbull <[ct@sonus.com.au](mailto:ct@sonus.com.au)>

**Cc:** Jackson, Shya <[Shya.Jackson@wsp.com](mailto:Shya.Jackson@wsp.com)>; 'John Kefalianos'

Michael Osborn

<[michael@futureurban.com.au](mailto:michael@futureurban.com.au)>

**Subject:** RE: O'Sullivan Beach Residential Code Amendment - EPA 603-323 [SEC=OFFICIAL]

Hi James,

Thanks for your response.

In relation to the planning mechanisms:

- We will apply the Noise and Air Emissions (N&AE) Overlay, and can confirm this in our response to the EPA.
- The modelling and response being prepared by Sonus will inform the extent/depth of the Overlay.
- We are also looking at whether imposing a Technical and Numeric Variation at the building height will address some of the noise attenuation challenges with two storey dwellings, if this cannot be addressed by the N&AE Overlay (i.e. ensuring that two storey buildings are setback from the boundary) – again this will be informed by Sonus' advice.

To revisit our conversation from last week, our investigations and reasons for applying the Interface Management Overlay (rather than the N&AE Overlay) concentrated on the applicable policies for planning consent only, not for building consent. As a result, the N&AE Overlay was not initially proposed (see below excerpt from page 15 of the Code Amendment Report):

*'It is further noted that the Code has a Noise and Air Emissions Overlay. However, General Neighbourhood Zone Tables 2 and 3 do not apply the policy contained within this Overlay to development. As a result, this Overlay has not been chosen as it would have no influence on the future development of the land.'*

However, it is apparent that this Overlay will enable the noise attenuation to be considered as part of the building consent of the future dwellings, which we had not considered previously. Accordingly, we will update the Code Amendment to include this Overlay, to the satisfaction of the EPA.

Subject to the updated information from Sonus, would this resolve your concerns regarding the planning mechanisms for enforcing the acoustic measures?

If easier to discuss this over the phone, please do not hesitate to give me a call.

Kind regards,

**KAYLA GASKIN-HARVEY**

**Senior Consultant**



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**From:** Cother, James (EPA) <[James.Cother@sa.gov.au](mailto:James.Cother@sa.gov.au)>  
**Sent:** Tuesday, 9 November 2021 5:21 PM  
**To:** Chris Turnbull <[ct@sonus.com.au](mailto:ct@sonus.com.au)>; Kayla Gaskin-Harvey <[Kayla@futureurban.com.au](mailto:Kayla@futureurban.com.au)>  
**Cc:** Jackson, Shya <[Shya.Jackson@wsp.com](mailto:Shya.Jackson@wsp.com)>; 'John Kefalianos' ; Michael Osborn <[michael@futureurban.com.au](mailto:michael@futureurban.com.au)>  
**Subject:** Re: O'Sullivan Beach Residential Code Amendment - EPA 603-323 [SEC=OFFICIAL]

Hi Chris,

I was aware that MBS 010 also applies to mixed land use areas, although the affected area is not a mixed land use area. I also understood that Future Urban were not recommending the application of the Noise and Air Emission Overlays to the Affected Area.

So based on my understanding of the Overlay/MBS 010 there would be no mandatory obligation to do anything at the Building Rules Consent stage because the affected area would not be identified as a 'noise attenuation area' and the industrial area is not a 'designated sound source'.

Regards

**James Cother**

Principal Adviser, Planning Policy & Projects

Environment Protection Authority | T (08) 820 42093

---

**From:** Chris Turnbull <[ct@sonus.com.au](mailto:ct@sonus.com.au)>  
**Sent:** Tuesday, November 9, 2021 5:07 PM  
**To:** Cother, James (EPA) <[James.Cother@sa.gov.au](mailto:James.Cother@sa.gov.au)>; 'Kayla Gaskin-Harvey' <[Kayla@futureurban.com.au](mailto:Kayla@futureurban.com.au)>  
**Cc:** Jackson, Shya <[Shya.Jackson@wsp.com](mailto:Shya.Jackson@wsp.com)>; 'John Kefalianos' ; 'Michael Osborn' <[michael@futureurban.com.au](mailto:michael@futureurban.com.au)>  
**Subject:** RE: O'Sullivan Beach Residential Code Amendment - EPA 603-323 [SEC=OFFICIAL]

Hi James,

Just to clarify, the Overlay and MBS 010 do not only apply to transport noise (road rail and aircraft) but also apply to Mixed Land.

Inclusion of an area in the Overlay at the interface with an industrial area results in a mandatory obligation at the Building Rules Consent stage to provide upgraded residential facade constructions. These upgraded facades not only assist in achieving an appropriate level of amenity for residents but also assist in protecting the ongoing operation of the industries.

Please let me know if you would like to discuss.

**Chris Turnbull**

Director

0417 845 720

[ct@sonus.com.au](mailto:ct@sonus.com.au)

Sonus Pty Ltd

[www.sonus.com.au](http://www.sonus.com.au)

17 Ruthven Avenue  
ADELAIDE SA 5000  
Phone: 08 8231 2100



---

**From:** Cother, James (EPA) [<mailto:James.Cother@sa.gov.au>]  
**Sent:** Tuesday, 9 November 2021 4:54 PM  
**To:** Kayla Gaskin-Harvey  
**Cc:** Jackson, Shya; [ct@sonus.com.au](mailto:ct@sonus.com.au); John Kefalianos; Michael Osborn  
**Subject:** Re: O'Sullivan Beach Residential Code Amendment - EPA 603-323 [SEC=OFFICIAL]

Thanks Kayla,

I'll pass on the contact details.

In relation to acoustics, it was also about the lack of planning mechanisms available given that MBS 010 only works with the Noise and Air Emissions Overlay and neither the Overlay nor MBS 010 applies to industrial noise sources.

Regards

**James Cother**

Principal Adviser, Planning Policy & Projects

Environment Protection Authority | T (08) 820 42093

---

**From:** Kayla Gaskin-Harvey <[Kayla@futureurban.com.au](mailto:Kayla@futureurban.com.au)>  
**Sent:** Tuesday, November 9, 2021 4:28 PM  
**To:** Cother, James (EPA) <[James.Cother@sa.gov.au](mailto:James.Cother@sa.gov.au)>  
**Cc:** Jackson, Shya <[Shya.Jackson@wsp.com](mailto:Shya.Jackson@wsp.com)>; [ct@sonus.com.au](mailto:ct@sonus.com.au) <[ct@sonus.com.au](mailto:ct@sonus.com.au)>; John Kefalianos  
Michael Osborn <[michael@futureurban.com.au](mailto:michael@futureurban.com.au)>  
**Subject:** RE: O'Sullivan Beach Residential Code Amendment - EPA 603-323 [SEC=OFFICIAL]

Hi James,

I hope you are well.

I am emailing to provide a quick update following our conversation last week.

WSP and Sonus have been engaged to respond to the feedback from the EPA and acoustic modelling has started.

They would like to be able to discuss their responses with the EPA's acoustic and site contamination experts respectively to ensure that all feedback is addressed to the EPA's satisfaction.

Would you be able to provide these contact details to them directly:

- WSP Contact: Shya Jackson, [Shya.Jackson@wsp.com](mailto:Shya.Jackson@wsp.com)
- Sonus Contact: Chris Turnbull, [ct@sonus.com.au](mailto:ct@sonus.com.au)

Upon receipt of their responses, we are aiming to finalise and issue the Interim Engagement Report quite quickly and we would like to have a response from the EPA confirming if the feedback has been

adequately responded to before doing so. As a result, we are hoping direct discussion with the relevant experts will enable you to be able to provide a quick response to the updated information, following receipt.

If you have any questions, please do not hesitate to contact me on 0421 957 656.

Kind regards,

**KAYLA GASKIN-HARVEY**  
**Senior Consultant**



**M.** 0421 957 656  
**E.** [kayla@futureurban.com.au](mailto:kayla@futureurban.com.au)  
**W.** [www.futureurban.com.au](http://www.futureurban.com.au)  
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**From:** Cother, James (EPA) <[James.Cother@sa.gov.au](mailto:James.Cother@sa.gov.au)>  
**Sent:** Thursday, 4 November 2021 2:13 PM  
**To:** Kayla Gaskin-Harvey <[Kayla@futureurban.com.au](mailto:Kayla@futureurban.com.au)>  
**Subject:** RE: O'Sullivan Beach Residential Code Amendment - EPA 603-323 [SEC=OFFICIAL]

OFFICIAL

Hi Kayla,

I've spoken to our Site Contamination Branch (SCB) about the data gaps in the WSP report.

Here is what the [ASC NEPM](#) (Volume 3 Schedule B2) states about interviews:

**3.3.18 Interview information**

*Interviews with past property or business owners and occupiers and employees should be conducted where practicable. The objective of interviews is to confirm information collected in the desktop study and to gain additional relevant site information (for example, source of drinking water, presence of wells on-site, date of connection to sewer, history of spills and leaks, arrangements for liquid and solid waste disposal etc.). Owners and occupants of neighbouring properties may also be able to provide useful information.*

So the advice from our SCB is that if interviews are not practicable, the site contamination consultants will need to document very clearly the issues around why no interviews were completed and use other lines of evidence to clearly demonstrate activities undertaken at the site. Often, interviews with past owners / occupiers / workers provides excellent anecdotal evidence of waste disposal practices which is one of the data gaps around this site, so they are a critical part of the site history process.

Our SCB will require solid lines of other evidence to fill any gaps.

Regards

**James Cother**

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Please consider the environment before printing this e-mail.

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**From:** Kayla Gaskin-Harvey <[Kayla@futureurban.com.au](mailto:Kayla@futureurban.com.au)>  
**Sent:** Thursday, 28 October, 2021 10:08 AM  
**To:** Cother, James (EPA) <[James.Cother@sa.gov.au](mailto:James.Cother@sa.gov.au)>  
**Subject:** O'Sullivan Beach Residential Code Amendment - EPA 603-323

Hi James,

I hope this email finds you well.

Further to my voicemail, I am contacting you regarding the EPA's feedback on the O'Sullivan Beach Residential Code Amendment.

Would you be able to give me a call to discuss?

We are liaising with WSP and Sonus regarding EPA's feedback however, wanted to discuss site contamination with you before deciding how to proceed.

Kind regards,

**KAYLA GASKIN-HARVEY**  
**Senior Consultant**



**M.** 0421 957 656  
**E.** [kayla@futureurban.com.au](mailto:kayla@futureurban.com.au)  
**W.** [www.futureurban.com.au](http://www.futureurban.com.au)  
**A.** Level 1, 74 Pirie Street, Adelaide, SA, 5000

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**MEMO**

**TO:** John Kefalianos, Kayla Gaskin-Harvey  
**FROM:** Shya Jackson  
**SUBJECT:** **O’Sullivan Beach Residential Code Amendment – Residual Contamination Review**  
**OUR REF:** PS120574-SHJ-SA-ADL-CLM-MEM-Rev A  
**DATE:** **1 December 2021**

---

The following memorandum seeks to address the comments from the South Australian Environment Protection Authority (SA EPA) with regards to the O’Sullivan Beach Code Amendment and provides responses to the potential offsite and onsite issues raised as part of their review documented in a letter ref EPA603-323 dated 20 October 2021 (Phil Hazell to Kayla Gaskin Harvey).

Table 1 identifies the particular comment and provides evidence or commentary around how the gap has or may be addressed in the future.

In addition, it is understood that the SA EPA hold several reports for the upgradient Class 1 PCA site under EPA reference number 61181. These reports were requested from the EPA and comprised the following documents noted in chronological order.

- 20130621 HMRMP, 29 Morrow Road (former Walker Australia site)
- 61181\_01 S83A notification 18092013
- 61181 20130920 REVISED DRAFT EDD, entire site
- 61181\_02 Section 83A notification update 28102013, additional chemical substances
- 20131021 EDD, Walker Australia site
- 61181 20160504 Contamination Assessment Draft, former Hills site for Bluescope Steel
- 61181 20160714 SEMP Rev3, former Hills site environmental management plan for Bluescope steel
- 61181 20161220 Sep2016 SEMP Monitoring Event, first event under SEMP
- 20180223 WSP Walker DD report 2018, 51 – 85 Morrow Road, former Walker site
- 61181\_03 S83A notification 08032018, minor perched PCE not source site
- 61181 20180418 Oct2017 SEMP Monitoring Event, second event under SEMP
- 61181\_04 S83A notification update 06112018, Orrcon facility, part of 29 Morrow Road
- 61181 20190503 ROA & SMP, Orrcon facility, part of 29 Morrow Road
- 61181 20201127 Annual Mon Event #5 Sept 20, Orrcon facility, part of 29 Morrow Road
- 61181 20210222 OSB\_Remediation\_Report\_2020\_Rev\_0, Orrcon facility
- 61181 20210222 Site Remediation Progress Report (duplicate of above)
- 61181\_05 S83A notification update 04112021, updated for Cadmium

These reports indicate a progressive assessment of impacts to the Orrcon site by JBS&G which included attempts of remedial activity of the perchloroethylene present in perched water as well as soil vapour extraction and treatment at the site. The latest report supplied in February 2021 stated the following:

The environmental assessment works completed by JBS&G on an annual basis (for the past five years) have not identified risks associated with the contamination to on-site commercial / industrial workers or to off-site properties (which uses include commercial / industrial and residential).

The perched water (which generally occurs between 2 and 5 m bgl) does not appear to be continuous throughout the site and based on the monitoring results over the past 12 months, does not appear to be well connected across the western portion of the site. The perched water is impacted, predominantly by PCE. All perched water wells were impacted with PCE with the exception of BHB37 which is located in the north western portion of the site.

Groundwater occurs at around 25 m bgl. The concentrations of PCE in groundwater are low with the highest concentrations recorded in the south western corner of the site (adjacent to the former paint shop) at GW02.

*Excerpt from EPA held report reference: 61181 20210222 OSB\_Remediation\_Report\_2020\_Rev\_0.pdf*

Therefore, the potential impact of migration from site contamination present in perched water and soil vapour approximately 100m from the subject site appears to be low. In addition the depth to groundwater and lack of source pathway receptor linkages within the subject site (no groundwater extraction wells present or proposed) mean that the risks to site occupants from impacts in the deeper aquifer are similarly low.

The *Planning Development and Infrastructure (General) Regulations 2017*, Practice Direction 14 – Site Contamination and the Site Contamination General Development Policies within the Planning and Design Code all work together to ensure that the means of making the site suitable for a residential use will be determined and implemented as part of a future land use or land division development application. Therefore, based on the preliminary and intrusive investigations conducted to date and having regard to the above reports and findings, WSP are satisfied that the land **can** be made suitable for a residential purpose.

## **Background**

The Gumeracha Road (subject) site comprises two allotments under a new title issued in May 2014 to Gumeracha Road Pty Limited. Allotment 67 FP 152643 and Allotment 20 FP 115116 bounded by Gumeracha Road to the west, Baden Terrace to the north, residential dwellings and Moorong Road to the south. To the east are the former Hills Holdings buildings previously occupied by Orrcon and leased to Bluescope Steel and Walker Automotive Pty Limited. Whilst the site is zoned Strategic Employment Zone it is surrounded on 3 sides by a residential zone and dwellings.

As part of the due diligence process prior to purchase during the cooling off period Gumeracha Holdings allowed Kambitsis Group to undertake targeted intrusive investigations.

The Phase 1 ESA was undertaken in July 2020 and the limited soil investigation comprised the following:

- advancement of 20 test pits (TP01 to TP20) up 2.2 mBGL targeting areas of interest identified during the PSI which included historical site features from 1979, 1989, 2004, 2010, 2013 and 2014
- advancement of several boreholes targeting:
  - the water drainage alignments identified during the site inspection in the southern portion of the site
  - advancement of 8 boreholes to a depth of 3 mBGL targeting the two underground stormwater pipes in the southern portion of the site
  - advancement of 2 boreholes to a depth of 4 mBGL targeting the underground sewerage pipe along the easement in the boundary between the northern and southern allotments
- Potential for perched water and migration from sources upgradient was examined via the soil bore investigation documented above, including PID readings that remained below 1ppm
- Natural groundwater assessment was precluded due to restricted timing and likely depth being in the order of > 30m below ground level, therefore the impacts from groundwater contaminants migrating

under the site were likely to be low with respect to vapour impacts to future buildings proposed for the site. Since no groundwater abstraction was proposed in the future redevelopment, the source pathway receptor linkages were incomplete.

The main objectives of the investigation were to understand the contamination status of the site and the feasibility of the proposed rezoning and development in the context of the site's contamination profile.

The investigation also sought to assess if potential contamination from off site sources may have migrated onto the site through preferential pathways identified during the site inspection.

The report concluded the following;

Based on the intrusive investigations undertaken to date, chemical substances in soils were not found to exceed the relevant health based guidelines for residential or commercial/industrial land use. Therefore, site contamination of soils taking into account residential or commercial/industrial land use has not been found on the subject site.

Potential migration of chemical substances onto the site from the adjacent Class 1 activity was investigated via assessment of the soils in close proximity to the drainage systems bisecting the site from properties to the east. No evidence of gross soil impacts or volatile organic compounds were found within soils at depths corresponding to the base of this underground infrastructure. Therefore, the likelihood that the site has been impacted by historical site contamination emanating from an adjacent land use appears to be low.

The following table provides specific responses to the concerns raised in the EPA letter.

*Table 1 Responses to EPA letter 063-323*

ITEM	COMMENT	RESPONSE
1	There were exceedances of metals (zinc) above ecological investigation levels in four surface soil samples, as well as concentrations of metals, Polycyclic Aromatic Hydrocarbons (PAH) and Total Recoverable Hydrocarbons (TRH) above the laboratory limit of reporting with Benzo(a)pyrene (B(a)P TEQ) exceeding National Environment Protection (Assessment of Site Contamination) Measure 1999 Health Investigation Levels for Residential A1 and B2 as well as Recreational use.	Noted, however these are restricted to surficial samples that will be addressed as part of site redevelopment works
2	In relation to neighbouring sites, the EPA holds site contamination information for the adjacent site (currently undertaking a class 1 PCA being 'Metal coating, finishing or spray painting'), including notifications of site contamination that affects or threatens underground water. The contaminants of concern include chlorinated hydrocarbons which can cause vapour intrusion risk at high concentrations.	Noted, the potential for this was acknowledged as part of the targeted intrusive investigations conducted by WSP during the cooling off period and assessed using soil bores along 3 pipelines bisecting the site from upgradient. No elevated PID readings and no gross impacts in soils were found
3	Site history information in Section 2.4 of the PSI has an error, listing the same CT and allotment twice, omitting CT 6214/472	Noted, this is a typographical error on the table header and not material. Details for CT6214/472 were provided in the remainder of the table and in other sections of the report e.g. 2.4.3 EPA Section 7 search
4	The site history section of the PSI notes that the site was owned by Hills Industries Limited (and related entities) as part of the larger industrial site, and states that	The report undertaken during the cooling off period documented a previous 2014 report which included interviews conducted in 2013 that confirmed that no



ITEM	COMMENT	RESPONSE
	<p>limited commercial activity took place on the affected area. However, the PSI does not contemplate or provide adequate information on the potential for the affected area to previously have been used for PCAs during the some 50 years of ownership by Hills Industries.</p>	<p>PCAs were undertaken at the site which was investigated via intrusive investigations both in 2013 and in 2020. Historic features were documented in the site plans and a targeted intrusive investigation undertaken in 2020.</p>
5	<p>The PSI provides no documented interviews with former owners or employees of the site as to what activities occurred on the affected area. Historic aerial photographs show pathway / roadways into the affected area as well as soil stockpiling activities on the southern boundary, with a note that this material was removed off-site.</p>	<p>The personnel associated with the former owners vacated the site in 2014, interviews were undertaken in 2013 when the Environmental Due Diligence was completed, and these were considered when the targeted intrusive investigation was undertaken in 2020. Details of these interviews are provided below.</p>
6	<p>No groundwater investigations were undertaken as part of the PSI. Groundwater conditions at the site are unknown, with known volatile chemicals present in groundwater adjacent to the site. Site contamination reports held for the neighbouring site indicate that hydrogeological conditions at the site may be restricting movement of groundwater, with dissolved phase groundwater contamination <u>not expected</u> to be moving on to the subject site</p>	<p>As noted by EPA, natural groundwater is likely to be intersected deeper than 25 m below ground level and therefore any volatile contaminants were unlikely to interact with a redevelopment. The potential for intermittent perched water was noted and the targeted bore investigations along existing infrastructure that could form a pathway was investigated.</p>
7	<p>Noting these data gaps within the site history information, the PSI report does not currently provide sufficient information for the EPA to make an informed decision if the affected area can be made suitable with respect to site contamination for the proposed rezoning.</p>	<p>The PSI report includes targeted intrusive investigations across the site to identify any historical activities that may impact on site redevelopment. These investigations found no evidence of uncontrolled dumping or elevated concentrations of chemical substances that were indicative of site contamination under the EPA definition. This work was based on a previous Environmental Due Diligence investigation conducted in 2013 which already documented the gaps that the EPA have indicated concern with. Since the EPA hold copies of the EDD documents for the Orrcon and Walker sites, WSP have provided a copy of this report appended to this memorandum.</p>
8	<p>Further site history investigations (and potentially detailed site investigations) should be undertaken to give certainty that the site can be made suitable for the proposed residential land use.</p>	<p>Two rounds of site history investigations have been conducted at this site in 2013 and 2020. Both investigations have included documented intrusive investigations where no evidence of elevated concentrations of chemical substances that related to the definition of site contamination under Section 5B of the Environment Protection Act, 1993. In general, the analytical results were below the NEPM criteria for both commercial/industrial and residential land use. Hence the rationale for supporting the code amendment to enable future redevelopment for a residential land use.</p>

## Key Aspects to support Code Amendment

Whilst this site was historically owned by an entity that conducted a Class1 Potentially Contaminating activity, no gross contamination of the subject site was found during the initial targeted investigations.

Two environmental due diligence phases have been conducted at the site, one in 2013 when Hills Holdings were vacating the site, which included site interviews and a subsequent PSI, while targeted intrusive investigations were conducted in 2020 as part of the property transaction.

Nineteen borehole locations were advanced in 2013 and a further 20 test pit and 11 targeted soil bore locations were advanced in 2020 seeking evidence of site contamination being present at the Gumeracha Road site.

None of the soil samples analysed in 2013 or 2020 exceeded the adopted human health criteria, and where there were exceedances of ecological investigation levels documented in 2020, these were in surficial samples that could be managed during redevelopment works.

No evidence of any major uncontrolled waste disposal pits was found within the site and this was supported by the 2013 investigation of the entire site by WSP, dated 31 March 2014, which included an interview with the General Manager on 11 June 2013 who confirmed that there were no waste pits located at the site. An excerpt of this interview is provided below.

### 2.5 Site Interviews

The General Manager – Manufacturing Operations for Hills Holdings Antenna & TV Systems was briefly interviewed during the site inspection on 11 June 2013.

It should be noted that although Hills Holding Antenna & TV Systems do not control the site, they do undertake some antenna/reception testing within the centre of the site. Based on the limited activities undertaken by Hills Holding Antenna & TV Systems, the General Manager provided the following information:

- The site has not been used for the storage of chemicals/oils/lubricants;
- No underground or above ground storage tanks are/have been located within the site;
- There has been no generation of hazardous materials or wastes;
- No abstraction or monitoring bores are present;
- No truck/car maintenance areas have been located on-site;
- No stained soils or discoloured, dying or stressed vegetation;
- No odours from soils have been noted;
- No septic tanks located within the site;
- No waste pits have been located within the site.

*Excerpt from Phase 1 and 2 Environmental Due Diligence (EDD) Assessment, dated 31 March 2014.*

The site is currently zoned as Strategic Employment but is surrounded on three sides by residential properties to the north, south and west. Therefore, a residential redevelopment at the subject site would not be out of keeping with the overall amenity and land use mix across the locality.

Whilst the adjacent Orrcon and Walker Corporation sites have been identified as having potentially contaminating activities within soil vapour and intermittent perched water, there is no evidence of these impacts directly migrating to the Gumeracha Road site. The EPA notes in their letter *“Site contamination reports held for the neighbouring site indicate that hydrogeological conditions at the site may be restricting movement of groundwater, with dissolved phase groundwater contamination not expected to be moving on to the subject site”*

During the JBS&G investigations, the source of the perched water at the Orrcon site was identified as being likely from leaking water infrastructure with limited evidence of migration beyond that site boundary. Where potential preferential pathways were noted during the 2020 site investigation, these were addressed through the advancement of targeted soil bores adjacent to the pipes bisecting the Gumeracha Road site.

Detailed investigations are not normally required as part of a Code Amendment, and these further investigations are usually undertaken at the development application stage when site layouts, land uses etc are known. WSP has previously stated that it is possible that an auditor will be required to make a statement around suitability of a site for a sensitive land use (Residential) and this could include further intrusive investigations around the development application stage.

The *Planning Development and Infrastructure (General) Regulations 2017*, Practice Direction 14 – Site Contamination and the Site Contamination General Development Policies within the Planning and Design Code all work together to ensure that the means of making the site suitable for a residential use will be determined and implemented as part of a future land use or land division development application. This enables the land owner to have the assurance (i.e. an approved rezoning applying the General Neighbourhood Zone) to the land *before* investing in the more detailed investigations. This is consistent with the approach taken with other Code Amendments.

It is understood that the focus of the EPA at the code amendment stage is to ensure that there is evidence that site contamination issues have been appropriately and adequately considered and identified, to give confidence that the rezoning is appropriate. And their concern is based on similar sites that have shown significant site contamination issues associated with uncontrolled waste dumping.

In the intrusive investigations conducted at the site which included targeted and grid based investigations, documented in 2014 and 2020 reports, there is no evidence that the vacant land (subject site) was used to bury wastes, with natural soils being encountered in the 40 plus locations advanced to date.

It is recommended that the 2014 report also be submitted to the EPA with this memorandum for their reconsideration as it may provide additional comfort that sufficient investigations have been undertaken at the site to support a code amendment and facilitate the progression of a more sensitive land use at the site.

Yours sincerely,

A handwritten signature in blue ink that reads "Shya Jackson". The signature is written in a cursive style with a horizontal line underneath the name.

Shya Jackson  
Team Manager SA, CLM

**APPENDIX 5. RECORD OF MEETING WITH DEYOUNGS PTY LTD**

## Kayla Gaskin-Harvey

---

**From:** Skye MacDonald  
**Sent:** Friday, 28 January 2022 5:10 PM  
**To:** Kayla Gaskin-Harvey; cspeight  
**Cc:** Skye MacDonald  
**Subject:** FW: Meeting 27 Jan, DE Youngs Salvage Yard, Baden Tce O'Sullivan Beach

Dear Kayla

Below is the email exchange following a meeting on site between myself and Conrad Speight (for De Youngs) recording matters discussed following the De Youngs submission as part of the Community Engagement process.

Rather than attempt to paraphrase the discussion into minutes, I forward the exchange in full.

Kind regards

Skye MacDonald

---

**From:** cspeight  
**Sent:** Thursday, 27 January 2022 3:49 PM  
**To:** Skye MacDonald  
**Subject:** Re: Meeting 27 Jan, DE Youngs Salvage Yard, Baden Tce O'Sullivan Beach

Hi Skye

Thank you for coming to site today, actually walking the boundary and discussing my clients concerns.

In addition to your wrap up of this mornings meetings I would like to add a few main points that were discussed and stressed by myself to you on behalf of my client .

1. The Noise reports that you have had done, do in no way represent the noise that would be generated once the DeYoungs property is fully utilized as less than half the site is currently used for industrial purposes, and future heavy industrial development is proposed in the current complying zone.
2. DeYoungs are not opposed to the code amendment as long as their business interests are protected into the future by complaints from residential neighbors with respect to noise etc that has been generated from the complying industrial zone that is licensed to operate 24hrs a day, 7days a week. They do not want to end up in a situation as per the old mushroom farm business on Panatalinga Rd that got pushed out of district by housing.
3. That your client has been cherry picking comments and findings from reports done over the last 10 years to suit the application and their real relevance today ?
4. The boundary fence will need to made of a construction similar to the concrete panel fencing along the major arterial routes adjacent to housing estates for longevity to last for 50 to 100 years with no maintenance requirement to DeYoungs. All steel rusts in this area even with color bond finishes due to its proximity to the ocean. My comment was not about the acoustic performance of either product, its about durability, maintenance ownership and long term aesthetics. The Sound Wall will be higher than the current 2.1 meter chain mesh fence.
5. Onkaparinga Council of any support for this project. Surprising to DeYoungs, Ben Green & Assoc. and even the business development manger of the council Glenn Hickling understands this area is begging for more industrial sheds as per the existing complying zoning. A similar residential proposal and a school was put forward to the council where the ideas were basically thrown out of the planning office 3-4 years ago, where at the same time the council was trying to put an interface zone over the said area and other areas on the adjacent DeYoung's holdings

which were to soften up the zone with a mix of light industrial uses that would provide a buffer between existing residential and heavy industry zones, this was not approved by the State Planning Minister at the end of 2019 early 2020, where individual property owners were not even written to from either council or state planning after having to spend considerable money and time to protect their interests then.

6. The EPA and that further ground contamination testing that would be required for the code amendment to pass for residential from a state planning perspective, it seems odd that this has not been undertaken by your client as DeYoungs understood this process, and deemed was not going to be taken further as said land fine for current industrial uses.

I look forward to the updated minutes from mine above and yours below.

In addition, Today I have arranged a meeting with the Council Planning department to discuss the overall site in general, the code amendment and further industrial development and protection of the existing Industrial zone into the future.

Look forward to you response.

Best regards  
Conrad Speight  
Senior Property Asset Manager  
DeYoungs Pty Ltd

----- Original Message -----

From: "Skye MacDonald"

To: "cspeight"

Sent: Thursday, 27 Jan, 2022 At 1:54 PM

Subject: Meeting 27 Jan, DE Youngs Salvage Yard, Baden Tce O'Sullivan Beach

Dear Conrad

Thankyou for your time earlier today on site.

I confirm we met to discuss the De Young's representation regarding the proposed rezoning of the parcel of vacant land to the west, owned by the Kambitsis Group and purchased from the De Youngs. The said representation was made as part of the Engagement Process for the proposed code amendment.

I noted that the process had been delayed as a result of extensive communications between The Attorney General's Department, the EPA, the acoustic consultants engaged by us and our planners relating to the most appropriate instruments to be applied under the new code. I confirmed that the consensus is that the land to be rezoned should be subject to an interface management overlay and that acoustic concerns would be dealt with by the construction of a 2.4m noise attenuating fence, that dwellings within 45m of the boundary would be limited to single storey height and that façade treatments would be upgraded to ensure compliance with the Environmental Noise Policy in residences.

It was noted that the new fence would not be very different in height to the existing chain wire and barbed wire fence between the respective properties.

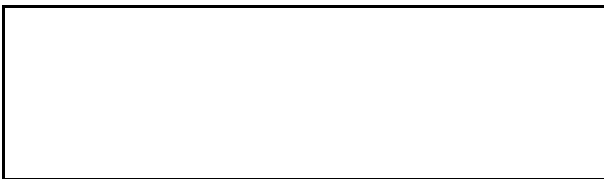
You noted that DeYoungs' key concern was the method of construction of the noise attenuating fence.

Whilst you acknowledged that a metal fence would meet acoustic requirements you noted the DeYoungs' view that this would not be adequate from a long term maintenance perspective due to the corrosive environment near the sea, which in your experience impacted roller doors and the like.

You noted De-Youngs' preference for I-beams and concrete panels and indicated that future construction of buildings at the southern end of the DeYoungs' holding may be constructed on the boundary with tilt up concrete, should the Kambitsis Group 'come to the party' with the balance of the fence.

You requested that we advise when the Community Engagement Report was available on the website and asked that our meeting be minuted and provided to our planners. Would you please confirm the above is accurate and I will do so.

Thanks again for your time.



Skye MacDonald

Development Manager



## **Prime Space Projects**

Level 2, 19 Gouger Street

ADELAIDE SA 5000

**For the latest news on Prime Space Projects visit:**

[www.primespaceprojects.com.au](http://www.primespaceprojects.com.au)

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**APPENDIX 6. FACEBOOK FEEDBACK**

# Post insights



**HAVE YOUR SAY** Would you like to see this vacant land at O'Sullivan Beach rezoned to allow for...

Published by Heather Lesley · 14 September 2021 · 🌐

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58



6



0



2



1



18

😊 Reactions 85

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💬 Comments 215

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🖱️ Link clicks 70

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➡️ Shares 23

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🖱️ Other clicks 1,699

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## Other ⓘ

✕ Hide post 4

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✕ Hide all posts --

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City of Onkaparinga

September 14, 2021 · 🌐



### HAVE YOUR SAY

Would you like to see this vacant land at O'Sullivan Beach rezoned to allow for residential development?

Your feedback is sought about the proposed amendment to the Planning and Design Code, to rezone approximately 6 hectares of vacant land at Baden Terrace and Gumeracha Road, O'Sullivan Beach from Employment Zone to General Neighbourhood Zone.... See more



👍👎❤️ 77

186 Comments 22 Shares

👍 Like

💬 Comment

➦ Share

All comments ▾



Write a comment...



✍️ Author

City of Onkaparinga

This post has promoted a lot of great discussion about where we live!

Remember to provide your feedback directly via the Plan SA website 📄

[https://plan.sa.gov.au/have\\_your\\_say/general\\_consultations...](https://plan.sa.gov.au/have_your_say/general_consultations...) See more

Like · Reply · 19w · Edited

👍 3



Krystal Tia

I clicked on that link to submit feedback, but couldn't see anywhere to leave it?

Like · Reply · 19w

👍 1

Like · Reply · 19w · Edited



**Krystal Tia**

I clicked on that link to submit feedback, but couldn't see anywhere to leave it?

...

Like · Reply · 19w



Author

**City of Onkaparinga**

Hi Krystal, Follow the link again then scroll down the page to the heading 'On Consultation.' You'll find it in the link for 'O'Sullivan Beach Residential Code Amendment.' See how you go now! 😊

...

Like · Reply · 18w · Edited



**Helen Rochford**

City of Onkaparinga followed link and says NOW CLOSED. I request you put these comments via your post into amendments as can't comment now online as you requested. I appreciate your reply via this post for all to see. Thank you

...

Like · Reply · 18w · Edited



Reply to City of Onkaparinga...



**Lesley Ayris**

It's the suburb I live in. Already existing homes are being bulldozed and subdivided or homes are being built in backyards. Will our services cope.... Phones lines, electricity, water, gas supplies, sewerage. It's an older suburb so we will need a full s... See more

...

Like · Reply · 19w



**Phil Gough**

Lesley Ayris good on ya girl need more trees take a walk where ever you like and see how many bird nests you see ...trees used to have more than one nest but now you cant find one .....and as for kids thats why the houses ... See more

...

Like · Reply · 18w



Reply to Lesley Ayris...



**Krystal Tia**

If it's decided that houses are going to be there, at least make them houses for low income families. We're in a rental crisis and there are so many people homeless right now.

...

Like · Reply · 19w





Chris Skinner

I drive trucks out of orrcon osb, that place would be loud to live next to, same with deyoung's running thier trucks and equip. Strongly recommend a park of some sort to muffle the industrial noise for the existing houses

...

Like · Reply · 19w



Benjamin Napier

No way enough mental illness caused by the gutter to gutter high density housing developments around the south its just not natural or normal to live on top of each other and it needs to stop ....rezone it to parklands or reserve thats the best possible use for it!!!!

...

Like · Reply · 19w



Abi Abbott

What about an eco friendly family friendly tiny house village with open social spaces

...

Like · Reply · 19w



Reece Martin

Abi Abbott well new developments have tiny houses.. no room for a yard thoughg

...

Like · Reply · 19w



Pat Collins-Smith

Abi Abbott actually great idea, with lots of lighting and trees

...

Like · Reply · 18w



Hayley Millbank

Abi Abbott I can't think of anywhere in Adelaide that offers an opportunity tiny house living. As long as they arent all crammed in together like sardines and provide plenty of green space and shared community facilities.

...

Like · Reply · 18w



Reply to Abi Abbott...



Wolfram Dallwitz

I wonder how many thousand houses you can fit on it 😞 More houses touching houses. No where to park the cars of four car families. Tiny blocks of land. Instant slums. The only thought gone into it is \$\$\$\$\$\$\$\$\$\$

...

Like · Reply · 19w




JustShazz Offler

I think jamming more people into cramped housing lots is the last thing you should be doing with this area. A natural reserve with trees and open spaces for people to relax and get some excersise and fresh air is a much better option. You can't jam 3 f... See more

...


Like · Reply · 19w · Edited



 Sam Brooke  
Yeah make some open space instead of cashing in for some cubicle lockdown lifestyles


Like · Reply · 19w

  17

 John Cederblad  
It is my neighbour and I believe if it is used for housing then the dwellings should be as most other houses around it and that is they should be single story so as not to contribute to the on street parking problem seen in other areas where two story ... See more






Like · Reply · 19w


 9

 Jeremy Mergler  
John Cederblad exactly. Just likes what happened in front of my house.

Like · Reply · 19w


 3

 Reply to John Cederblad...    

 Dave Dickinson  
It's not my neighbourhood, but I assume this will be another squished in development. I dunno, from the map it looks like there is an opportunity for housing but also a decent reserve, trees, play equipment, etc. Don't just fill it with houses.


Like · Reply · 19w

  9

 Scott Beavan  
Yet again more open land will be lost and the only people who benefit will be council, government and developers. The whole "asking us" is just to make it look like they give a shit what any of us think.


Like · Reply · 19w

  8

 Dene Senior  
No- renew and protect the environment and plant trees and parks and community venues. There's enough crappy housing in the south already


Like · Reply · 18w

  5

 Rita Reitano  
Dene Senior if you haven't already done this make sure you make this comment on the Plan SA link for it to count. The link's in the post x


Like · Reply · 18w

 1

 Dene Senior  
Rita Reitano yes mum

Like · Reply · 18w

 2

 Rita Reitano  
Dene Senior that'samygirl

Like · Reply · 18w

 1



Scott Concannon

Open space, an area for people to go to relax, play, run around, full of trees or Oxygen maybe a skating ramp, basket ball court, things to bring people together

...

Like · Reply · 19w · Edited



Shannon van de Laar

Scott Concannon yep. Or even another wooden playground like at Port Noarlunga.

...

Like · Reply · 19w



Nickers von Schnickers

Scott Concannon it's privately owned land. Why should they develop it for a public use?

...

Like · Reply · 18w



Sharon Hayes

Scott Concannon with walking trail and a fenced dog park too

...

Like · Reply · 18w



Reply to Scott Concannon...



Lisa Ann

Rezone to parkland/reserve. Our environment needs more trees & less development!

...

Like · Reply · 18w · Edited



Paul Gliddon

Reserve buffer from the industrial. As it's always been, just take the fence Down.

...

Like · Reply · 19w · Edited



Linda Brockenbrow

No absolutely not you are ruining every coastal place with these awful buildings. We need open space.

...

Like · Reply · 19w · Edited



Doug Nolan

How about you mix in some trees to soften the hot summers and create an urban escape, or something of the like.

...

Like · Reply · 19w



Kazim Khan

I was told that this land is contaminated. Also so close to industrial zone, how they will be a healthy living style ?

...

Like · Reply · 19w



David Kynaston

Be prepared for the complaints after a housing development is built. They will complain about noise, run off & soil contamination. With the lack of local green & activity space in the area a landscaped area for the locals to use for personal use & local activities would be of benefit.

...

Like · Reply · 18w





**Paul Surguy**  
Seaford skate park had just opened so I took a look ...



Like · Reply · 19w 3



**Rosa Loveridge**  
I don't see much greenery in the area, why not a multi use park. ...

Like · Reply · 19w 4



**Nick Pinfold**  
Bring back the Bmx jumps that some legends used to build in there Renn Tolman ...

Like · Reply · 19w 5



**Robin Lewis**  
I know of something that would help. build a direct road linking O'Sullivan Beach to the Londale station. This can be done by extending Morrow Road by 250 meters, then do a 90 degree turn and have Morrow Road go east to meet up with Dyson Road, and mak... See more ...

Like · Reply · 19w 4



**Mathew Hollamby**  
Robin Lewis that is a great idea!! ...

Like · Reply · 18w 1



**Robin Lewis**  
**Mathew Hollamby** Thanks, I remember right up in to the late 90's, or early 2000's, the bus network use to take in the Lonsdale station, and considering just how close Lonsdale station is to O'Sullivan Beach. I personally see that station in being highly under used. ...

Like · Reply · 18w 2



**Sharon Hayes**  
Robin Lewis brilliant idea too ...

Like · Reply · 18w 1



**Robin Lewis**  
**Sharon Hayes** Thanks. For me thats a god way to get people too and from O'Sullivan Beach to use the train without having to deal with that, reletivly short distance of Dyson between O'Sullivan Beach Road and Refinery Road. ...

Like · Reply · 18w



Reply to Robin Lewis... 👍 📷 📄 🗨️



**Ella Grace Sibly-Field**  
Build a skate park I say. Or houses for low income families/couples etc

Like · Reply · 19w



**Sharon Hayes**  
**Ella Grace Sibly-Field**  
Big nature park, walking trail, big wooden playground, skate park, basketball court, fenced dog park too

Like · Reply · 18w



Reply to Ella Grace Sibly-Field...



**Mathew Hollamby**  
Has anyone thought that people might like living on small blocks with no maintenance? Housing and a park at the back is a great idea, not to mention what it will do for house prices as well as bring more small businesses into the area like potentially ... See more

Like · Reply · 18w

**Colin Billington**  
This is called "Consultation" but it is a done deal just see what happened at Old Reynella

Like · Reply · 18w



**Deni Braun**  
Sullies Social maybe share this to ensure everyone has an opportunity to provide comments

Like · Reply · 19w



**Chris Clarke**  
**Deni Braun Sullies Social**

Like · Reply · 18w

Reply to Deni Braun...



**Hayley Millbank**  
I think either rezone it as parkland/reserve or take on somebody elses suggestion of turning it into a small eco-friendly tiny house village with lots of green spaces and shared communal areas (I can't think of anywhere else in Adelaide that offers this type of lifestyle)

Like · Reply · 18w · Edited

**Emi Ruth**  
I think rezone would be good, but land sizes for families. Not tiny little 300sq blocks. The area needs to be revitalised for young families.

Like · Reply · 18w

**Kristy-Anne Nicole**  
Can you please focus on what you have already said you would do before worrying about other projects that just gives you more money and doesn't add too much value atm

Like · Reply · 19w

**Brian O'Malley**  
Open spaces have proven to be a good mental health resource  
We need more parks not more people and congestion  
Like · Reply · 19w

**Rita Reitano**  
Brian O'Malley if you haven't already done this make sure you make this comment on the Plan SA link for it to count. The link's in the post x  
Like · Reply · 18w

Reply to Brian O'Malley...

**Shane Graham**  
Could always put an Automotive Exhaust factory in there?  
Like · Reply · 19w

**Alex Gale**  
I guess it won't be long before people start complaining about the industry behind them.  
Like · Reply · 19w

**Peter Hawes**  
Will there be a roundabout placed at the cnr of Victor harbour & Robinson road seafood heights. Turning right into Robinson Rd at any time is dangerous with cars/trucks coming down the hill?  
Like · Reply · 19w

**Taryn Loney**  
Peter Hawes it's one lane of cars/trucks and if you're looking where you're going it shouldn't be an issue bud. There's a lane dedicated to traffic coming onto VH rd from Robinson and you just have to use your eyes and common sense. There's rarely acc... See more  
Like · Reply · 19w

**Peter Hawes**  
Taryn Loney as a heavy vehicle driver of 35+ years a roundabout will force people to slow down, i realise there 60kph sign close by, but very rarely are cars at 60kph by that car, not to mention heavy vehicles.  
There is certainly room for a 2 lane rou... See more  
Like · Reply · 19w

**Taryn Loney**  
Peter Hawes <https://youtu.be/q8JZQhopuUY>  
You may be interested in this DPTI video, apparently they have your idea in planning already 😊



YOUTUBE.COM

Flauriau Connections -



YOUTUBE.COM  
Fleurieu Connections -  
Victor Harbor Road Project

Like · Reply · 18w



Peter Hawes



\*\*\*

Like · Reply · 18w



Reply to Peter Hawes...



Kerry Corsalini

Need open space medium density building now over the top cars parked on streets, kids with no backyards to play in. Designed for young couples with no children.

\*\*\*

Like · Reply · 18w



Richard Rothe

Hmmm from what I've heard the area is already being designed for housing

\*\*\*

Like · Reply · 19w



Jaci Taylor

Yes with cheaper big lots of land, none of these shoe box blocks of housing. People have families and need some yard.

\*\*\*

Like · Reply · 19w



Hayles Jay

If u build houses minimum of 600 square metre blocks.

\*\*\*

Like · Reply · 18w



Trudi Duffield

Yes, along as they're decent t size for families and pets

\*\*\*

Like · Reply · 19w



Leachim Schlueter

Are there any kangaroos and goats living on that land ? . What about when manufacturing comes back to Australia . Need land for that . As more and more people need housing the land there or somewhere else needs to be rezoned for housing . That's a fact of life .

\*\*\*

Like · Reply · 18w



Chris Clarke

Leachim Schlueter No animals there.

\*\*\*

Like · Reply · 18w



Reply to Leachim Schlueter...



Amber Young

No leave a bit of land vacant for goodness sakes

\*\*\*

Like · Reply · 19w



Brook Charlton

Yes but with the option of bigger blocks.

\*\*\*

**Andy Galea**  
How about reviewing the Hills Face Zone? \*\*\*  
Like · Reply · 19w

**Adam Knott**  
Motocross track!!!  
Good for the economy!  
Salt water wave pool!!!! \*\*\*  
Like · Reply · 19w   6

**Robin Lewis**  
Adam Knott I am with you with the Motorcross track side of things. However I think the better spot would be at this location in Lonsdale. That way there would be less of a risk of being shut down by people that live near by. \*\*\*




Like · Reply · 19w

**Adam Knott**  
Good choice!! \*\*\*  
Like · Reply · 19w


Reply to Adam Knott...    

**Rosie Albanese**  
Use it for recreational purposes \*\*\*  
Like · Reply · 19w  1

**Amyv Wilson**  
I always wondered about that block of land. I thought it was privately owned by some business somewhere lol \*\*\*  
Like · Reply · 19w

**Chris Hocking**  
Only if you build homes that aren't sardine cans and more then a metre in the backyard with two carports and have decent size roads instead of a road you're lucky to fit one car on going one way.....but you'll just do the exact opposite and squeeze as many people you can \*\*\*  
Like · Reply · 19w  1

**Todd Whyte**  
It should becomes parks and recreation \*\*\*  
Like · Reply · 19w  4

**Andrew Williams**  
Open space, trees, skatepark, grass, cafe/shops for the existing residents & those that work in the nearby industrial area. \*\*\*  
Like · Reply · 19w  4



**Rita Reitano**  
 Andrew Williams if you haven't already done this make sure you make this comment on the Plan SA link for it to count. The link's in the post x

Like · Reply · 18w · Edited



Reply to Andrew Williams...



**Dylan Freeborn**  
 Brendon Bulger the land we were talking about lol

Like · Reply · 18w



**Sophia Manickam**  
 Not fair for others.  
 Parking is the biggest issue.  
 Most families have a few cars.... See more

Like · Reply · 18w



**Georgina V Woodward**  
 No. Make it into a park instead

Like · Reply · 18w



**Helen Rochford**  
 No! Community gardens. Focusing on 'Xerescape, plants and foods with min. water requirements, community spaces for different activities.in an i tergrated design focusing on sustainability..need Community Back!! Everything too spaced out and privately o... See more

Like · Reply · 18w · Edited



**Sarah Jane**  
 Korey Barbary

Like · Reply · 18w



**Louise McCauley**  
 make it into a park !

Like · Reply · 18w



**Tracey Gardsenni**  
 No leave it as is

Like · Reply · 18w



**Author**  
 City of Onkaparinga  
 Tracey remember to provide your feedback directly via the Plan SA website   
[https://plan.sa.gov.au/have\\_your\\_say/general\\_consultations](https://plan.sa.gov.au/have_your_say/general_consultations)

If you have any questions regarding the Code Amendment, please email them to [info@futureurban.com.au](mailto:info@futureurban.com.au)



PLAN.SA.GOV.AU  
 Code Amendments



Like · Reply · 18w

 Julie O'Keeffe  
Elizabeth Alstrom  
Like · Reply · 18w  1

 Julie O'Keeffe  
Liz Stanley  1  
Like · Reply · 18w

 Julie O'Keeffe  
Ken Vagg  1  
Like · Reply · 18w

 Brooke Hayes  
Tim Vermeer  1  
Like · Reply · 18w

 Leanne Freestone  
Sureshni Creek  1  
Like · Reply · 18w

 Jackie Errington  
Drive in cinema  
Like · Reply · 18w

 Elizabeth Wescombe  
Amie Taylor  
Like · Reply · 18w  1

 Deanne Blowes  
Bronwyn Etherington  1  
Like · Reply · 18w

 Stephen Hayes  
Sophie McInnes  2  
Like · Reply · 18w




 Riley Samantha  
Leave as is and grow trees!  2  
Like · Reply · 18w

 Melissa Bridgman  
Riley Samantha I second that.  1  
Like · Reply · 18w



 Author  
City of Onkaparinga  
Remember to provide your feedback directly via  
the Plan SA website   
[https://plan.sa.gov.au/have\\_your\\_say/general\\_consultations](https://plan.sa.gov.au/have_your_say/general_consultations)  
Any questions regarding the Code Amendment,  
please email them to [info@futureurban.com.au](mailto:info@futureurban.com.au)

 **Plan** PLAN.SA.GOV.AU  
Code Amendments

Like · Reply · 18w  1

 Kathryn Riddle  
Julie O'Keeffe  2 

Like · Reply · 18w

 Julie O'Keeffe  
Kathryn Riddle thank you Kathryn 

Like · Reply · 18w

 Reply to Kathryn Riddle...    


 Dave Adams  
Michele Edwards  2 

Like · Reply · 18w

 Tony Molloy  
Amelia Gonzalez 

Like · Reply · 18w

 Ross Versteegh  
Jason Wright Andrew Webster 

Like · Reply · 18w  2



 Jason Wright  
Ross Versteegh wow. 


Like · Reply · 18w  1

 Reply to Ross Versteegh...    

 Tyson Smith  
Burnout pad for the boys 

Like · Reply · 18w

 Loch Bradley  
Anja weren't we literally discussing this the other day?! 


Like · Reply · 18w  1

 Kylie Lewis  
Gloria Flynn 

Like · Reply · 18w


 Josh Terpstra  
Jake Eric 



Like · Reply · 18w

 Shane Johncock  
If you do minimum block size 800sqm 



Like · Reply · 18w

 Vicki Jayde Hofstee  
Make it a lovely space for all to play 

Like · Reply · 18w  1

 Annie Bald Nee-Tarrant  
Peter Bald 

Like · Reply · 18w

 David Meier  
what id like to see is a 24 hour ban cats being allowed out 

  4

**Rachel Mendham**  
David Meier I'm a cat owner and even I agree with this! Our cat has enclosed cat run so he's nobody else's problem and isn't killing wildlife. ...

Like · Reply · 18w



↳ 4 Replies

**Reply to David Meier...** 😊 📷 🗨️ 🗑️

**Heidemarie Sarney**  
Judy Baker, Cheryl Hillier have you seen this ????

Like · Reply · 19w

**Cheryl Hillier**  
Heidemarie Sarney yes not very excited ...

Like · Reply · 17w

**Reply to Heidemarie Sarney...** 😊 📷 🗨️ 🗑️

**John Davy**  
Kay Ellis, Wayne Ellis ...

Like · Reply · 19w

**Susan Wait**  
Definitely houses ...

Like · Reply · 19w

**Marianna Sacca**  
Joseph Messineo ...

Like · Reply · 19w

**Alan Broad**  
Have you seen this Tony . ...

Like · Reply · 19w

**Christiaan Versteegh**  
Ross Versteegh ...

Like · Reply · 19w

**Lia Vincent**  
Donna Weetra ...

Like · Reply · 19w

**Paul Surguy**  
Seaford skate park ...



Like · Reply · 19w

**Paul Surguy**  
early days at Seaford skate park ...





Like · Reply · 19w



Paul Surguy  
Skate Park

...



Like · Reply · 19w



Emma Oates  
Kris Oates

...

Like · Reply · 19w



Kris Oates  
Emma Oates there goes my dream of building a shed there 😅 might have to grab one for an investment property.

...

Like · Reply · 19w



Emma Oates  
Kris Oates we hear how noisy the machines are from our place imagine living right next to them. Faaaaaaaark that! lol

...

Like · Reply · 19w



Kris Oates  
Imagine living walking distance from a brewery and winery. The same distance the other way beach.

...

Sounds like the dream to me.

Like · Reply · 19w



Emma Oates  
... skate park would be super cool

...

Like · Reply · 19w



Emma Oates  
Also what 'local activity centre'?! Is that meant to mean the small set of shops?? lol

...

Like · Reply · 19w



Kris Oates  
Emma Oates I reckon they should make a winery/brewery there.

...





Paul Surguy  
Skate Park like Seaford \*\*\*



Like · Reply · 19w



1



Sharon Callaghan  
No!! \*\*\*

Like · Reply · 19w



Aaron Noble  
Anna Clark \*\*\*

Like · Reply · 19w

Anna Clark  
Aaron Noble interesting! \*\*\*

Like · Reply · 19w



Reply to Aaron Noble...



Mark Riggs  
Kaya Joseph 🤔 1 \*\*\*

Like · Reply · 19w

Kaya Joseph  
Mark Riggs interesting \*\*\*

Like · Reply · 18w



Reply to Mark Riggs...



Danee Golding  
NO \*\*\*

Like · Reply · 19w



Samantha Archer-bourke  
Mason Payne Rachael Culpin-Lavers Bronson Culpin-Lavers we need a big ol playground and a dog park 🙏 \*\*\*

Like · Reply · 19w



2

Bronson Culpin-Lavers  
Samantha Archer-bourke oft yes!! \*\*\*

Like · Reply · 19w



Reply to Samantha Archer-bourke...



Lee Evans  
Mathew Hollamby \*\*\*

Like · Reply · 19w



Reece Martin  
More park less ghetto sub 400m2 blocks with "town houses" \*\*\*

Like · Reply · 19w

Liam Brown  
Reece Martin so you want it to be like the Bronx full of units and town houses 🤔🤔🤔 \*\*\*

Like · Reply · 19w

**Reece Martin**  
I said less tiny units  
Like · Reply · 19w · 1

Reply to Reece Martin...

**Dane Fulwood**  
**Brooke Helene Al Links**  
Like · Reply · 19w

**Courtney Paige**  
**Bobby McMillan**  
Like · Reply · 19w

**Leonie Franca Wilde**  
I think it should be turned into something for the kids of all ages  
Like · Reply · 19w · 2

**Krystal Tia**  
Leonie Franca Wilde there is a facebook page called play & go Adelaide. They post plenty of stuff that cheap or free around Adelaide for kids and their families to do. I think personally to build something for kids like that is a waste of this space.  
Like · Reply · 19w · Edited · 1

Reply to Leonie Franca Wilde...

**Sarah Adams**  
**Julian Adams**  
Like · Reply · 19w

**Tazzy Fitnessy**  
**Jason De Roche** 🙄  
Like · Reply · 19w

**Cody McCarthur**  
Better than building into more animal habitat.  
Like · Reply · 19w

**Mel Harvey**  
**Char Godfrey**  
Like · Reply · 19w

**Adam Knott**  
Local activity centre- WTF - Don't you mean local shops....  
Strategic employment- WTF - Don't you mean failed business factories, the Australian government destroyed hills and Walker exhaust, crippling the car industry, and any other manufacturing..... See more  
Like · Reply · 19w · Edited · 15

**Sam Brooke**  
Adam Knott i though sullys was zoned for growing weed already?  
Like · Reply · 19w · 8

**Eric Varga**  
**Sam Brooke Agriculture** 🙄  
Like · Reply · 19w

**Adam Knott**  
Ha!  
Like · Reply · 19w

Like · Reply · 19w



Lesley Ayris

Adam, yes as a local I did wonder as to their rather odd choice of words!

...



Like · Reply · 19w



Chris King

Adam Knott Don's bottleshop always had a fair bit of activity.. 🍷🍷🍷

...



Like · Reply · 19w



Adam Knott

It should be changed to - high activity area

...

Like · Reply · 19w



Reply to Adam Knott...



Helen Barrie

Renee Nash and Josh Feist - this is the land at the end of your street...

...

Like · Reply · 19w



Nick Majcen

Moo moo farm

...

Like · Reply · See Translation · 19w



Joseph Somers

Bronson Culpin-Lavers

...

Like · Reply · 19w



Bronson Culpin-Lavers

Joseph Somers ayyy nice one!

...

Like · Reply · 19w



Reply to Joseph Somers...



Write a comment...

**APPENDIX 7. CODE CONTROL GROUP ADVICE**

## Kayla Gaskin-Harvey

---

**From:** Monier, Belinda (AGD) <Belinda.Monier@sa.gov.au>  
**Sent:** Monday, 20 December 2021 10:04 AM  
**To:** Kayla Gaskin-Harvey  
**Cc:** Gencarelli, Nadia (AGD)  
**Subject:** O'Sullivan Beach Residential Code Amendment - Noise mitigation overlays

### OFFICIAL

Hi Kayla

I write in relation to the O'Sullivan Beach Code Amendment and the queries raised around application of overlays related to noise mitigation.

The Code Control Group has discussed the issue and provide the following advice:

The intent of the Noise and Air Emissions Overlay is to protect community health and amenity from adverse impacts of noise and air emissions and is applied to allotments that are adjacent to major transport corridors (road and rail) and mixed uses. The overlay is also the trigger for application of Ministerial Building Standard 010 - Construction requirements for the control of external sound. This Ministerial Building Standard applies where sensitive uses will be exposed to external noise, including road, rail, aircraft and mixed use areas. The Ministerial Building Standard does not apply to industrial noise.

The intent of the Interface Management Overlay is to ensure sensitive receivers are developed in a manner that mitigates potential adverse environmental and amenity impacts generated by the lawful operation of neighbouring and proximate land uses. It is applied around established uses that can generate nuisance impacts, such as the land use that exists adjacent to the O'Sullivan Beach Residential Code Amendment affected area. You may wish to consider application of the Interface Management Overlay to the whole of the affected area.

*Disclaimer: The Code Control Group coordinates advice to the Minister for Planning and Local Government and the State Planning Commission in respect to proposed Amendments to the Planning and Design Code. As such, this group plays an advisory role only and is not a decision authority.*

If you have any questions, just let me know.

Cheers  
Bel

**Belinda Monier** | Senior Planner  
Planning & Land Use Services | Attorney-General's Department  
E [belinda.monier@sa.gov.au](mailto:belinda.monier@sa.gov.au) | [www.agd.sa.gov.au](http://www.agd.sa.gov.au)  
T 8343 2719 (internal 22719) | Level 5, 50 Flinders Street, Adelaide SA 5000

*Please note I work part-time and Tuesday is my non-work day.*



*We acknowledge and respect Aboriginal peoples as South Australia's first peoples and nations, we recognise Aboriginal peoples as traditional owners and occupants of land and waters in South Australia and that their spiritual, social, cultural and economic practices come from their*

*traditional lands and waters; and they maintain their cultural and heritage beliefs, languages and laws which are of ongoing importance; We pay our respects to their ancestors and to their Elders.*

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## **APPENDIX 8. EVALUATION RESULTS**



## **Results of the community minimum mandatory evaluation indicators**

The following questions were posed in an online survey which was made available from 13 September 2021 to 27 March 2022:

- I feel the engagement genuinely sought my input to help shape the proposal
- I am confident my views were heard during the engagement
- I was given an adequate opportunity to be heard
- I was given sufficient information so that I could take an informed view
- I felt informed about why I was being asked for my view, and the way it would be considered

Each of the questions could be answered by selecting one of the following options:

- Strongly agree
- Agree
- Neutral
- Disagree
- Strongly disagree

The outcomes of the engagement were made publicly available more than 2 weeks before closing the survey.

No responses were received to the survey. This is considered to be a product of the low interest in the Code Amendment (only 30 submissions).

## Results and Evaluation of Designated Entity’s engagement

The engagement was evaluated by Kayla Gaskin-Harvey at Future Urban Pty Ltd.

	Evaluation statement	Response options
1	Engagement occurred early enough for feedback to genuinely influence the planning policy, strategy or scheme (Principle 1)	<ul style="list-style-type: none"> <li>Engaged when there was opportunity for minor edits to final draft</li> </ul> <p><i>Engagement occurred once there was sufficient information available to provide an informed comment on the proposed Code Amendment, including in relation to noise and traffic.</i></p>
2	Engagement contributed to the substance of the Code Amendment (Principle 1)	<ul style="list-style-type: none"> <li>In a moderate way</li> </ul> <p><i>The feedback during engagement identified deficiencies in the interface management and highlighted the need for further investigations and revision of the Overlay boundaries to improve the substance of the Code Amendment.</i></p>
3	The engagement reached those identified as the community of interest (Principle 2)	<ul style="list-style-type: none"> <li>Representatives from most community groups participated in the engagement</li> </ul> <p><i>Feedback from six stakeholder groups was received.</i></p>
4	Engagement included the provision of feedback to community about outcomes of their participation	<ul style="list-style-type: none"> <li>Formally (report or public forum)</li> </ul> <p><i>A formal Interim Engagement Report was made publically available to enable interested parties to review this before completing the survey.</i></p>
5	Engagement was reviewed throughout the process and improvements put in place, or recommended for future engagement (Principle 5)	<ul style="list-style-type: none"> <li>Reviewed but no system for making recommendations</li> </ul> <p><i>The engagement process was reviewed and changes were made during to enable additional engagement with the adjacent land owner and with the Environment Protection Authority to ensure their feedback was accurately captured and responded to.</i></p> <p><i>In addition, for future Code Amendments, formalising communication via email after the outcomes of the engagement is recommended to encourage responses to the evaluation.</i></p>