

EPA's response to the 14 February 2013 *Indaily* article about Port Adelaide development proposals



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In response to an article that appeared in *Indaily* on 14 February that stated that the EPA had changed its position in relation to residential development proposals close to existing industry in the Port Adelaide area, the EPA provides the following clarification.

The EPA continues to express concern to planning authorities (including Port Adelaide Enfield Council) across South Australia about potential air quality risks and noise impacts associated with proposed residential development located closer to existing industry than the EPA's advisory separation distances for such industries. Only where a proponent is able to provide substantial technical justification for allowing lesser separation distances does the EPA provide conditional support for such proposals.

The proposed development at Port Adelaide, which forms the basis for the *Indaily* article, involves redevelopment of heritage listed Woolstore into a mixed use development comprising a restaurant, bar and bowling alley on the ground floor, classic car storage and art studio on the first floor, and 10 residential apartments on the second floor. The proposed development is very different to other developments in the area that have been referred to the EPA. Note that all applications are assessed individually and for a range of environmental issues such as air and noise quality, site contamination, waste and water quality.

There is no legal requirement under the *Development Regulations 2008* for such a development application to be referred to the EPA for assessment purposes despite it being located within 230 metres of a chemical storage and mixing facility at Port Adelaide (the EPA's advisory separation distance is 500 metres between residential developments and such a facility). With such a development, the EPA would also take into consideration air quality impacts from other sources in the area.

When contacted by the Port Adelaide Enfield Council's Senior Planning Officer in November 2012 to provide informal advice on this development application, the EPA's email response highlighted that:

- The proposed development was in close proximity to many industries and the same concerns that the EPA had expressed in relation to the proposed Dock One land division in 2010 also applied to this proposal.
- One industry, Incitec Pivot, is licensed under the *Environment Protection Act 1993* to operate a fertiliser storage and mixing facility which includes the storage and blending of ammonium nitrate and calcium carbonate with other fertilisers to meet the requirements of particular farmers.

SafeWork SA is the appropriate licensing authority in regard to hazardous substances and explosive risks with chemical storage and mixing. These matters would also need to be considered for any proposed development in the area.

EPA staff met with the applicant and their planning consultant in January 2013 and received a package of information about the application in an attempt to have the EPA provide written support for the proposed development prior to any final Port Adelaide Enfield Council

consideration of the application. EPA staff subsequently informed the applicant's planning consultant that no such correspondence would be provided as the EPA was not supportive of the proposal given its close proximity to existing industries, including Incitec Pivot.

EPA provided advice on the Dock One land division application at Port Adelaide in 2010 that related to ambient air quality impacts associated from various sources. EPA concerns associated with that advice is unchanged and have advised (informally) as such.

The development referred to in the *Indaily* article is not an application that is required to be formally referred to the EPA. It is also relevant that air quality and land quality issues relevant to recent applications in this area, and issues relating to development, be discussed with Renewal SA, SafeWork SA, the council and other government colleagues. This is not solely a matter for EPA, especially where we only have an advisory role. It is ultimately for others to determine applications.

The EPA was contacted by *Indaily* on Tuesday, 12 February to provide a response to questions regarding this proposed development. A detailed response was provided to the journalist the same day, much of which is included above. The journalist from *Indaily* was obviously not satisfied with the response provided and sent a further email.

The EPA maintains a commitment to responding to all journalists requests in a timely and accurate manner and therefore it is disappointing that this journalist has chosen not to report the response provided.

The EPA is supportive of compliant development across SA and will continue to work with the relevant development partners, local government and state government departments to facilitate positive outcomes.

For further information, please contact:

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