

West Lakes Residential and Mixed Use Draft Code Amendment

Written Submissions Received

Wednesday 28 September - Thursday 24 November 2022

List of Written Submissions Received

No.	Names
1.	Adrian Tero Epic Energy
2.	Daniel Cooper Apa
3.	Scott Rankine
4.	Schanett Size
5.	Brenton Maidment
6.	Dieter Kletschkus
7.	Rick Chenoweth City of Prospect
8.	Rob Snowdon
9.	Colin Umpherston
10.	Lynda Smith
11.	Sue Curran Manager Strategy and Business City of West Torrens
12.	Stacey Terrell
13.	Larry Finis
14.	Emmil Priebe
15.	Veronica Maidment
16.	Roger and Gail Rowe
17.	Brenton Maidment
18.	Kym Withey
19.	Lorraine Hammond
20.	Joshua Bryant
21.	Gabrielle Bryant
22.	Dylan Bryant
23.	Mark Worthley
24.	Claudia Worthley
25.	Zak Worthley
26.	James Lucas
27.	Peter Searle
28.	Estelle Lucas
29.	Julien Lucas
30.	Lauren Malec
31.	Jean Woodley
32.	Daryl Cocks
33.	Helen Surplice
34.	Robert Surplice
35.	Courtney Hammond
36.	Kerri Huckel
37.	Rachel Egel
38.	Dieter Kletschkus
39.	Ashley Johnson
40.	Monica Szczepanowski
41.	Chris Szczepanowski
42.	Shaun Turnbull
43.	Shaun Turnbull
44.	Allison Bampton
45.	Ky Bampton
46.	Zoe Bampton
47.	Todd Bampton
48.	Christine Kletschkus
49.	Patricia Curry
50.	Michael Wooten
51.	Julie Withey

No.	Names
52.	Jordan Zampogna
53.	Siena Withey
54.	Claudia Withey
55.	Mandy Miller
56.	Dieter Kletschkus
57.	Joseph Debono
58.	Steve Hooper City of Port Adelaide Enfield
59.	Anna Debono
60.	Tom McCready Acting Chief Executive Officer City of Adelaide
61.	Mathew Maidment
62.	Ian Wright
63.	Luise Humby
64.	John Stallard
65.	Carmine Cafasso
66.	Toula Valenta
67.	Frank Valenta
68.	Andrew Valenta
69.	Lucas Valenta
70.	Gail Stallard
71.	John Kurda
72.	Morgan Humby
73.	Kerri Huckel
74.	Glyn Wingard
75.	Heather Wingard
76.	Peter Searle
77.	John L Cooper
78.	Jesper Munch
79.	Carmen Carter
80.	Julie McIntyre Grand Kitchens
81.	Kevin M Fox
82.	Margaret D Fox
83.	Kim Teder
84.	Nathan Teder
85.	Jenine Tracey
86.	Michael Teder
87.	John L Cooper Coopers Accessible Vehicles Pty Ltd
88.	Helen E Cooper
89.	John Cooper J.P.
90.	Joanna Wells Outreach Coordinator Conservation Council SA
91.	Gail Turnbull
92.	Daniel Metcalfe
93.	Cherie Robertson
94.	Savannah Little
95.	Lane Landreth
96.	Shelley Travers
97.	Nina Travers
98.	Darryl and Judy Tozer
99.	Robyn Suzanne Welsh
100.	Rob Welsh
101.	Edward Arkit

No.	Names
102.	Elizabeth Arkit
103.	Paul Sperling
104.	Judy Sperling
105.	Paul Sperling (also lodged submission 103)
106.	Judy Sperling
107.	Trevor Brewer
108.	Jim Baldacchino
109.	Brenton Holmsted
110.	Helen Holmsted
111.	Edward King
112.	Robert Williams
113.	Maxine Williams
114.	Susan Prettejohn
115.	Peter South
116.	Sue South
117.	Scott Daniells
118.	Susan Rohmert
119.	Kai Rohmert
120.	Ron Baker
121.	Rosemary Baker
122.	Gary Dohnt
123.	Terry Rawson
124.	Sarka Laznicka
125.	John L Scotcher
126.	Sue McKay
127.	Dave McKay
128.	Kevin and Lorraine Bourke
129.	Stephen Hammond on behalf of: SA Water Code Amendment Community Resident's Group (SWCACRG)
130.	Bob Nicol
131.	Teresa Nicol
132.	Stephen Townsend
133.	Belinda Dzido
134.	Chris
135.	Bruce Townsend
136.	Gianna Finis
137.	Ryan Stewart Broadway Property Advisory
138.	Mrs Dionne Robertson
139.	Ann-marie Bryant
140.	Andrew Zammit
141.	Jamie Guerra Leedwell
142.	Isabella Okulewicz
143.	Jacky Semler
144.	Russell Davey
145.	Jacky Semler
146.	Anne Dohnt
147.	Con Kikianis
148.	Jennifer Townsend
149.	Bruce Henshall
150.	Richard Billis
151.	Riley Price
152.	Darrell Martin
153.	Sue Martin

No.	Names
154.	Jeanette Ramsey
155.	Ian Wright
156.	Trevor and Carolyn Harding
157.	Julien Maddem
158.	Lisa Chan
159.	John Kong
160.	Kevin Kong
161.	Ken Kong
162.	Steven Langley President Birds SA
163.	Sandra Grant
164.	David Grant
165.	Peter Dinan Freedom Fitness
166.	Luke Fearne
167.	Michelle Fearne
168.	Mickey Chan
169.	Chris Vounasis Future Urban On behalf of: Duxton Capital (Australia) Pty Ltd
170.	Chantelle Bartlett
171.	Ian Westwood
172.	Heather Sawyer
173.	Paul Chalubek
174.	Lila Chalubek
175.	James Chalubek
176.	Marilyn Chalubek
177.	Alexandra Chalubek
178.	Ryan Piekarski
179.	Silvio I
180.	Jacqui Priestley
181.	Stephen Mullighan MP Member for Lee
182.	Paul Sykes
183.	L.C and J.A Barnes
184.	Scott Douglas Environment Protection Authority
185.	Alex Ward Department for Environment and Water
186.	Pat Gerace Chief Executive UDIA
187.	John Hunter
188.	Sue Hunter
189.	Meredith Huxley
190.	Marlene Timms
191.	Mary Firth
192.	Daryl Ireland
193.	Matt Minagall SA Water

Submission 151

From: [REDACTED]

To: Jim Gronthos

Cc: [REDACTED]

Sensitivity: None

Council's own research in 'The Council Assessment of housing yields in their April 2014 Strategic Directions Report' identified significantly less people and housing than depicted in the current proposal. That assessment clearly identified that a future development would 'fit' in with the existing neighbourhood and would not alter the character, number or heights of the

surrounding buildings.

The Council should ensure that all data tests, assessments and capacity reports for the proposed utilities are obtained and reviewed independently before any zoning approval is provided.

There should **be no new road access into Lochside Drive** (or any other surrounding street) as it will cause traffic chaos. There should be two roads from the development onto Frederick Road. This is imperative. There is absolutely no need for an entrance off Lochside Drive into the new development. The residents living in the middle of Lochside Drive and the streets branching off it will be severely impacted by having to deal with unnecessary traffic impediments. Frederick Road is a main road, there should only be access to the new development from Frederick Road. There is enough scope on the site to accommodate this proposal.

Further, the development should ensure that there is **enough car park spacing for at least two vehicles per household** proposed in the development, **plus visitor car park spacing**. This should occur whether the resident's wishes are heard or not relating to the proposed rezoning. If there are not enough car park spaces within the development itself for residents and guests, there will be nothing but chaos on Lochside Drive and Frederick Road itself and the flow of traffic will be damaged. Almost every household has more than one vehicle, just because people are buying an apartment, does not mean they do not have two vehicles. It is irresponsible to allow a development of such size to be built without recognising this fact, especially considering the nature of the public transport system in South Australia. There are just not sufficient public transport options for people to use as an alternative to driving. Families will generally have two vehicles. This should be an absolute must for any development.

There should be habitat protection for the Vulnerable Listed (SA National Parks & Wildlife Act, 1972 -Schedule 8) Yellow-tailed Black Cockatoos that live in the development site. These birds migrate annually and are already threatened due to habitat destruction. Removing all the trees from the site could have a devastating effect on their survival.

There should be a 20 metre buffer-zone around the development as there has been for the last 40 years. The buffer-zone can be used as noise buffering, habitat protection for the Cockatoos, a walking/cycling trail around the development, a cultural/historic walking trail incorporating Aboriginal Cultural markers and if needed storm-water swales.

The Council should implement the recommendation included in the 2011 sponsored research (included in the document – The City Of Charles Sturt: Kaurna Public Space Recognition and Inclusion, Page 51) that states there is an opportunity to continue the interpretation (of the Port Adelaide Kaurna Trail) into the Charles Sturt area. This would involve linking the Cultural / Walking / Cycling trail in the development, along the edge of West Lakes, past Point Misery and linking to the new Port Adelaide Cultural Centre being built.

This Trail could be informative and be similar to other Trails that exist in Port Adelaide and along the Torrens River in Adelaide.

As the development site is in an area that was once surrounded by a large Pine Forest and bounded by the Port River, it has special significance to Aboriginal People who lived, fished and hunted in the area. It is also a known burial location, and whilst no registered Aboriginal site is recorded in the development area, I have been informed that Aboriginal bones, skulls and a hand-drawn map of where these were found in the site, were on public display in the former

Administration Building up until approximately 1999.

I have also been informed that the bones have since gone 'missing' and there are current efforts by SA Water to try and locate them.

There are two community residents who have come forward and stated they saw the bones on display and have made Statutory Declarations signed under the Oaths Act testifying to this fact. These documents can be obtained from Community Advocate - Stephen Hammond.

Relevant Aboriginal organisations, such as the Kaurna Yerta Aboriginal Corporation (KYAC), should be informed of this information by Council so that appropriate measures can be taken to repatriate the remains.

Because of the Aboriginal significance of the area, it should be recognised in an appropriate manner within the development site.

All Significant/Regulated/Exempt trees should not be removed and the development should be designed around them. A Special Value Tree assessment should be conducted that identifies the Remnant Vegetation in the site as well as those trees that are inhabited by the Vulnerable Cockatoos. These Special Value trees should then be protected and should remain in the boundary Buffer-zones.

The large section of Pine trees (The PINERY) should be protected and not removed. The retention of these trees supports the Council's Tree Canopy Plan.

The development should include a suitable sized water feature and fountains.

A community sports field & playground should be included in the site as there is a distinct lack of these amenities in the Western Suburbs. There is an opportunity for the Council to incorporate a green initiative in the development, allowing things such as a community garden, or bee and butterfly garden to promote the local species. There are native blue banded bees in the area and if the area is to be promoted as "family friendly", it should include spaces for children to explore nature and to have use of recreational facilities.

Council should not allow any Financial Contribution to be paid for the loss of any Open Space Area within the development.

Open Space should include the buffer-zones, the community sports field, PINERY, water feature and at least 1 other appropriately sized reserve area in the site.

The Heritage listed gardens and two buildings should remain and not be built over (including the placement of a road). This area should not be re-zoned so part of it can be otherwise used.

A Soil Remediation option should not involve 'Capping' and the use of retainer walls (with voids in-between) to raise ground heights should also not be allowed. There are many other options available that would still comply with EPA standards.

My main issues are summarised in the following Dot-Points:

The Area TO Be Re-zoned As A Waterfront Neighbourhood Zone (& Mixed-Use sub-zone - Retail)

1-2 Storey buildings which takes advantage of waterfront locations which is the same zone as the surrounding neighbourhood

The Area NOT To Be Re-zoned As Urban Renewal Neighbourhood Zone

The area does not fit the guidelines for approval of this zone.

No Technical & Numerical Variations different to existing neighbourhood zoning

Buffer-Zones around the site Boundary

Cultural/Historic Trail Link to Pt. Adelaide - Cycling/Walking tracks

Habitat for Cockatoos - Noise Buffer for Residents - (Stormwater Swales if necessary)

No Traffic Access to Lochside Drive

Traffic Chaos - Have 2 roads from Frederick Road into the development

Inclusion of a Community Sports Field & Playground

Families have to play somewhere - 1km to the nearest sportsground is too. With many families presumably moving into the development, the use of other facilities in the area will be too overcrowded.

Tree Management

Significant / Regulated / Exempt trees to remain

A Special Value Tree Assessment must be conducted

Habitat Reserve for Vulnerable Cockatoos

The Yellow-Tailed Black Cockatoos needs protection

The PINERY needs to be protected - Achieves Urban Tree Canopy Plan

Heritage Recognition

Heritage Gardens to be maintained, no road through it and not re-zoned

The history of Aboriginals living in the area (PINERY / Port River area) must be recognized within the new development

Retainer Wall development that raises Ground Heights (as part of any soil remediation 'Capping' option) should not be permitted

Retainer Walls with 'Voids' are DEATH TRAPS for small children – other soil remediation options are available

No Financial Contribution in lieu of actual Open Space

Open Space to include Buffer Zones - Community Sports Field

Water Feature - the PINERY

Kind regards,

Riley Price

■ Lochside Drive

West Lakes SA 5021

Mob: [REDACTED]

Submission 152

Archived: Wednesday, 23 November 2022 9:30:53 AM
From: [Jamie Lucas](#)
Sent: Tuesday, 22 November 2022 6:47:42 PM
To: [Jim Gronthos](#)
Cc: [Steve Hammond](#)
Subject: West Lakes Residential Mixed Use Draft Code Amendment
Importance: Normal
Sensitivity: None

Hi, my name is Darrell Martin
Phone [REDACTED]
Email [REDACTED]
Address [REDACTED] Mariners Crescent, West Lakes 5021

I am of the opinion that 5-6 stories is ridiculous. This size of building is not suitable for the West Lake area and is not in line with the surrounding community. I purchased my family home in 1983, as part of the original development. I have maintained the frontage of my property to a very high standard over the past 40+ years. I am very concerned that the overpopulation of the proposed development will lead to many cars parking along Mariners Crescent and in front of my property, as there are no footpaths. I enjoy the view of the lake from my property, I do not want to be looking at a massive line of cars all the way down the street.

*"I want the zoning of the development site to be **Waterfront Neighbourhood Zone** which is the same zone as the surrounding neighbourhood.*

Technical and Numerical Variations relating to heights of buildings, etc, should be the same as the existing neighbourhood.

There should be no high-rise towers built that will change the character of the neighbourhood.

As there is no public transport passing the site the number of residents being proposed to inhabit this area is unworkable.

The site is NOT in a Major Growth Transport Corridor and therefore medium density housing up to 5-storeys should NOT apply.

Council's own research in 'The Council Assessment of housing yields in their April 2014 Strategic Directions Report' identified significantly less people and housing than depicted in the current proposal. That assessment clearly identified that a future development would 'fit' in with the existing neighbourhood and would not alter the character, number or heights of the surrounding buildings.

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Submission 153

Archived: Wednesday, 23 November 2022 9:42:17 AM
From: [Jamie Lucas](#)
Sent: Tuesday, 22 November 2022 6:52:34 PM
To: [Jim Gronthos](#)
Cc: [Steve Hammond](#)
Subject: West Lakes Residential Mixed Use Draft Code Amendment
Importance: Normal
Sensitivity: None

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Open Space to include Buffer Zones - Community Sports Field
Water Feature - the PINERY

Jamie Lucas
Field Technician

M: [REDACTED]

Intrax Housing | intrax.com.au

[REDACTED] Fullarton Road, Dulwich SA
5065

Submission 154

Name: Jeanette Ramsey

Status: Ratepayer of Charles Sturt Council

Address: ■ Eildon Court, West Lakes 5021

Contact: ■ ■

I will be attending the Public Meeting and wish to speak.

My involvement with the former SA Water Port Adelaide Wastewater Treatment site began in 1971 when as a teacher at the newly opened Royal Park High School I accompanied students to the luxurious green lawns fronting Frederick Road to use for sporting activities as the school's sports fields were still being developed. The Frederick Road frontage and as far as I could see beyond was immaculate.

In 2007 I moved to my present home at ■ Eildon Court. The Contract of Sale did not contain any details of the contamination of the soil, neither did the agent nor vendor mention it. This was despite the fact that the issue became known to residents in 2001 and informing buyers was required by law.

In 2015-16 my husband and I volunteered as members of a Community Reference Group established by SA Water to explore the wishes of the neighbouring community in relation to future development of their surplus land, Lot 100. We were assured that our input would not be ignored, and that we would be kept informed of future developments.

In April 2022 I was surprised to learn that a contract had been signed with a developer late in 2021. Subsequently I became a member of the leadership committee for the SA Water Code Amendment Community Residents Group (SWCACRG), and as a member of that committee have met with Council Planners, Potentia West Lakes representatives, members of Council and Mr Stephen Mulligan, Member for Lee.

Whilst the points which appear at the end of this document have been informed by my membership of SWCACRG, I would like to comment as a personal response to Potentia West Lakes' rezoning application.

One would have hoped that SA Water had worked with the Council to form an oasis in suburbia – something useful to the whole community and mindful of heritage and the environment. Something that provides space for community members to be active and also for passive enjoyment, promoting mental well-being, which is of paramount importance in our Covid – blighted world.

By contracting the whole of Lot 100 and, as we are told, part of 101 to follow, to a developer, SA Water has perpetrated a massive missed opportunity to make this area the jewel in the crown of the City of Charles Sturt, and not just another housing development eating up our open space.

The selection of the Urban Renewal Zoning is an ill-conceived choice. This zone cuts across the character of residential West Lakes, the visual amenity of the area and is completely divorced from, almost disrespectful to, the existing community.

It sections the land into small slices on which sardined houses or multistorey dwellings are built, cramming 560 dwellings, 1300 residents into an area identified in 2014 by Council as suitable for 96 dwellings with 210 residents. An extraordinary discrepancy!

The developer, Potentia West Lakes, has indicated that the height of some buildings will be 5 storeys, but with a clean fill capping to address the contamination of the soil on the site, the effective height will be greater and the line of vision intrusive to adjacent residential areas. Quite out of keeping with the neighbouring Waterfront Neighbourhood Zone, as well as raising concerns of overlooking and overshadowing for residents adjacent to the site.

Applying Urban Renewal Zoning at this location is incongruent with the concept itself. Lots 100 and 101 are not located on a major transport corridor. There is no public transport passing the land at all, which will result in the 1300 residents being reliant on private vehicles. The developed area will require more than one access/egress road, and with adequate frontage to Frederick Road, there is room for two points of entry/exit to be located along that frontage. It is not necessary to have a road onto Lochside Drive, as indicated on the concept plan, or any other street in the adjacent Waterfront Neighbourhood Zone; this will simply cause unnecessary traffic congestion and noise for existing residents.

The map indicates suitable locations for two access/egress roads onto Frederick Road.

One road alongside the Lot 101 area to be retained by SA Water.

The other is in the area to the north of the heritage buildings, but not aligned with Schenker Drive.

There should not be a road between the Heritage Listed buildings and garden space.

Pedestrian/Cycle Access onto Lochside Drive remains.



Open Space is essential for a community's well-being. Space to play organised sport, space for recreational activities, playgrounds, space with mature trees, plants and birds.

On the Plan SA website under the heading 'Open Space Grant Program' the following statement is made...

Access to quality public open space is becoming increasingly important to ensure South Australia remains liveable, healthy and sustainable.....

It is imperative that actual, real open space is included in this development, not a payment to the State Government's Planning and Development Fund to secure Future Open Space in another location.

Historically I, and the current residents whose properties adjoin Lot 100 have enjoyed a buffer zone between our properties and the activities of SA Water's Sewerage Treatment Plant. Marked on the original sales brochures as a reserve, this linear space should be retained as open space to give a park like setting to the new development and to provide a habitat for birds and other fauna, in particular the Yellow Tail Black Cockatoo, which is a threatened species in South Australia due to habitat destruction.

This space, as well as continuing to provide a buffer zone to existing ratepayers, could also be developed as a walking/ cycling path linking to the Historic/ Cultural Trail in neighbouring Port Adelaide, a wonderful opportunity to acknowledge and pay our respects to the Indigenous people who inhabited this area for centuries prior to the arrival of European settlers.

Potentia West Lakes engaged Aborman Tree Solutions to conduct an assessment of the trees currently on Lot 100, with a rather disturbing conclusion. Whilst 16 trees were identified as Regulated/Significant, apparently it is not essential to retain any of the 15 trees still living (one was dead) if their location does not suit the developer's plans:

When assessed against the relevant 'Desired Outcomes', 'Performance Outcomes' and 'Designated Performance Features' none of the trees are considered to provide important aesthetic and/or environmental benefit and as such their protection as Regulated/Significant trees that prevents an otherwise reasonable and expected development is not warranted.

(West Lakes Residential Mixed Use Draft Code Amendment document, Item 4:18 Appendix 1 Part 2 E-K page 94)

I find this an appalling situation – Charles Sturt Council has a very poor record of retaining mature trees and whilst the Council's new tree canopy strategy was developed in 2021, if this destruction of mature trees is allowed to proceed, such a policy is meaningless when not put into practice. Further, it is completely in contravention of Numbers 3 & 5 of Charles Sturt Council's *Guiding Principles Growing Green: Tree Canopy Improvement Strategy 2021-2045*;
i.e.

No. 3 Protect more trees (and commit to protect them)

No. 5 Appreciate trees more (and engage our community).....page 4.

On page 11 of the above document, the question is posed *Why protect more trees (and commit to protect them)?*

With the response -

A mature tree provides a far greater number of benefits than a newly planted one. Trees take decades (sometimes centuries) to reach maturity, making the need for protection and retention of existing trees in the landscape of greater importance.

*Our urban forest population is declining in size **primarily due to the number of trees being removed to allow for urban diversification / infill development.***

Here is an opportunity to demonstrate commitment to the policy and for the Council to lead the community by example.

Other than for trees covered by regulation, there has been no flora or fauna assessment conducted on the affected site. This is of particular concern in relation to the trees required for the threatened Yellow Tale Black Cockatoo, as well as the stand of trees known as the Pinery, the lizards, foxes and other species of birds which inhabit the affected area.

Although my family was not informed of the contaminated soil when we purchased our property in 2007, we have been assured by the EPA that the measures undertaken in 2002, basically covering surfaces, have rendered it safe for us to live here provided we follow guidelines such as not consuming food grown in the soil or using bore water to grow vegetables.

The development of Lots 100 and Part 101 is a new venture with an opportunity to do better than just applying new fill as capping. Whilst this is not the only option for managing the polluted soil, it is the cheapest option and has therefore been chosen by the Developer.

One resulting effect would be raised ground heights in relation to neighbouring properties. This height discrepancy would appear to be managed by retainer walls, but it is alarming to note that where the higher ground meets existing Waterfront Neighbourhood fences there is the very real possibility of voids being formed between our fences and the retainer wall holding back the higher level soil. This has already been allowed to occur at Grange, within the Charles Sturt Council's jurisdiction. Such voids are collection points for rubbish, water and weeds, and super-highways for vermin. They are unsightly and completely unsafe. One would expect that Charles Sturt Council has a duty of care regarding the safety of their ratepayers and families, particularly those with young children, and so would not allow such a situation to develop.

I will conclude with the salient points regarding this rezoning application and trust that in this Community Consultation the views of the community will be both heard and acted upon.

Yours in good faith

Jeanette Ramsey

***The Area TO Be Re-zoned As A Waterfront Neighbourhood Zone
(& Mixed-Use sub-zone - Retail)***

1-2 Storey buildings which takes advantage of waterfront locations
which is the same zone as the surrounding neighbourhood

***The Area NOT To Be Re-zoned As Urban Renewal
Neighbourhood Zone***

The area does not fit the guidelines for approval of this zone.
No Technical & Numerical Variations different to existing
neighbourhood zoning

Buffer-Zones around the site Boundary

Cultural/Historic Trail Link to Pt. Adelaide - Cycling/Walking tracks
Habitat for Cockatoos - Noise Buffer for Residents - (Stormwater
Swales if necessary)

No Traffic Access to Lochside Drive

Traffic Chaos - Have 2 roads from Frederick Road into the development

Inclusion of a Community Sports Field & Playground

Families have to play somewhere - 1km to the nearest sportsground is too far

Tree Management

Significant / Regulated / Exempt trees to remain
A Special Value Tree Assessment must be conducted

Habitat Reserve for Vulnerable Cockatoos

The Yellow-Tailed Black Cockatoos needs protection
The PINERY needs to be protected - Achieves Urban Tree Canopy Plan

Heritage Recognition

Heritage Gardens to be maintained, no road through it and not re-zoned
The history of Aboriginals living in the area (PINERY / Port River area) must be recognized within the new development

Retainer Wall development that raises Ground Heights (as part of any soil remediation 'Capping' option) should not be permitted

Retainer Walls with 'Voids' are DEATH TRAPS for small children – other soil remediation options are available

No Financial Contribution in lieu of actual Open Space

Open Space to include Buffer Zones - Community Sports Field
Water Feature - the PINERY

Submission 155

Archived: Wednesday, 23 November 2022 10:27:48 AM
From: [PlanSA Submissions](#)
Sent: Tuesday, 22 November 2022 9:22:25 PM
To: [Jim Gronthos](#)
Subject: Public Consultation submission for West Lakes Residential and Mixed Use Code Amendment
Importance: Normal
Sensitivity: None
Attachments:
[SUBMISSION-TO-THE-WEST-LAKES-RESIDENTIAL-AND-MIXED-USE-DRAFT-CODE-AMMENDMENT.docx](#)

Jim Gronthos,

Submission Details

Amendment: West Lakes Residential and Mixed Use Code Amendment

Customer type: Member of the public

Given name: Ian

Family name: Wright

Organisation:

Email address: [Redacted]

Phone number: [Redacted]

My overall view is: I do not support the Code Amendment

Comments:

Attachment 1: SUBMISSION-TO-THE-WEST-LAKES-RESIDENTIAL-AND-MIXED-USE-DRAFT-CODE-AMMENDMENT.docx, type application/vnd.openxmlformats-officedocument.wordprocessingml.document, 16.3 KB

Attachment 2: No file uploaded

Attachment 3: No file uploaded

Attachment 4: No file uploaded

Attachment 5: No file uploaded

Sent to proponent email: jgronthos@charlessturt.sa.gov.au

SUBMISSION TO THE WEST LAKES RESIDENTIAL AND MIXED USE DRAFT CODE AMMENDMENT (Privately Funded)

I wish to put forward reasons why this development of 19 Ha of virtually untouched bushland, should be opposed.

I also wish to present my submission at a public meeting if it is scheduled to take place.

Firstly why are there no alternative development options?

It seems that there has been collusion between the State Government and this particular developer. I make this assumption because there doesn't appear to be a public tender process for the sale of this land or even an alternative developer or an alternative proposed use for this land.

Why is the public only being asked to comment on a housing development and not allowed to propose ideas for the use of this land?

Are we not allowed to consider a large parkland for our city?
Is this a forgone conclusion and we are just accepting 3 4 or 6 storey apartments so the developer can make it worth their while?

Let us be clear about this 19Ha of bushland; it is the last substantial natural open space in the City of Charles Sturt.

The City does have the Torrens Linear Park and the Foreshore Linear Park but it doesn't have 19Ha of original flora parkland. I think historically relatively few residents have actually walked in this bushland for 90years. Is there anyone in this chamber who has had that privilege? I've only seen it on Google Maps or through the chain wire fence that surrounds it. It might be the kind of place we travel hundreds of miles to go camping in.

How much open space is enough?

The City of Charles Sturt was built on a savanna of magnificent tall Eucalypts, Melaleucas and open grassland. The City has policies promoting and preserving the development of open space and native flora and fauna. In this situation the public is being asked to ignore those policies in favour of competing

commercial interests. At least 16 Ha of bushland will be destroyed to create this development.

3-4 square metres of accessible open parkland per person is a minimum for progressive cities. Charles Sturt, with a population of about 190,000 people currently provides that with many small parklands. But in 20 years' time the population will grow substantially. Ironically this development is about increasing the population density; and I am not opposed to development or this developer. I am opposed because there has to be a voice (hopefully many more) to conserve this natural bushland for parkland even in the face of a seemingly railroaded outcome from politicians and developers.

Colonel Light created parklands around Adelaide that define our heritage and lifestyle. Those of us who have lived here most of our lives understand this. Those of us who have lived here for more than 70 years have seen the steady loss of open space, tree canopies and consequent decline in native fauna.

Let us be clear about this 19Ha of bushland; it is the last substantial natural open space in the City of Charles Sturt; and an important connection to our natural heritage.

If you consign this open space to infill housing you lose the open space you need for the future and you destroy the connection of how we remember the Western Plains of Adelaide where Charles Sturt lived. You cannot create 19 Ha of open space of this quality even if you compulsorily acquire a golf club or industrial land or infill housing. When it's gone it's gone.

Ian Wright
Resident
Age [REDACTED]
21/11/2022

Submission 156

Archived: Wednesday, 23 November 2022 10:44:20 AM

From: [TRECAZ Harding](#)

Sent: Tuesday, 22 November 2022 9:41:26 PM

To: [Jim Gronthos](#)

Cc:

[REDACTED]

Subject: West Lakes Residential Mixed Use Draft Code Amendment

Importance: Normal

Sensitivity: None

Attachments:

[Charles Sturt Council Submission - T&C Harding.pdf](#) 

Attached please find our submission to Council relating to the West Lakes Residential Mixed Use Draft Code Amendment.

Trevor & Carolyn Harding

 Lochside Drive

WEST LAKES

West Lakes Residential Mixed Use Draft Code Amendment

Trevor & Carolyn Harding

Charles Sturt Council Submission

22 November 2022

Part 1

Living on Cadmium Contaminated Land - A Brief Case History

Part 2

**Comments Relating to City of Charles Sturt West Lakes
Residential and Mixed Use Draft Code Amendment (Privately
Funded) Information Brochure**

Part 1

Living on Cadmium Contaminated Land in West Lakes

A Brief Case History

It is well documented that the former Port Adelaide Wastewater Treatment Plant site contains contaminants of concern including arsenic, cadmium, copper, lead, nickel, zinc, and more recently the discovery of PFAS.

We have been residents of West Lakes for the last 35 years and our property is on Lochside Drive opposite the southern boundary of the proposed Urban Renewal Neighbourhood Zone.

In 1986, the allotments on the northern boundary of the golf course between the then Council Depot and Lakeview Avenue became available for sale – golf course views out the back and native vegetation across the road out the front – how good is that! They were some of the last available blocks in West Lakes, and Delfin Realty's sales literature stated, *"we've saved the best for last"*, but little did we know that the block we chose to buy was situated on top of the SA Water southern sludge pond and covered with contaminated fill. We feel that Delfin knew about the contamination issues but weren't going to alert prospective buyers about this problem. Had we known that the land was contaminated, then we would never have built here.

For the next 13 years we were oblivious to the contamination issues associated with our block. Then on 25th August 2000, we were visited by representatives from the EPA and Health Department. They alerted us to forthcoming press coverage of Cadmium contamination found in soil tests at West Lakes. They also said we *"needn't worry unless we had dug for a swimming pool or grew our own fruit and vegetables"*. Bingo, we hit the jackpot by qualifying for both. The Health Department official also wanted our Medicare numbers. We later found out that they were checking health records for any kidney related issues.

This led to the suggestion that we have 24-hour urine tests to check for any levels of Cadmium exposure. We took control of these tests by arranging them through our own GP rather than the Department having control. Carolyn's test was repeated after our GP was concerned by the high level.

The results of these tests showed that both of us had been exposed, with Trevor's result slightly elevated, while Carolyn had a higher level of 19 ug/L (October 2000). This level was in excess of the upper limit of the accepted industry range which was 12 to 15 ug/L. Our GP referred her to Dr Richie Gunn, Occupational Physician with Jobfit Medical Services. Under Dr Gunn's supervision a further 24-hour specimen provided by Carolyn in December 2000 continued to show levels above the reference range.

Over subsequent weeks Dr Gunn arranged blood tests and a repeat urine test that indicated her cadmium levels had decreased and were no longer at levels of concern. The fact that we had stopped consuming home-grown fruit and vegetables during the previous six months may have helped.

In March 2001 Dr Gunn wrote to the Environmental Health Branch of the Department of Human Services stating, *"Mrs Harding is not occupationally exposed to cadmium and is a lifelong non-smoker. It is therefore reasonable to conclude that soil pollution in her area of residence is a likely cause. Possible routes of exposure could be inhalation of contaminated soil or ingestion of vegetables grown in her garden."*

Dr Gunn also suggested, *"I am aware that further soil sampling is being undertaken in the West Lakes area, but I believe that the evidence of environmental exposure which has occurred in Mrs Harding's case indicates a need for this to be supplemented by biological monitoring for cadmium exposure on a representative sample of West Lakes residents."* This did not happen.

All of Carolyn's results were forwarded to the Environmental Health Branch of the Department of Human Services. Their response in August 2001 was that 24-hour urine tests for cadmium are known to be prone to contamination from a variety of sources, including, *"...the presence of cigarette smoke near the container or on the fingers of people collecting or processing the samples. Such situations may increase the level of cadmium detected."* They also said they had sought advice from international experts and concluded that it was not biologically plausible for the urinary cadmium to decrease to non-detectable levels in a matter of a few months. They also suggested the possibility of inaccurate readings for the first samples.

In September 2001, Dr Gunn responded to the Environmental Health Branch and disagreed with their interpretation of Carolyn's results as being due to sample contamination or laboratory error. He referred to his experience with another patient who had a similar history and results to Carolyn.

We can only conclude that the Department refused to accept the weight of the evidence.

After 3 years of numerous consultations with Government departments, community meetings, health tests, on-site soil samplings, removal of our established gardens, and sleepless nights etc, the impact on our lives was a nightmare that we wouldn't recommend anyone should go through.

By September 2003, significant remediation was completed on our property in accordance with the West Lakes Property Management Measures Program. Now we could return to growing our food producing crops safely.

Part 2

Comments Relating to City of Charles Sturt West Lakes Residential and Mixed Use Draft Code Amendment (Privately Funded) Information Brochure

What is proposed?

Changes to the South Australian Planning and Design Code (*"the Code"*) by the City of Charles Sturt to allow residential and mixed use on lots 100 and 101 West Lakes. The Affected Area adjoins the existing Waterfront Neighbourhood Zone.

We believe that *"the Code"* should not be amended and that there should be no development in the proposed zone.

However, if Council decides that *"the Code"* will be amended, then **re-zoning of the site should be Waterfront Neighbourhood Zone – the same zone as the existing surrounding neighbourhood.**

What is a privately funded Code Amendment?

Potentia West Lakes Pty Ltd would have incurred considerable expense through the engagement of a range of consultants to provide supporting data for their proposed development.

We believe the City of Charles Sturt may be under considerable pressure to amend *"the Code"*.

Council states that they will need to manage the Code Amendment process in accordance with its legal obligations. In doing so, Council is reminded that they must comply with the South Australian Public Health Act 2011 (Version 24.5.2022). Council's attention is drawn to Division 4, Section 37, with particular reference to highlighted paragraphs:

"Division 4—Councils

37—Functions of councils

- (1) A council is the local public health authority for its area.*
- (2) In connection with subsection (1), the following functions are conferred on a council by this Act:*
 - (a) to take action to preserve, protect and promote public health within its area;*
 - (b) to cooperate with other authorities involved in the administration of this Act;*
 - (c) to ensure that adequate sanitation measures are in place in its area;*
 - (d) insofar as is reasonably practicable, to have adequate measures in place within its area to ensure that activities do not adversely affect public health;*
 - (e) to identify risks to public health within its area;*
 - (f) as necessary, to ensure that remedial action is taken to reduce or eliminate adverse impacts or risks to public health;*
 - (g) to assess activities and development, or proposed activities or development, within its area in order to determine and respond to public health impacts (or potential public health impacts);*
 - (h) to provide, or support the provision of, educational information about public health and to provide or support activities within its area to preserve, protect or promote public health;*
 - (i) such other functions assigned to the council by this Act"*

Is Council prepared for potential public health impacts from soil contamination in the Affected Area?

Findings of the Investigations

What is the land currently zoned and used for?

The SA Water Re-Lift Pump Facility occupies a small portion of this 19.8ha site. The remaining area is a biodiversity asset, providing a wide range of flora and fauna. This includes the vulnerable yellow-tailed black cockatoo that feed seasonally on pine cones in 10 metre high trees immediately across the road from our house, and other trees within the site as well as remnants of the historical Pinery. Although an arborist's report noted very few significant trees of heritage value on the site, there are many large trees along Lochside Drive and within the site that should remain. If Council decides that *"the Code"* will be amended, existing trees should be retained as part of a 20 metre buffer zone proposed in the **Waterfront Neighbourhood Zone** option.

Why is the land being rezoned?

If Council decides that *"the Code"* will be amended as proposed, then they should consider that the alternative proposal of a **Waterfront Neighbourhood Zone (as detailed in the SA Water Code Amendment Community Residents Group Submission dated 19th November 2022)** will provide **satisfactory additional housing options for the affected area.**

Proposed Zone

It is inferred that the land being proposed for rezoning *"no longer meets community preferences"* and should be *"replaced with new diverse housing options, of predominantly residential development with complimentary non-residential uses that support an active, convenient and walkable urban neighbourhood."*

If Council decides that *"the Code"* will be amended, our view is that the affected area be developed as Waterfront Neighbourhood Zone.

Proposed Building Heights

If Council and the Minister for Planning endorse the draft Code Amendment, it should be conditional on maximum building heights limited to 2 storeys – to fit in with the existing neighbourhood.

There should be no high-rise buildings built that will change the character of the neighbourhood.

What will be built on the site?

Council states that *"The draft Code Amendment only seeks to change what the land can be used for and does not include the approval of any development applications on the land."*

If Council decides that *"the Code"* will be amended as proposed, will the community be excluded from any development application process?

Traffic Investigations

Council states that Lochside Drive will increase to approximately 3,100 vehicles per day on the eastern portion to Frederick Road. There is already traffic congestion at the northern exit from Lochside Drive onto Frederick Road, especially since the former Council Depot was subdivided into high density allotments.

There should be no new road access into Lochside Drive (or any other surrounding street) as it will cause additional traffic congestion at the northern Frederick Road intersection.

Environmental Assessment

Our concerns about living on contaminated land are reinforced below:

*“Site Contamination Audit Statement – EPA Ref: 62593
Former Port Adelaide Wastewater Treatment Plant,
Frederick Road, West Lakes, South Australia
Date Issued: 19 May 2022*

Table 1: Conceptual Site Model

CSM Aspect - Mechanisms of contamination

Summary of Information Provided

The most likely mechanism for contamination from historical on-site activities and disposal/storage of chemicals is considered to be mixing of the sludge with underlying and overlying soils during redevelopment, leaching of sludge contaminants and in terms of infrastructure ‘top down’ spills and leaks. The most likely mechanism for contamination from imported fill is considered to be dry weight and leachable contaminants.

The most likely mechanism from off-site contamination to impact the Site is from leaching of off-site sludge and migration of contaminated groundwater beneath the Site.”

It is noted that a Human Health Risk Assessment was completed in March 2022 by EP Risk. This concluded that the concentrations of the chemicals of potential concern are considered to be acceptable at the site once 0.3 m of clean fill covered the site.

What has not been considered in the redevelopment proposal is, that major clearing of vegetation including deep rooted trees would occur before clean fill is brought in. This involves heavy machinery creating hazardous dust. **Constant real time monitoring by the EPA would be required along all boundaries of the site.** Furthermore, the proposed development is expected to take several years, so the potential health issues and unforeseen outcomes from such a large area of contaminated land are a concern.

The Potentia West Lakes, Construction Environment Management Plan, Former Port Adelaide Wastewater Treatment Plant, Frederick Road, West Lakes SA, 61671_Rev 0, 29 April 2022, JBS&G document, states that; *“This report does not provide a complete assessment of the environmental status of the site and is limited to the scope defined herein. Should information become available regarding conditions at the site including previously unknown sources of contamination, JBS&G reserve the right to review the report in the context of the additional information.”*

Unforeseen findings in the future could mean history would most likely repeat itself.

We refer Council to the minutes of the State Government Cabinet Meeting held on 15th October 2001 regarding Sludge Contamination at West Lakes, (available here- [B19010 \(dpc.sa.gov.au\)](https://www.dpc.sa.gov.au/B19010)) and our brief case history at the beginning of this submission.

If Council decides that “the Code” will be amended as proposed, and submitted to the Minister for Planning, perhaps a biological base line needs to be established and residents currently living in dwellings adjacent to the proposed development site (Lochside Drive to the South, Lakeview Avenue to the West and Mariners Crescent to the North), particularly those who are long term residents, should be offered the opportunity to participate in biological monitoring for cadmium exposure before any work commences at the site.

Public Open Space

If Council decides that “the Code” will be amended as proposed, we agree with the following outcomes from the SA Water Code Amendment Community Residents Group (SWCARG) Submission dated 19th November 2022.

Outcome 10: Council does not allow for any financial contribution to be paid into the Planning and Development Fund by the developer in lieu of any open space.

Outcome 11: Council applies for a grant under the Planning and Development Fund to fund open space consisting of:

- **Boundary buffer-zones**
- **The Pinery**
- **Sports Field**
- **Community Water Feature**

Infrastructure Investigations

In FMG Engineerings’ Preliminary Infrastructure Assessment, a proposed storm water management plan anticipates that site levels will need to be lifted up to 2 metres as a gradual grade at some locations to facilitate drainage of surfaces and provide cover for underground pipework.

We consider any development that is lifted 2 metres higher than the existing neighbourhood is unacceptable.

Proposed Concept Plan

If Council decides that “the Code” should be amended as proposed, and a 20 metre landscaped buffer zone on Lochside Drive is **not** in a revised Concept Plan, then **all new residences on Lochside Drive should comply with the existing setbacks that were enforced on the southern side of Lochside Drive. If minimal setbacks were adopted, then a traffic hazard will result due to residents’ vehicles parking on Lochside Drive.**

EPA’s Site Contamination Audit states that *“based on the audit findings the EPA considers it appropriate that the site contamination audit report be notated on the relevant certificate of title(s) and will be applying to the Register-General accordingly. The EPA will advise the site owners when the notation has been registered.”*

If the site owner is the developer, are they legally obliged to inform prospective land buyers that an EPA Soil Contamination Audit Report is notated on the certificate of title for that block?

If the site owner is the purchaser/builder, do they find out that an EPA Soil Contamination Audit Report is notated on the certificate of title for that block at settlement?

Public Meeting

A verbal submission on behalf of the SA Water Code Amendment Community Residents Group is to be presented at the Public Meeting in February 2023. **We feel that the majority view of the community is well represented by the SA Water Code Amendment Community Residents Group.**

We are not seeking to make a verbal submission.

Conclusion

A major portion of the proposed zone includes the former western sludge pond, covered with varying levels of contaminated fill. Based on our personal experience, we believe no government department (local or state) should consider such areas for urban renewal.

Short and long-term potential risks of adverse health outcomes will always be an issue in areas where residential development occurs on contaminated land.

We believe that *“the Code”* should **not** be amended and that there should be **no** development in the proposed zone, however, **if Council decides that *“the Code”* will be amended as proposed, then we would fully support the SA Water Code Amendment Community Residents Group’s submission.**

Thank you for considering our submission.

Trevor and Carolyn Harding

■ Lochside Drive
WEST LAKES SA 5021
Phone: ■

Submission 157

Archived: Wednesday, 23 November 2022 10:53:32 AM

From: noreply@charlessturt.sa.gov.au

Sent: Wednesday, 23 November 2022 9:46:17 AM

To: [Jim Gronthos](#)

Subject: West Lakes Residential and Mixed Use Draft Code Amendment - Submission Form Form Submission

Importance: Normal

Sensitivity: None



West Lakes Residential and Mixed Use Draft Code Amendment - Submission Form Form Submission

There has been a submission of the form West Lakes Residential and Mixed Use Draft Code Amendment - Submission Form through your Your Say Charles Sturt website.

Customer type?

Business

First Name

Julien

Last Name

Maddern

Organisation (if relevant)

Duxton Capital

Email Address

[REDACTED]

Postal Address

[REDACTED] Pomona Rd, Stirling SA 5152

Phone Number

[REDACTED]

Your Submission on the West Lakes Residential and Mixed Use Draft Code Amendment

Duxton Pubs would like to express their support for the residential and mixed-use code amendment-rezoning.

The proposed rezoning will align the industrial/commercial portion of the site with adjoining residential sites and allow for the sustainable expansion of business/residential use in line with state and local strategies of encouraging employment and working close to home.

The proposal appears to be keeping in line with the Council's employment, zoning, and environmental objectives. the proposal provides a balance between desired employment generating and residential use and is suitable and sympathetic to the natural environment and surrounding uses. The Concept plans account for significant open public space, verge widening for footpath and streetscaping, and logical pedestrian and cycle access. It is the belief of Duxton Pubs that this development will rejuvenate the area and be beneficial for the surrounding areas alike.

Considering the substantial development on the property Duxton Pubs will explore the possibility of making a significant investment into the area providing the development with a hospitality venue that can serve the wider community.

Do you wish to make a verbal submission at the Public Meeting to be held in February 2023 (date and time to be confirmed) at the Civic Centre, 72 Woodville Road, Woodville?

No

To view all of this form's submissions, visit

https://www.yoursaycharlessturt.com.au/index.php/dashboard/reports/forms_new/

data/706

This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Your Say
Charles Sturt.

Submission 158

Archived: Wednesday, 23 November 2022 11:07:45 AM

From: [kong family](#)

Sent: Wednesday, 23 November 2022 9:54:43 AM

To: [Jim Gronthos](#)

Cc: [REDACTED]

Subject: West Lakes Residential Mixed Use Draft Code Amendment

Importance: Normal

Sensitivity: None

23 November 2022

Lisa Chan

[REDACTED] Waikiki Court

West Lakes SA5021

Mobile: [REDACTED]

Re: West Lakes Residential Mixed Use Draft Code Amendment

Dear Jim

*I want the zoning of the development site to be **Waterfront Neighbourhood Zone** which is the same zone as the surrounding neighbourhood.*

Technical and Numerical Variations relating to heights of buildings, etc, should be the same as the existing neighbourhood.

There should be no high-rise towers built that will change the character of the neighbourhood.

As there is no public transport passing the site the number of residents being proposed to inhabit this area is unworkable.

The site is NOT in a Major Growth Transport Corridor and therefore medium density housing up to 5-storeys should NOT apply.

Council's own research in 'The Council Assessment of housing yields in their April 2014 Strategic Directions Report' identified significantly less people and housing than depicted in the current proposal. That assessment clearly identified that a future development would 'fit' in with the existing neighbourhood and would not alter the character, number or heights of the surrounding buildings.

The Council should ensure that all data tests, assessments and capacity reports for the proposed utilities are obtained and reviewed independently before any zoning approval is provided.

There should be no new road access into Lochside Drive (or any other surrounding street) as it will cause traffic chaos. There should be two roads from the development onto Frederick Road.

There should be habitat protection for the Vulnerable Listed (SA National Parks & Wildlife Act, 1972 -Schedule 8) Yellow-tailed Black Cockatoos that live in the development site. These birds migrate annually and are already threatened due to habitat destruction. Removing all the trees from the site could have a devastating effect on their survival.

There should be a 20 metre buffer-zone around the development as there has been for the last 40 years. The buffer-zone can be used as noise buffering, habitat protection for the Cockatoos, a walking/cycling trail around the development, a cultural/historic walking trail incorporating Aboriginal Cultural markers and if needed storm-water swales.

The Council should implement the recommendation included in the 2011 sponsored research (included in the document – The City Of Charles Sturt: Kurna Public Space Recognition and Inclusion, Page 51) that states there is an opportunity to continue the interpretation (of the Port Adelaide Kurna Trail) into the Charles Sturt area. This would involve linking the Cultural / Walking / Cycling trail in the development, along the edge of West Lakes, past Point Misery and linking to the new Port Adelaide Cultural Centre being built.

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The large section of Pine trees (The PINERY) should be protected and not removed. The retention of these trees supports the Council's Tree Canopy Plan.

The development should include a suitable sized water feature and fountains.

A community sports field & playground should be included in the site as there is a distinct lack of these amenities in the Western Suburbs.

Council should not allow any Financial Contribution to be paid for the loss of any Open Space Area within the development.

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No Financial Contribution in lieu of actual Open Space

Open Space to include Buffer Zones - Community Sports Field
Water Feature - the PINERY

Yours sincerely
Lisa

Submission 159

Archived: Wednesday, 23 November 2022 11:20:13 AM

From: [kong family](#)

Sent: Wednesday, 23 November 2022 10:08:02 AM

To: [Jim Gronthos](#)

Cc: [REDACTED]

Subject: West Lakes Residential Mixed Use Draft Code Amendment

Importance: Normal

Sensitivity: None

23 November 2022

John Kong

[REDACTED] Waikiki Court

West Lakes SA5021

Mobile: [REDACTED]

Re: West Lakes Residential Mixed Use Draft Code Amendment

Dear Jim,

*I want the zoning of the development site to be **Waterfront Neighbourhood Zone** which is the same zone as the surrounding neighbourhood.*

Technical and Numerical Variations relating to heights of buildings, etc, should be the same as the existing neighbourhood.

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Open Space to include Buffer Zones - Community Sports Field
Water Feature - the PINERY

Yours sincerely

John

Submission 160

Archived: Wednesday, 23 November 2022 11:28:36 AM

From: [kong family](#)

Sent: Wednesday, 23 November 2022 10:17:09 AM

To: [Jim Gronthos](#)

Cc: [REDACTED]
[REDACTED]
[REDACTED]

Subject: West Lakes Residential Mixed Use Draft Code Amendment

Importance: Normal

Sensitivity: None

23 November 2022

Kevin Kong

[REDACTED] Waikiki Court

West Lakes SA5021

Mobile: [REDACTED]

Re: West Lakes Residential Mixed Use Draft Code Amendment

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Open Space to include Buffer Zones - Community Sports Field
Water Feature - the PINERY

Yours sincerely
Kevin

Submission 161

Archived: Wednesday, 23 November 2022 11:37:25 AM

From: [kong family](#)

Sent: Wednesday, 23 November 2022 10:25:43 AM

To: [Jim Gronthos](#)

Cc: [REDACTED]
[REDACTED]
[REDACTED]

Subject: West Lakes Residential Mixed Use Draft Code Amendment

Importance: Normal

Sensitivity: None

23 November 2022

Ken Kong

[REDACTED] Waikiki Court

West Lakes SA5021

Mobile: [REDACTED]

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Water Feature - the PINERY

Yours sincerely
Ken

Submission 162





The South Australian Ornithological Association Incorporated trading as Birds SA

c/- South Australian Museum, North Terrace, Adelaide SA 5000

Jim Gronthos
City of Charles Sturt
jgronthos@charlessturt.sa.gov.au

23 November 2022

Dear Mr Gronthos

Ref: West Lakes Residential Mixed Use Draft Code Amendment – SA Water site

The South Australian Ornithological Association (Birds SA) is the oldest birding association in Australasia.

Since 1899 we have been dedicated to the conservation and study of Australian native birds. Our membership is over 1,000 strong and we are affiliated with Birdlife Australia with its 10,000 members and 65,000 supporters.

Birds SA is very concerned at the suggestion that valuable habitat and food source amongst the pines and sheoaks on this SA Water site in West Lakes will be removed because this is currently excellent habitat for the beautiful but sadly vulnerable Yellow-tailed Black Cockatoos (*Zanda funerea*). These birds are classified as Vulnerable under the SA National Parks & Wildlife Act, 1972. Huge amounts of their native habitat has been removed across the State and what little remains is incredibly important for their survival as a species in South Australia.

More generally we urged the council to protect all significant trees on this site and recommend that a special value tree assessment be conducted. We are currently facing not only a climate crisis but also a collapse in biodiversity in Australia and we need to retain our existing islands of vegetation as well as expanding into new. New tree planting is of course to be supported but the environmental and ecological value of new plantings can take decades to establish viable biodiversity so preservation is exceptionally valuable.

Please don't hesitate to contact me if you require further information.

Kind regards,

Steven Langley

President, Birds SA

M: [REDACTED]

E: [REDACTED]

Submission 163

Archived: Wednesday, 23 November 2022 4:06:39 PM

From: [Sandra & David Grant](#)

Sent: Wednesday, 23 November 2022 4:04:00 PM

To: [Jim Gronthos](#)

Subject: WEST LAKES RESIDENTIAL MIXED USE DRAFT CODE AMENDMENT

Importance: Normal

Sensitivity: None

from:

SANDRA GRANT

■ MIA COURT

WEST LAKES

SA 5021

phone: M ■■■■■ H ■■■■■

- . AREA TO BE REZONED TO A - "WATERFRONT NEIGHBOURHOOD ZONE"& MIXED USE SUBZONE – RETAIL
- . AREA "NOT" TO BE REZONED URBAN RENEWAL NEIGHBOURHOOD ZONE
- . BUFFER ZONES ROUND THE SITE BOUNDARY
- . NO TRAFFIC ACCESS TO LOCKSIDE DRIVE – have 2 access roads from FREDERICK ROAD into the site
- . INCLUDE COMMUNITY SPORTSFIELD AND PLAYGROUND
- . EXEMPT TREES TO REMAIN
- . HABITAT RESERVE FOR BLACK RARE COCKATOOS
- . RETAINER WALLS NOT PERMITTED
- . CONSIDER RIGHTS OF EXISTING NEIGHBOURS AND THEIR HOMES BEFORE BUILDING THIS MONSTROSITY.

THANK YOU

SANDRA GRANT

.

Submission 164

Archived: Wednesday, 23 November 2022 4:14:08 PM

From: [Sandra & David Grant](#)

Sent: Wednesday, 23 November 2022 4:04:00 PM

To: [Jim Gronthos](#)

Subject: WEST LAKE S RESIDENTIALMIXED USE DRAFT CODE AMENDMENT

Importance: Normal

Sensitivity: None

DAVID GRANT

■ MIA COURT

WEST LAKES

SA 5021

PHONE M; ■■■■■ H ■■■■■

- . AREA TO BE REZONED ' WATERFRONT NEIGHBOUHOOD ZONE & MIXED USE SUB ZONE – RETAIL
- . AREA NOT TO BE REZONED AS URBAN RENEWAL NEIGHBOURHOOD ZONE
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- . NO TRAFFIC ACCESS TO LOCHSIDE DRIVE - HAVE 2 ROADS FROM FREDERICK RD INTO THE DEVELOPMENT
- . INCLUSION OF COMMUNITY SPORTSFIELD N PLAYGROUND
- . TREE MANAGEMENT – LEAVE TREES THERE
- . HABITAT FOR RARE BLACK COCKATOOS
- . HERITAGE RECOGNITION, NO ROAD THRU N NOT REZONED.
- . RETAINER WALLS NOT PERMITTED – TOO DANGEROUS. USE OTHER SOILE RMEDIATIONS.
- . CONSIDER EXISTING NEIGHBOURS AND THEIR HOMES BEFORE PLONKING THIS MONSTROSITY IN OUR BACKYARDS.

THANK YOU

DAVID GRANT

Submission 165

Archived: Thursday, 24 November 2022 9:24:15 AM
From: [PlanSA Submissions](#)
Sent: Wednesday, 23 November 2022 5:24:36 PM
To: [Jim Gronthos](#)
Subject: Public Consultation submission for West Lakes Residential and Mixed Use Code Amendment
Importance: Normal
Sensitivity: None

Jim Gronthos,

Submission Details

Amendment: West Lakes Residential and Mixed Use Code Amendment
Customer type: Member of the public
Given name: Peter
Family name: Dinan
Organisation: Freedom Fitness
Email address: [REDACTED]
Phone number: [REDACTED]
My overall view is: I support the Code Amendment
Comments: I as a business owner support the Amendment as we would like to expand our fitness centre business to this development.
Attachment 1: No file uploaded
Attachment 2: No file uploaded
Attachment 3: No file uploaded
Attachment 4: No file uploaded
Attachment 5: No file uploaded
Sent to proponent email: jgronthos@charlessturt.sa.gov.au

Submission 166

Archived: Thursday, 24 November 2022 9:52:28 AM

From: [Luke & Michelle](#)

Sent: Wednesday, 23 November 2022 5:36:43 PM

To: [Jim Gronthos](#)

Cc: [REDACTED]
[REDACTED]
[REDACTED]

Subject: West Lakes Residential Mixed Use Draft Code Amendment

Importance: Normal

Sensitivity: None

Luke Fearne

[REDACTED] Frome Crescent

West Lakes 5021

Mb [REDACTED]

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There should be no high-rise towers built that will change the character of the neighbourhood.

As there is no public transport passing the site the number of residents being proposed to inhabit this area is unworkable.

The site is NOT in a Major Growth Transport Corridor and therefore medium density housing up to 5-storeys should NOT apply.

Council's own research in 'The Council Assessment of housing yields in their April 2014 Strategic Directions Report' identified significantly less people and housing than depicted in the current proposal. That assessment clearly identified that a future development would 'fit' in with the existing neighbourhood and would not alter the character, number or heights of the surrounding buildings.

The Council should ensure that all data tests, assessments and capacity reports for the proposed utilities are obtained and reviewed independently before any zoning approval is provided.

There should be no new road access into Lochside Drive (or any other surrounding street) as it will cause traffic chaos. There should be two roads from the development onto Frederick Road.

There should be habitat protection for the Vulnerable Listed (SA National Parks & Wildlife Act, 1972 -Schedule 8) Yellow-tailed Black Cockatoos that live in the development site. These birds migrate annually and are already threatened due to habitat destruction. Removing all the trees from the site could have a devastating effect on their survival.

There should be a 20 metre buffer-zone around the development as there has been for the last 40 years. The buffer-zone can be used as noise buffering, habitat protection for the Cockatoos, a walking/cycling trail around the development, a cultural/historic walking trail incorporating Aboriginal Cultural markers and if needed storm-water swales.

The Council should implement the recommendation included in the 2011 sponsored research (included in the document – The City Of Charles Sturt: Kurna Public Space Recognition and Inclusion, Page 51) that states there is an opportunity to continue the interpretation (of the Port Adelaide Kurna Trail) into

the Charles Sturt area. This would involve linking the Cultural / Walking / Cycling trail in the development, along the edge of West Lakes, past Point Misery and linking to the new Port Adelaide Cultural Centre being built.

This Trail could be informative and be similar to other Trails that exist in Port Adelaide and along the Torrens River in Adelaide.

As the development site is in an area that was once surrounded by a large Pine Forest and bounded by the Port River, it has special significance to Aboriginal People who lived, fished and hunted in the area. It is also a known burial location, and whilst no registered Aboriginal site is recorded in the development area, I have been informed that Aboriginal bones, skulls and a hand-drawn map of where these were found in the site, were on public display in the former Administration Building up until approximately 1999.

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Relevant Aboriginal organisations, such as the Kurna Yerta Aboriginal Corporation (KYAC), should be informed of this information by Council so that appropriate measures can be taken to repatriate the remains.

Because of the Aboriginal significance of the area, it should be recognised in an appropriate manner within the development site.

All Significant/Regulated/Exempt trees should not be removed and the development should be designed around them. A Special Value Tree assessment

should be conducted that identifies the Remnant Vegetation in the site as well as those trees that are inhabited by the Vulnerable Cockatoos. These Special Value trees should then be protected and should remain in the boundary Buffer-zones.

The large section of Pine trees (The PINERY) should be protected and not removed. The retention of these trees supports the Council's Tree Canopy Plan.

The development should include a suitable sized water feature and fountains.

A community sports field & playground should be included in the site as there is a distinct lack of these amenities in the Western Suburbs.

Council should not allow any Financial Contribution to be paid for the loss of any Open Space Area within the development.

Open Space should include the buffer-zones, the community sports field, PINERY, water feature and at least 1 other appropriately sized reserve area in the site.

The Heritage listed gardens and two buildings should remain and not be built over (including the placement of a road). This area should not be re-zoned so part of it can be otherwise used.

A Soil Remediation option should not involve 'Capping' and the use of retainer walls (with voids in-between) to raise ground heights should also not be allowed. There are many other options available that would still comply with EPA standards.

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Habitat for Cockatoos - Noise Buffer for Residents - (Stormwater Swales if necessary)

No Traffic Access to Lochside Drive

Traffic Chaos - Have 2 roads from Frederick Road into the development

Inclusion of a Community Sports Field & Playground

Families have to play somewhere - 1km to the nearest sportsground is too far

Tree Management

Significant / Regulated / Exempt trees to remain

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Habitat Reserve for Vulnerable Cockatoos

The Yellow-Tailed Black Cockatoos needs protection

The PINERY needs to be protected - Achieves Urban Tree Canopy Plan

Heritage Recognition

Heritage Gardens to be maintained, no road through it and not re-zoned

The history of Aboriginals living in the area (PINERY / Port River area) must be recognized within the new development

Retainer Wall development that raises Ground Heights (as part of any soil remediation 'Capping' option) should not be permitted

Retainer Walls with 'Voids' are DEATH TRAPS for small children – other soil remediation options are available

No Financial Contribution in lieu of actual Open Space

Open Space to include Buffer Zones - Community Sports Field

Water Feature - the PINERY

Submission 167

Archived: Thursday, 24 November 2022 9:59:11 AM

From: [Michelle Fearn](#)

Sent: Wednesday, 23 November 2022 5:42:16 PM

To: [Jim Gronthos](#)

Cc: [REDACTED]
[REDACTED]
[REDACTED]

Subject: West Lakes Residential Mixed Use Draft Code Amendment

Importance: Normal

Sensitivity: None

Michelle Fearn

[REDACTED] Frome Crescent

West Lakes 5021

Mb [REDACTED]

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Submission 168

Archived: Thursday, 24 November 2022 10:15:15 AM
From: [Mickey Chan](#)
Sent: Wednesday, 23 November 2022 5:46:00 PM
To: [Jim Gronthos](#)
Subject: West Lakes Residential Mixed Use Draft Code Amendment
Importance: Normal
Sensitivity: None

Dear Jim

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Thank you for your attention

Regards

Mickey Chan

 Cooba Way
West Lakes

Phone 

Submission 169

November 23, 2022

Jim Gronthos
City of Charles Sturt
PO Box 1
Woodville SA 5011
Via email: jgronthos@charlessturt.sa.gov.au

Dear Jim

WEST LAKES RESIDENTIAL & MIXED USE CODE AMENDMENT

Background

We act for Duxton Capital (Australia) Pty Ltd ("Duxton").

Duxton's interest in the West Lakes Residential & Mixed Use Code Amendment ("Code Amendment") relates to the Local Heritage Place and in particular the main plant building that forms part of the listing on the Affected Land.

Duxton intend to adapt and reuse the main plant building for the purposes of a hotel.

Duxton has a proven and successful history in repositioning hotels, many of which are heritage listed.

The Code Amendment presents Duxton with a unique opportunity to add to their portfolio of hotels.

The Affected Land is proposed to be rezoned from an Infrastructure Zone to an Urban Renewal Neighbourhood Zone and Mixed Use Transition Subzone.

As a consequence of the Code Amendment, the range of proposed new land uses that could occur in and around the Local Heritage Place will stimulate economic activity, and assist in providing the necessary conditions that are more likely to support new investment and use in the Local Heritage Place.

The Affected Land

The land affected by the proposed Code Amendment is identified in figure 1 comprising Lot 100 and Lot 101, Frederick Road, West Lakes (The Affected Land).

Lot 100 accommodates the Local Heritage Listed (former) Port Adelaide Treatment Works, otherwise known as 16 Frederick Road, West Lakes.

From our observations, the site's original treatment operations have been reduced and consolidated to the southern portion of the site, otherwise within Lot 101.

The containment of the treatment operations and surplus land on separate lots provides a rational boundary for zone changes.

Figure 1 *The Affected Land*



 Local Heritage Place

Code Amendment

The proposed Code Amendment seeks to:

- Retain the treatment operations within the south-east corner of the Affected Area in the Infrastructure Zone;
- Rezone a significant proportion of the remaining land to Urban Renewal Neighbourhood Zone to accommodate a broader range of uses;
- Rezone the remaining balance of the land in the north-eastern corner, including that portion fronting Frederick Road (which accommodates the Local Heritage Place), within a Mixed Use Transition Subzone;
- Retain the Local Heritage Place Overlay for Lot 100;
- Remove the Local Heritage Place Overlay for Lot 101 and instead be subject to the Heritage Adjacency Overlay.

We support the above changes for the following reasons:

- The current zoning for Lot 101 will be retained and protects the land for predominately infrastructure based land use outcomes;
- Lot 100 is surplus to current SA Water infrastructure needs;
- Redevelopment of Lot 101 in the manner depicted in the Concept Plan is cognisant of the lower scale residential interface to the west and the commercial character of Frederick Road;
- The Local Heritage Place will be contained within the Mixed Use Transition Subzone and will be afforded a wide range of potential land uses to enable adaptive reuse;
- Future active uses in the Mixed Use Transition Subzone will:
 - » be located in close proximity to public transport (e.g. bus services to the south along Frederick Road (Stop 34B east and west) along with Stop 35 Old Port Road to the north;
 - » adjoin the bike direct network with dedicated cycle lanes located on Frederick Road;
 - » be linked with the lakefront and associated recreational areas and walking/cycling paths;
- The scale of retailing proposed land is sympathetic and complementary to the Urban Activity Centres of West Lakes, Port Adelaide and Arndale; and
- Appropriate buffers are incorporated between the treatment operation and the more sensitive uses proposed by the Code Amendment.

The Local Heritage Place

The 1995 Heritage Survey describes the Local Heritage Place as:

“An imposing and elegant sewage treatment works complex set in a most attractive garden. Consists of a single storey administration building, a large sewage plant building and associated sewage ponds and water treatment area. The two buildings are constructed of red brick walls with rendered quoins, string courses and plinths and are styled in an early 1930’s InterWare Stripped Classical manner with terracotta tiled roofs. The main plant building is the most notable for the high quality of its design and construction and its robust architectural detailing. The extensive garden is also of note, containing remnants of the original garden, including many mature palm trees.”

The extent of the existing Local Heritage Listing is:

“The original form of the administration building, main plant building and the garden area located between the original administration building and Frederick Road for a distance of 90m to the north and south of the original administration building. Excludes sewage points, all other structures and garden areas to the north, south and fronting Frederick Road.”

While the Code Amendment does not propose to alter the extent of the listing, the Heritage Impact Report prepared by DASH Architects (“DASH”) notes the following:

- Local Heritage listed structures associated with the Treatment Works are located entirely within Lot 100, and stand redundant to current site operations, that have been consolidated within Lot 101. Both land parcels retain a Local Heritage interest, despite Lot 101 containing no heritage place;
- Whilst the Concept Plan shows an indicative roadway running between the two buildings, their spatial relationship will be maintained;

- The listing of the gardens is questioned as the Affected Area was historically located in relatively isolated wetlands. Curated landscapes were neither needed, nor considered necessary at the time of the treatment plant construction;
- While the palms may have aesthetic or landscape value, the heritage investigations do not consider them to have any heritage value associated with the Treatment Works; and
- The Local Heritage Place remains within the Local Heritage Place Overlay and the treatment operation is contained within a Heritage Adjacency Overlay.

We support the conclusions of DASH that relate specifically to the Local Heritage Place, in that:

- The Code Amendment seeks to rezone this otherwise underutilised land, providing a greater range of permissible uses for both the heritage place, and surrounding land;
- This change is considered to have a positive impact on the Local Heritage Places on the site, significantly improving the likelihood of the ongoing use and care for these currently vacant and redundant facilities;
- The change of Lot 101 to a Heritage Adjacency Overlay is consistent with the site conditions, namely that the heritage place is located on the adjacent site (Lot 100); and
- The rezoning of the Affected Area would have a positive impact to the Local Heritage places, as it will enable a wider variety of adaptive land uses for the buildings.

Other General Observations

Whilst we have reviewed the proposed Code Amendment policy in regard to Duxton's intention to adapt and reuse the main plant building for the purposes of a hotel, we provide the following additional comments:

- The proposed Concept Plan and maximum building height TNVs will not result in development that will be detrimental to the heritage and cultural values of the Local Heritage Place;
- The existing policy contained within the Local Heritage Place Overlay provides sufficient assessment criteria to ensure that the Local Heritage Place can be adapted for the purposes of a hotel;
- The proposed Mixed Use Transition Subzone of the Urban Renewal Zone will encourage local services and facilities to be developed within walking distance of anticipated future residential development;
- The rezoning of the Affected Area is not considered to have a detrimental impact on the existing economic viability of employment uses in the adjoining Strategic Employment Zone on the opposite of Frederick Road;
- The Code Amendment will generate additional residential population that in itself will generate demands for local services within the Mixed Use Transition Zone;
- The Affected Area is suitably supported by existing social infrastructure and is within close proximity to numerous educational, child-care, retail and medical facilities;
- The recommended retail floor area and other recommended uses on the Affected Area will have little, or no overall effect on, the large Port Adelaide and West Lakes centres or the smaller nodes on Tapleys Hill Road;
- The Code Amendment appropriately manages the adjoining Waterfront Neighbourhood Zone interface in terms of building height; and

- The Code Amendment will increase the provision of public open space and introduce the Urban Tree Canopy Overlay which will enhance the amenity of the locality.

Conclusion

The proposed Code Amendment will contain the treatment operations and surplus land on separate lots to provide a rational boundary for zone changes.

The proposed Concept Plan and maximum building height TNVs appropriately manage the adjoining Waterfront Neighbourhood Zone interface and will not be detrimental to the heritage and cultural values of the Local Heritage Place.

The proposed Code Amendment will stimulate economic activity, and assist in providing the necessary conditions that will support Duxton's investment and use in the Local Heritage Place (i.e. main plant building).

For these and other reasons, Duxton supports the Code Amendment however recognises that the listing of the gardens located between the main plant building and Frederick Road is questioned as part of the heritage investigations and cannot be altered through this process.

Yours sincerely,

A handwritten signature in black ink that reads 'Chris Vounasis'.

Chris Vounasis
Managing Director

Submission 170

Archived: Thursday, 24 November 2022 10:30:55 AM
From: [Greg Bartlett](#)
Sent: Wednesday, 23 November 2022 8:26:56 PM
To: [Jim Gronthos](#)
Subject: West Lakes Residential Mixed Use Draft Code Amendment
Importance: Normal
Sensitivity: None

❓
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Dear Mr Gronthos

My name is Chantelle Bartlett and my husband and I live at [REDACTED] Hawaii Court, West Lakes, directly across the water from Eildon Park.

We have major concerns that our view we currently have, a beautiful open space reserve, could turn into an eye sore in the future. We didn't purchase the land and build 6 years ago thinking we could possibly be looking at a multi storied apartment block.

Could the following points be seriously considered as it is unfair for residents to now be faced with the prospect of multi storied dwellings in an area that is not equipped to cope with such an increase.

It is inevitable that the site is going to be developed but how it is going to be developed is the concern.

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Significant / Regulated / Exempt trees to remain
A Special Value Tree Assessment must be conducted

Habitat Reserve for Vulnerable Cockatoos

The Yellow-Tailed Black Cockatoos needs protection
The PINERY needs to be protected - Achieves Urban Tree Canopy Plan

Heritage Recognition

Heritage Gardens to be maintained, no road through it and not re-zoned
The history of Aboriginals living in the area (PINERY / Port River area) must be recognized within the new development

Retainer Wall development that raises Ground Heights (as part of any soil remediation 'Capping' option) should not be permitted

Retainer Walls with 'Voids' are DEATH TRAPS for small children – other soil remediation options are available

No Financial Contribution in lieu of actual Open Space

Open Space to include Buffer Zones - Community Sports Field
Water Feature - the PINERY

I hope the Council can take into consideration residents point of view and be fair and reasonable with what is approved for development.

Thank you

Regards

Chantelle Bartlett
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Ph.



Sent from my iPhone