



Development Assessment Commission

Minutes of the 529th Meeting of the Development Assessment Commission held on Thursday, 24 September 2015 commencing at 10.00 AM 28 Leigh Street, Adelaide

1. OPENING

1.1. PRESENT

Members	Helen Dyer (Deputy Presiding Member) Chris Branford Peter Dungey Sue Crafter David O'Loughlin Dennis Mutton
Secretary	Sara Zuidland
Principal Planner	Mark Adcock
DPTI Staff	Nitsan Taylor (Agenda Item 3.1) Simon Neldner (Agenda Item 6.1)

1.2. APOLOGIES – Simone Fogarty (Presiding Member)

2. DEFERRED APPLICATIONS – Nil.

3. NEW APPLICATIONS

3.1 Royal Park No. 1 Pty Ltd

DA 252/E027/15

**Land bounded by North Parade, Frederick Road, Crighton Avenue and
Arnold Street, Royal Park**

City of Charles Sturt Council

Proposal: Construction of 73 dwellings and associated internal roadway and communal open space, removal of four (4) regulated trees and land division

Helen Dyer declared a conflict of interest and was not present for the hearing of this item. David O'Loughlin was not present for the hearing of this item.

The Commission appointed Chris Branford to act as Presiding member for this item.

The acting Presiding Member welcomed the following people to address the Commission:

Applicant(s)

- Michael Richardson – Masterplan
- Tony Scott – Rivergum Homes
- Paul Froggatt - GTA

The Commission discussed the application.

RESOLVED

- 1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
- 2) RESOLVE to GRANT Development Plan Consent to development application 252/E027/15 by Royal Park No1 Pty Ltd for the construction of 73 dwellings (14 detached dwellings; 39 group dwellings; and 20 dwellings located in five (5) residential flat buildings) and associated internal roadway, communal open space, removal of four (4) regulated trees, car parking and site works at 17-35 Crighton Avenue and 31-40 North Parade, Royal Park, subject to the following conditions and advisory notes:

Planning Conditions

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and following plans submitted in Development Application No 252/E027/15.

Rivergum Homes

The Boulevard – Royal Park, Lodgement Package, received 17 June 2015

Dwelling Typologies Plan, received 17 June 2015

Built Form Extent – Ground Floor, received 17 June 2015

Built Form Extent – First Floor, received 17 June 2015

Built Form Extent – Second Floor, received 17 June 2015

Roof Form – Plan View, received 17 June 2015

Types A & B Dwelling Floorplans, received 17 June 2015

Types C & D Dwelling Floorplans, received 17 June 2015

Dwelling Type D2, PRE-0249 Sheet 10 of 10, dated 9 September 2015

Type E Dwelling Floorplans, received 17 June 2015

Type F Dwelling Floorplans, received 17 June 2015

Internal Elevations, PRE-0249 Sheet 9 of 9, dated 28 May 2015

Streetscapes, PRE0249-2015.05.19.dwg, 15/09/15, received 16 September 2015

Cross Sections, PRE0249-2015.05.19.dwg, 15/09/15, received 16 September 2015

Streetscape Reference Plan, PRE0249-2015.05.19.dwg, 15/09/15, received 16 September 2015

Masterplan

Planning Report, Ref. 1419REP01, dated June 2015

Outer Space

Landscape Concept Plan, Ref. OS444, Dwg. No. LP01 Sheet 1 of 2, dated 04/15

Landscape Concept Planting Palette, Ref. OS444, Dwg. No. LP01 Sheet 2 of 2, dated 04/15

GTA

Transport Impact Assessment, Ref. 15A1017000, dated 09/06/15

Arborman Tree Solutions

Tree Report ATS2810-WesBdFreRdVsp V3, dated 12 June 2015

FMG

Stormwater Management Plan, Job No. S19707-225684 Rev. 2, dated 12 June 2015

2. That a waste management plan that is consistent with Council's Residential Waste and Recycling Guidelines:
http://www.charlessturt.sa.gov.au/webdata/resources/files/Residential_Waste_andRecycling_Guidelines_for_New_Developments.pdf shall be prepared and endorsed by Council prior to Development Approval being granted.
3. That a stormwater and site management plan and computations shall be prepared and submitted to the City of Charles Sturt prior to building rules consent being granted. The stormwater management plan shall be prepared in accordance with Council's 'Development Information Guide No. 56 Stormwater Management Plan'.
4. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road.
5. That the side and rear upper storey windows of Dwelling Types A, B, C, Cb, E and F shall have a minimum 1.5 metre high sill height above the finished floor level or have translucent glass/film to a minimum height of 1.5 metres. The translucent glass/film windows shall be fixed or be provided with awning sashes that do not exceed an open distance of 125mm.

Note: Other forms of screening can be used as long as it can be demonstrated to the DAC that such screening will prevent overlooking. However, should you wish to use an alternative screening method you are required to lodge an application to vary the above condition.

6. That appropriate noise attenuation measures shall be undertaken for the dwellings fronting Frederick Road and North Parade/West Lakes Boulevard to minimise disturbance from traffic noise.
7. That all external lighting of the site, including car parking areas and buildings, shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.
8. That prior to Council's waste service being provided to the land or the dwellings on the land being occupied, an indemnity from the Community Corporation/Strata Corporation must be provided to Council indemnifying Council and its waste contractor in respect of the waste collection service provided to the land.

Note: Please be advised that if such an indemnity is not provided then Council's waste service cannot be provided to the development.

9. That the collection of waste service must occur within the area indicated as the waste collection area on the approved Waste Management Plan. The area indicated on the Waste Management Plan as a waste collection area must be kept clear and unrestricted at all times with suitable signage installed to this effect.
10. That the common driveway shall be constructed to allow for access and turning of 8.8. metre long waste collection vehicles used by Council.
11. That the access points servicing the internal roads shall be constructed in accordance with Rivergum Homes, Built Form Extent – Ground Floor, Sheet 20.
12. That the redundant crossovers along Frederick Road shall be closed and reinstated to Council's satisfaction at the applicant's cost prior to habitation of the dwellings.
13. That the carparking area associated with this proposal shall be developed in accordance with the following requirements;
 - i. All car parking spaces, driveways and associated manoeuvring areas shall be sealed in bitumen, concrete or brick pavers prior to occupation of the proposed development.
 - ii. The proposed car parking layout and access areas are to conform with the Australian Standards 2890.1 for Off-Street Parking Facilities
 - iii. That all parking areas be marked, to delineate the parking spaces, prior to the occupation of the proposed development in accordance with the relevant Australian Standard AS 1742.
 - iv. A sign with the message 'visitor car parking', having an advertising area not exceeding 0.2 square metres, shall be erected at the car park entry and shall be maintained in good condition at all times.
 - v. Wheel stopping devices constructed as per Australian Standard AS 2890.1.
14. That the landscaping shown on the plans forming part of the application shall be established prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.
15. That the level of the driveway at the property boundary with a public road must match the existing footpath level or allow for the construction of a footpath, which is compliant with the Disability Discrimination Act.
16. That the Tree Protection Zones proposed in the Arborman Tree Solutions Report dated 12 June 2015 for Trees 6 & 7 shall be fenced before any works commence on site. The fence shall be constructed from 1.8 metre high steel mesh panels, which will be 2.5 metres in width. The panels shall be inserted in temporary concrete base blocks and the posts at the top shall be clamped.
17. That an appropriate Construction Environment Management Plan (CEMP) which addresses the mitigation or minimisation of impacts (especially from noise and dust) during the construction phase shall be prepared and implemented. Dust generated by machinery and vehicular movement during site works, and any open stockpiling of soil or building materials at the site, must be suppressed to ensure that dust generation does not become a nuisance off-site. Site development machinery should generally not be operated outside the hours of 7 AM to 6 PM daily.

18. That an appropriate Soil Erosion and Drainage Management Plan (SEDMP) (as described in the "Stormwater Pollution Control, General Code of Practice for Local, State and Federal Government") shall be prepared and implemented which includes a range of strategies to collect, treat, store and dispose of stormwater during construction and from the final form of the development (i.e. from roofs, driveways, parking areas, lawns, etc) while minimising disposal into the environment.

Advisory Notes

- a. The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- b. The applicant is also advised that any act or work authorised or required by this Notification must be completed within 3 years of the date of the Notification unless this period is extended by the Commission.
- c. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.
- d. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- e. Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which this notice is received or such longer time as the Court may allow.
- f. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
- g. City of Charles Sturt's 'Development Information Guide 56 - Stormwater Management Plan' is available from Council's website - http://www.charlessturt.sa.gov.au/webdata/resources/files/Development_Information_Guide_56_-_Stormwater_Management_Plan.pdf or can be obtained from Council's office. Note that Guide 56 includes requirements for on-site stormwater detention based on the post development peak rate of run-off from the 'design' storm not exceeding that from the pre-development site from a 5 year ARI storm. The 'design' storm requirement is a 100 year ARI storm
- h. The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure the activities on the site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm. This includes being mindful of and minimising off site noise, dust and vibration impacts associated with development.
- i. Construction noise can cause nuisance to nearby residents and therefore activities which include the operation of machinery need to be restricted to between 7.00am and 7.00pm Monday to Saturday and if necessary on Sunday between 9.00am and 7.00pm to minimise potential for noise complaints.
- j. Construction must be undertaken in accordance with Division 1 of Part 6 of the Environment Protection (Noise) Policy 2007 at all times.

- k. This consent does NOT imply approval to alter, shift or remove any street tree, side entry pit, stobie pole, light pole, bus stop, fire hydrant or other gas, electricity, water, telecommunications or other similar infrastructure. Approval to alter any of these or similar infrastructure needs to be obtained from the relevant government department, private organisation or Council. This includes any proposal to reconstruct footpath and road pavement in Crighton Avenue and Arnold Street to accommodate vehicle access driveways. Any costs associated with such alteration are the responsibility of the applicant.
- l. You are advised that construction of any footpath, kerb, gutter or crossover on Council land will require a permit from Council's Engineering and Construction Department. It is illegal to undertake work on Council land without permission.
- m. An Application for a Permit for Footpath Encroachment shall be submitted for each separate encroachment over public land. Each legal entity to which ownership of an encroaching structure can be attributed requires a separate permit. Structures that encroach over the public road reserve must have a height clearance of at least 3.0 metres above a footpath, and at least 4.6 metres above a public roadway.
- n. Should any part of the development process require use of public land (ie, the footpath, nature strip, road or other reserve), additional permits will be required. Examples of such activities include storage of materials, delivery of materials from public land, placing of temporary fences on public land, blocking of the road, footpath or nature strip for any period of time.
- o. No additional signs shall be displayed upon the subject land other than those identifying the parking area access points and those shown on the approved plans. If any further signs are required, these shall be the subject of a separate application.

4. ADJOURN TO INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE

5. MAJOR DEVELOPMENTS – Nil.

6. ANY OTHER BUSINESS –

6.1. Correspondence – Victor Harbor Council

RESOLVED

That in response to correspondence from the Victor Harbor Council dated 13 August 2015 in relation to DAC 453/D010/14, the Council be advised that the Commission does not consider it appropriate to review a statutory decision previously made, but would consider a new or amended application.

6.2. Briefing - Port Augusta Renewable Energy Park – DP Energy

David O'Loughlin was not present for the hearing of this item.

RESOLVED that the briefing be received and noted.

7. NEXT MEETING – TIME/DATE

7.1. Thursday, 1 October 2015 at Leigh Street, Adelaide SA

8. CONFIRMATION OF THE MINUTES OF THE MEETING

8.1. **RESOLVED** that the Minutes of this meeting held today be confirmed.

9. MEETING CLOSE

The Presiding Member thanked all in attendance and closed the meeting at 4.30PM

Confirmed 24/09/2015

Helen R. Dyer

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Helen Dyer
DEPUTY PRESIDING MEMBER