## ITEM 4.2 LIGHT INDUSTRY ZONE NORTHFIELD, DEVELOPMENT PLAN AMENDMENT (DPA) FOR PUBLIC AND AGENCY CONSULTATION

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| **Report Type** | Decision |
| **City Plan Theme** | A city of opportunity  A city that supports community wellbeing A city where people love to be |
| **Report Author** | Urban Planner (Corporate Services) |
| **Report Summary** | This report recommends that the Light Industry Zone, Northfield Development Plan Amendment be released for formal public and agency consultation |
| **Attachments** | Attachment 1. Light Industry Zone Northfield Development Plan Amendment for consultation (previously provided under separate cover) |

**RECOMMENDATION**

**Council resolves that:**

1. **The Director Corporate Services' report titled *"Light Industry Zone, Northfield Development Plan Amendment (DPA) for Public and Agency Consultation "* be received and noted.**

## The Light Industry Zone, Northfield Development Plan Amendment September 2016 be released for statutory public and agency consultation in accordance with Section 25 of the Development Act, 1993.

1. **The Director Corporate Services or her nominee is authorised to make minor and technical variations to the Light Industry Zone, Northfield Development Plan Amendment if necessary, prior to the commencement of public and agency consultation.**
2. **The Strategic Planning and Development Policy Committee is appointed to consider public and agency representations made with respect to the Light Industry Zone, Northfield Development Plan Amendment.**
3. **That a public meeting be held in the Council Chambers to hear verbal representations should at least one written representation indicate an interest to be heard.**
4. **That a future report be prepared for Council’s Strategic Planning and Development Policy Committee that documents the written and verbal submissions received during the public and agency consultation period and any amendments to the Light Industry Zone, Northfield**

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**Development Plan Amendment that may be considered appropriate in light of these submissions.**

**Report**

Council has previously considered the proposed rezoning of the following area of Light Industry zoned land between Briens Road and Grand Junction Road at Northfield.



At its meeting on 8 April 2014, Council resolved as follows:

*"1. The Acting Director Corporate Services' Report titled "Light Industry Zone Briens Road Northfield" be received and noted.*

* 1. *That the owner of 24-28 Briens Road, Northfield be advised in writing that with respect to the possible rezoning of this land that:*
     1. *It understands that a Deed of Agreement registered on the title of the land committing the owner/ developer of that land to contribute to the upgrade of the Grand Junction Road/ Briens Road / Hampstead Road intersection needs to be negotiated between the land owner and the Government before the Minister for Planning will approve a Development Plan Amendment (DPA) to rezone the land.*
     2. *That in light of the significance of the agreement referred to in 2.1 above to the outcome of the DPA process, Council is not prepared to consider initiating a DPA until it has received confirmation to its satisfaction that an appropriate arrangement has been agreed to*

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*between the Government and the land owner with respect to the land owner’s contribution to off-site infrastructure upgrades, particularly the future upgrade of the Grand Junction Road/ Briens Road / Hampstead Road intersection.*

* + 1. *It considers that a review of the current zoning of this land has merit and upon receipt of the confirmation that an appropriate arrangement has been agreed to, as referred in 2.2 above, will seek to negotiate with the owner and / or his agent an approach to the preparation of a privately funded Development Plan Amendment that reviews the zoning of this land.*
    2. *Subject to the negotiations referred to in 2.3 above being successful, Council will initiate a DPA process through the lodgement of a suitably prepared Statement of Intent with the Department of Planning Transport and Infrastructure."*

Following advice from the Department of Planning, Transport and Infrastructure (DPTI) with respect to resolution 2.2 above, Council subsequently considered a proposed Statement of Intent to formally commence a DPA process.

At its meeting on 10 March 2015, Council resolved as follows:

1. *The Director Corporate Services' report titled "Light Industry Zone, Northfield - Statement of Intent" be received and noted.*
2. *The draft Statement of Intent for the proposed Light Industry Zone, Northfield Development Plan Amendment, as provided in the attachment to this report, be submitted to the Minister for Planning for agreement pursuant to Section 25 of the Development Act, 1993.*
3. *The Acting City Manager, or his nominee, be authorised to make minor amendments to the Statement of Intent in response to feedback from the Department of Planning, Transport and Infrastructure acting on behalf of the Minister for Planning.*
4. *The Acting City Manager, or his nominee, be authorised to negotiate on Council's behalf and in accordance with Council Policy CS27, a Deed of Agreement (or Deeds of Agreement if required), with the owners of the subject land for the private funding of the Development Plan Amendment and its independent peer review.*

Further to Council's March 2015 resolutions:

* The Minister for Planning agreed to the Statement of Intent in June 2015.
* A Deed of Agreement regarding the private funding of the DPA was settled in September 2015.
* The required technical investigations and DPA document drafting were commissioned by the proponent and provided to Council with the agreed payment for independent peer review in June 2016.
* The investigations and DPA document were peer reviewed by Council's Urban Planners and an independent Peer Reviewer in July 2016.

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* The DPA was amended to address the issues identified by the peer review and finalised into the recommended draft consultation DPA now before Council.
* A copy of the Light Industry Zone, Northfield DPA was provided to all Elected Members under separate cover on Friday 2 September 2016.

The DPA proposes to rezone the land from Light Industry to Suburban Neighbourhood Zone to allow for retail, commercial and housing development.

The Suburban Neighbourhood Zone was introduced into the Port Adelaide Enfield Development Plan in November 2012 and provides a contemporary zoning that allows for retail and commercial development in conjunction with residential development. It provides for a wide variety of dwellings and is well suited to the coordinated development of larger urban infill sites.

The Lightsview development is being developed under this zoning and provides a good example of the type of residential development that is possible. However, while apartment development of up to six storeys is possible in Lightsview, given the smaller size of the Northfield area and the proximity of existing residential development, the DPA proposes that development in the Northfield area not exceed 3 storeys.

Whilst the Suburban Neighbourhood Zone proposes a mix of retail, commercial and housing development, the DPA proposes to structure the location of these uses via a dedicated Concept Plan for the Northfield area. This Concept Plan is consistent with the Concept Plan considered by Council and the Minister for Planning at the Statement of Intent stage.

Apart from creating a structure for the layout of the various land uses envisaged by the Suburban Neighbourhood Zone, the Concept Plan is also necessary to address the Department of Planning, Transport and Infrastructure's (DPTI) requirements for commitments to specific access arrangements based on traffic generation rates from different land uses. Given the importance of traffic issues to the proposed DPA, the detailed traffic investigations undertaken to inform the DPA were prepared with significant DPTI input and review.

Aside from the aforementioned traffic investigations, detailed investigations into the following issues were also undertaken and have been used to shape the DPA and proposed planning policy amendments.

* Services and infrastructure;
* Acoustic engineering;
* Civil engineering (stormwater);
* Retail impact assessment;
* Open space;
* Residential demand and design;
* Nature of existing industrial uses;
* Environmental impact assessment;
* Regulated/significant trees; and
* Social infrastructure assessment.

Section 3 of the DPA summarises the key findings and policy implications of the abovementioned investigations. The studies are listed in the

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References/Bibliography section of the DPA and are proposed to be made available for viewing as part of the DPA consultation process.

Section 4 of the DPA outlines the key policy changes that are proposed and provides a brief summary of the following:

* Zoning and policy amendments
* Desired Character Statement
* Objectives and Principles of Development Control
* Concept Plan
* Affordable Housing Overlay
* Noise and Air Emissions Overlay
* Industry Zone
* Council Wide Provisions

The Administration considers that the DPA is suitable for public and agency consultation in accordance with the statutory requirements of Section 25 of the Development Act 1993. The statutory consultation period is eight weeks and entails:

* written notification to relevant public agencies, Members of Parliament and adjoining Councils;
* notices in the Government Gazette, The Advertiser and Messenger newspapers;
* hardcopies of the DPA document available at all Council offices and libraries; and
* a copy of the DPA document on Council’s website.

In addition, letters and an information brochure will be forwarded to affected properties owners and adjacent property owners advising of the DPA.

Interested parties wishing to comment on the DPA must lodge a written submission with Council within the consultation timeframe and indicate if they wish to be heard at a public meeting. The public meeting is typically held some two to three weeks after the close of the public consultation period but is only required if at least one person indicates a desire to be heard at the meeting.

Council is required to appoint a committee to consider any written and verbal representations that it receives. Whilst the planning legislation allows Council to appoint a dedicated committee which may or may not include members of the Council, (for example, senior staff or Ward Councillors or a combination of both), it is considered appropriate that the Strategic Planning and Development Policy Committee consider representations and convene the public meeting (if required). The Committee is familiar with the proposed DPA, has considered and made resolutions with respect to past reports concerning this matter and considers all other Council and Ministerial DPAs.

Following public consultation and a review of the submissions received, Council is required to prepare a 'Summary of Consultations and Proposed Amendments' document. This document will include details of the submissions and proposed responses and will be presented to the Strategic Planning and Development Policy Committee for endorsement. The document will then be forwarded to the Minister

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for Planning with a request to authorise the proposed Development Plan Amendment, as amended post consultation.

## City Plan Relationship

The City Plan themes of Community, Placemaking and Economy are especially relevant to this DPA. The rezoning of the subject land will:

* improve facilities and services for the existing community;
* enable the establishment of a new community;
* enable the establishment of a unique, well designed place that is inviting to new and existing residents and businesses; and
* create new opportunities for currently underutilised land.

The DPA includes a section that refers to the City Plan

## Legislative Context and Related Policies

The Development Act, 1993 provides the legislative basis for land use zoning and the process for its amendment. The Act enables Council to propose a review of zoning and seek to amend the Development Plan through the DPA process. However, the Minister for Planning, rather than Council, makes the final decision whether or not to approve the DPA so that the changes it proposes can become effective.

Council Policy CS27 provides a mechanism whereby Council can pursue DPAs that are funded by other parties. The DPA has been undertaken pursuant to the provisions of this Council Policy.

## Stakeholder Engagement

Given the wide and varied nature of stakeholder interests and the potential significance of zoning changes, the Development Act and Regulations mandate specific consultation processes for DPAs. The Statement of Intent agreed with the Minister for Planning specifically detailed how consultation would be undertaken and with whom.

The DPA confirms the consultation arrangements agreed in the Statement of Intent and lists who will be consulted and how the consultation will occur.

## Risk Management

A decision to invite public and agency comments on the DPA is considered to be low risk as:

* It follows a comprehensive process legislatively mandated under the Development Act and agreed to by the Minister for Planning;
* The private funding arrangements for the DPA have been dealt with pursuant to Council Policy CS27 and a formal Deed of Agreement between Council and the DPA proponents;
* The DPA has been independently peer reviewed; and
* There will be further consideration of the DPA by both Council and the Minister for Planning once the public and agency consultation process has been completed.

## Financial Management

Per the Deed of Agreement for the private funding of this DPA, the costs of the investigations, document production and peer review have been borne by the DPA proponents. Council's costs will be staff time and advertising and consultation costs which have been budgeted for.

## Environmental and Social Impacts

Environmental and social impacts have been investigated as part of the DPA investigations as detailed in the DPA and associated technical studies.