

Development Plan Amendment

By the Council


Devon Park Residential DPA

The Amendment

Charles Sturt Council

For Approval

Approved by the Minister responsible for the administration of the
Development Act 1993 pursuant to Section 25 (18), of the
Development Act 1993.


.....
Minister's Signature

31 JUL 2014

Date.....

| Amendment Instructions Table | | | | | |
|--|------------------|--|---|-------------------------------|---|
| Name of Local Government Area: City of Charles Sturt | | | | | |
| Name of Development Plan: Charles Sturt Council Development Plan | | | | | |
| Name of DPA: Devon Park Residential Development Plan Amendment | | | | | |
| <p><i>The following amendment instructions at the time of drafting relate to the Charles Sturt Council Development Plan consolidated on 15 May 2014.</i></p> <p><i>Where amendments to this Development Plan have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.</i></p> | | | | | |
| Amendment Instruction Number | Method of Change | Detail what is to be replaced or deleted or detail where new policy is to be inserted. | Detail what material is to be inserted (if applicable, i.e., use for <u>Insert</u> or <u>Replace</u> methods of change only). | Is Renumbering required (Y/N) | Subsequent Policy cross-references requiring update (Y/N) if yes please specify. |
| COUNCIL WIDE / GENERAL SECTION PROVISIONS (including figures and illustrations contained in the text) | | | | | |
| Amendments required (Yes/No): No | | | | | |
| ZONE AND/OR POLICY AREA AND/OR PRECINCT PROVISIONS (including figures and illustrations contained in the text) | | | | | |
| Amendments required (Yes/No): Yes | | | | | |
| Industry Zone | | | | | |
| 1. | Delete | Desired Character Statement for Precinct 27 Devon Park | | N | Y Update numbering and cross references to all precincts from 28 to 82 inclusive |
| 2. | Delete | Principles of Development Control 51 to 54 inclusive, including heading 'Precinct 27 Devon Park' | | Y | Y Update numbering and cross references to all precincts from 28 to 82 inclusive |

Devon Park Residential Development Plan Amendment
Charles Sturt Council
Amendment Instructions Table

| Residential Zone | | | | | |
|-------------------------------|--------|--|---|---|--|
| Medium Density Policy Area 20 | | | | | |
| 3. | Insert | In the first paragraph of the Desired Character Statement, following the text <i>"Buildings of up to two storeys in height are appropriate, with three storey buildings appropriate in the middle of the policy area, adjacent the Neighbourhood Centre Zone – Findon Policy Area 10 and at least 30 metres away from housing in other policy areas of the Residential Zone"</i> | <i>"... , and in accordance with the Devon Park Medium Density Redevelopment Site Concept Plan Map ChSt/26"</i> | N | |
| 4. | Insert | Immediately following the last sentence in the Desired Character statement | Contents of Attachment A | N | |
| 5. | Insert | At the end of Principle of Development Control 2 | <i>'... except within the Devon Park Medium Density Redevelopment Site Concept Plan Map ChSt/26.'</i> | N | |
| 6. | Insert | At the beginning of Principle of Development Control 3 | <i>'Unless located within the Devon Park Medium Density Redevelopment Site Concept Plan Map ChSt/26 ...'</i> | N | |
| 7. | Insert | Following Principle of Development Control 4 | Contents of Attachment B | N | |

| TABLES | | | | | |
|--|---------|--|--|---|---|
| Amendments required (Yes/No): No | | | | | |
| MAPPING (Structure Plans, Overlays, Enlargements, Zone Maps, Policy Area & Precinct Maps) | | | | | |
| Amendments required (Yes/No): Yes | | | | | |
| Map Reference Table | | | | | |
| 8. | Delete | Reference to Precinct 27 Devon Park ChSt/16 | | N | Y Update numbering and cross references to all precincts from 28 to 82 inclusive |
| 9. | Insert | Following reference to Map ChSt/23 | 'Devon Park Medium Density Redevelopment Site Concept Plan Map ChSt/246' | N | N |
| Map(s) | | | | | |
| 10. | Replace | Council Index Map, with: | Revised Council Index Map Refer Attachment C | N | N |
| 11. | Replace | Overlay Map ChSt/1 Development Constraints, with: | Revised Overlay Map ChSt/1 Development Constraints Refer Attachment C | N | N |
| 12. | Replace | Overlay Map ChSt/16 Development Constraints, with: | Revised Overlay Map ChSt/16 Development Constraints Refer Attachment C | N | N |
| 13. | Replace | Overlay Map ChSt/16 Noise and Air Emissions | Revised Overlay Map ChSt/16 Noise and Air Emissions Refer Attachment C | N | N |
| 14. | Replace | Overlay Map ChSt/16 Affordable Housing | Revised Overlay Map ChSt/16 Affordable Housing Refer Attachment C | N | N |
| 15. | Replace | Zone Map ChSt/16 | Revised Zone Map ChSt/16 Refer Attachment C | N | N |
| 16. | Replace | Policy Area Map ChSt/16 | Revised Policy Area Map ChSt/16 Refer Attachment C | N | N |
| 17. | Replace | Precinct Map ChSt/16 | Revised Precinct Map ChSt/16 Refer Attachment C | N | N |
| 18. | Insert | Following Map ChSt/23 | Devon Park Medium Density Redevelopment Site Concept Plan Map ChSt/246 Refer Attachment D | N | N |

ATTACHMENT A

In Devon Park, within the area identified in [Concept Plan ChSt/24 – Devon Park Medium Density Redevelopment Site](#), redevelopment shall be undertaken in a coordinated manner in accordance with the Concept Plan. The site, formerly used for industrial purposes, is proposed to be replaced with medium density housing after, where necessary, the proper remediation (in accordance with an appropriate remediation management plan) of potentially contaminated land is carried out to ensure land is suitable for the intended use.

Stormwater management and water sensitive urban design initiatives would need to consider potential contamination at the site to avoid mobilisation of contaminants and to protect receiving waters from water quality impacts associated with urban stormwater runoff.

Dwellings and residential flat buildings of up to three storeys will be developed where an appropriate transition is provided at the interface with adjoining residential land and industrial areas. The interface between the redevelopment site and adjoining areas should be well managed, with particular regard to the visual impact of new buildings, residential character, overlooking and overshadowing. Overlooking of the adjoining industrial area will be minimised by the appropriate siting of windows and ground level private open space. The potential noise and air emission impacts from the nearby rail corridor, sportsground and industrial land uses should be managed through appropriate fencing, orientation of buildings and further suitable design treatments.

Development will result in a number of smaller buildings rather than fewer larger buildings to provide appropriate landscaped open space and to allow for pedestrian and vehicle access between buildings. Redevelopment of the Devon Park redevelopment site should be outward-facing, with housing fronting open spaces and roads, minimising side and rear fences to public spaces, except where the development is opposite the existing industrial land on Alexander Avenue (north of the site), where development should be designed inwards, with an articulated rear façade, ground level private open space and tall landscaping.

Well-designed pedestrian links through the site, connecting the Sportsground to the rail corridor and to existing residential areas, should be provided for the benefit of future residents as well as existing residents adjoining the site. These links should be of a size and dimension to encourage passive recreation, allow for street furniture and ensure pedestrian safety.

The site should be serviced by an internal road through the redevelopment site, with vehicle access points limited to those identified by the Concept Plan. Direct driveway access should be encouraged to the rear of housing, minimising the number of driveway access points to Bolingbroke Avenue, Alexander Avenue and Exeter Terrace. The design of the internal driveway access points identified by the Concept Plan should ensure safe and convenient movement. The internal driveway access onto Alexander Avenue should be designed in a manner to maximise separation distances from the existing crossovers associated with the existing industrial land on Alexander Avenue (north of the site).

Localised public open space should be provided for the purposes of protecting a majority of significant trees on the site as well as for local residential amenity, with solid fences to the boundary of open space minimised. The areas of public open space will be in addition to the private open space areas of each dwelling. Development should be designed to protect significant trees located on the site not located within local public open space. Additional landscaping will take place along the northern edge of the site to reduce overlooking into the existing industrial area north of the site.

ATTACHMENT B

- 5 In Devon Park, in the area shown on [Concept Plan Map ChSt/24 – Devon Park Medium Density Redevelopment Site](#), the following applies:
- (a) Development should be carried out in accordance with [Concept Plan Map ChSt/24 - Devon Park Medium Density Redevelopment Site](#).
 - (b) Residential development should not be developed until the site has been assessed and remediated as necessary to ensure that it is suitable for the proposed use.
 - (c) The site should be serviced by an internal roadway with a primary access located opposite the industrial area on Alexander Avenue and designed to minimise conflict with the entry and exit of industrial vehicles from the nearby industrial area on the north side of Alexander Avenue. A secondary access should be provided from Exeter Terrace.
 - (d) Additional driveway access off of Bolingbroke Avenue, Alexander Avenue and Exeter Terrace should be avoided, with vehicle access provided from an internal roadway.
 - (e) Dwellings shall provide a high level of design, with innovative and articulated facades where visible from the adjoining road network.
 - (f) For each dwelling, the maximum width (including the width of any support structure) of any garage or carport opening that faces a street, should be no greater than 6 metres or 50 per cent of the frontage width, whichever is the lesser. Garage or carport openings wider than these standards are inappropriate, except where any of the following apply:
 - (i) a site has rear vehicular access and from which vehicular access is obtained, in which case no maximum width applies
 - (ii) a site has a frontage of less than 12 metres and the dwelling is 2 or more storeys in height and incorporates protrusions such as verandahs, projecting windows, porches, balconies etc which provide articulation in the building as it presents to the street, in which case garages or carports should have a maximum width of 6 metres or 80 per cent of the frontage width, whichever is the lesser.
 - (g) For 2 and 3 storey components of buildings, the rear setback distance should only be reduced to not less than 3 metres where it can be demonstrated that all of the following can be achieved:
 - (i) solar access for adjoining properties will be maintained
 - (ii) there will be minimal loss of visual and acoustic privacy for future residents
 - (iii) direct overlooking of private open space areas of any adjoining sites from upper level living rooms will be avoided
 - (iv) adequate private open space will be available.
 - (h) Where allotments have direct frontage to a public reserve:
 - (i) rear vehicular access should be available to the allotments
 - (ii) dwellings should be at least 2 storeys in height

- (iii) buildings should be orientated to provide passive surveillance from habitable rooms towards the reserve.
- (i) Site layout and building design should protect sunlight access to public spaces.
- (j) Dwelling setbacks should be in accordance with the following parameters:

| Parameter | Value |
|---|-------------|
| Minimum setback from Alexander and Bolingbroke Avenues for up to two storeys | 5 metres |
| Minimum setback from Alexander and Bolingbroke Avenues for three storeys | 6 metres |
| Minimum setback from Exeter Terrace for up to two storeys. An additional setback may be required for clearances to electricity infrastructure | 3 metres |
| Minimum setback from Exeter Terrace for three storeys | 5 metres |
| Minimum setback from the southern boundary identified on Concept Plan Map ChSt/24 – Devon Park Medium Density Redevelopment Site for up to two storeys, except where adjoining the boundary of a dwelling on the southern boundary | 3 metres |
| Minimum setback from the southern boundary identified on Concept Plan Map ChSt/24 – Devon Park Medium Density Redevelopment Site for three storeys, except where adjoining the boundary of a dwelling on the southern boundary. A lesser setback may be appropriate where an allotment is designed with public reserve frontage, rear vehicular access and protection of sunlight access to public spaces | 8 metres |
| Minimum setback from the boundary of a dwelling on the southern boundary identified on Concept Plan Map ChSt/24 – Devon Park Medium Density Redevelopment Site for single storey | 3 metres |
| Minimum setback from the boundary of a dwelling on the southern boundary identified on Concept Plan Map ChSt/24 – Devon Park Medium Density Redevelopment Site for two storeys | 8 metres |
| Minimum setback from the boundary of a dwelling on the southern boundary identified on Concept Plan Map ChSt/24 – Devon Park Medium Density Redevelopment Site for three storeys | 16.5 metres |

ATTACHMENT C

Council Index Map

Overlay Map ChSt/1 Development Constraints

Overlay Map ChSt/16 Development Constraints

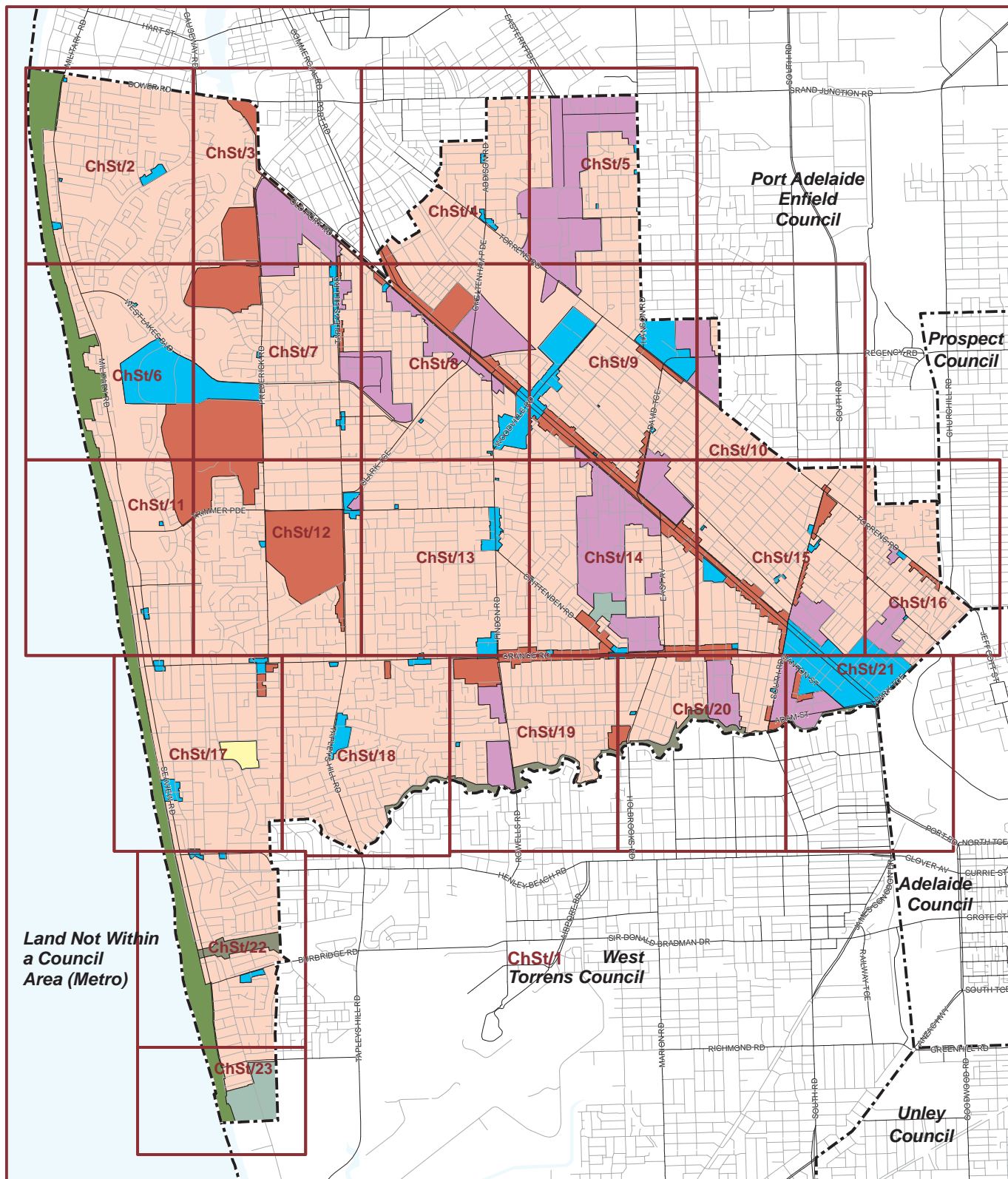
Overlay Map ChSt/16 Noise and Air Emissions

Overlay Map ChSt/16 Affordable Housing

Zone Map ChSt/16

Policy Area Map ChSt/16

Precinct Map ChSt/16



For the purposes of the Development Plan unless otherwise clearly indicated, the zone/policy area/precinct boundaries depicted on or intended to be fixed by Maps ChSt/1 to Map ChSt/24 inclusive shall be read as conforming in all respects (as the case may require) to the land division boundaries, to the centre line of roads or drain reserves or to the title boundaries, or to imaginary straight lines joining the positions defined by survey or by the measurements shown on the said maps against which the said zone/policy area/precinct boundaries are shown or otherwise indicated.

0



Council Index Map

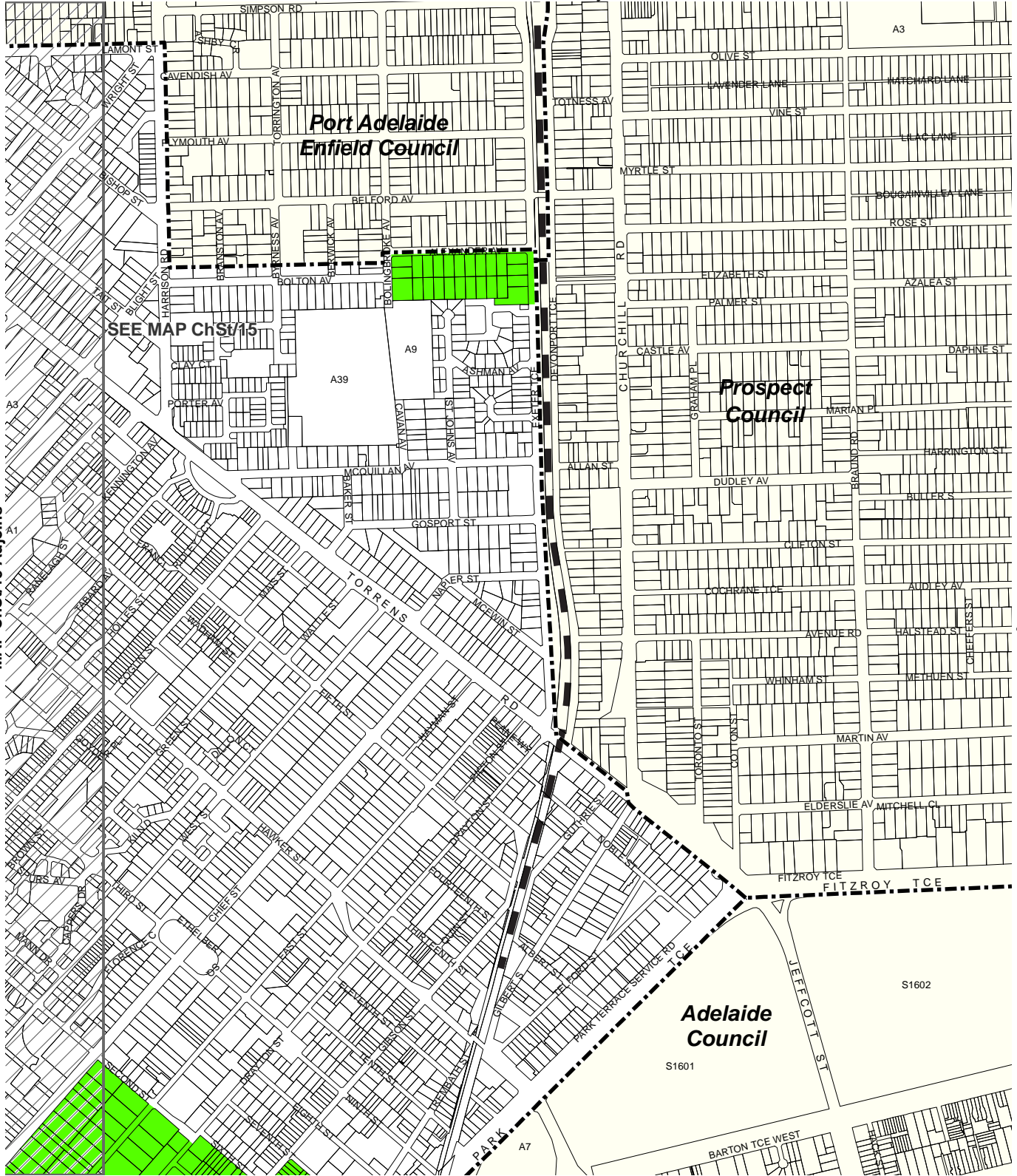


Overlay Map ChSt/1

DEVELOPMENT CONSTRAINTS

CHARLES STURT COUNCIL

MAP ChSt/1 Adjoins



SEE MAP ChSt/15

Prospect Council

Adelaide Council

MAP ChSt/21 Adjoins

MAP ChSt/1 Adjoins



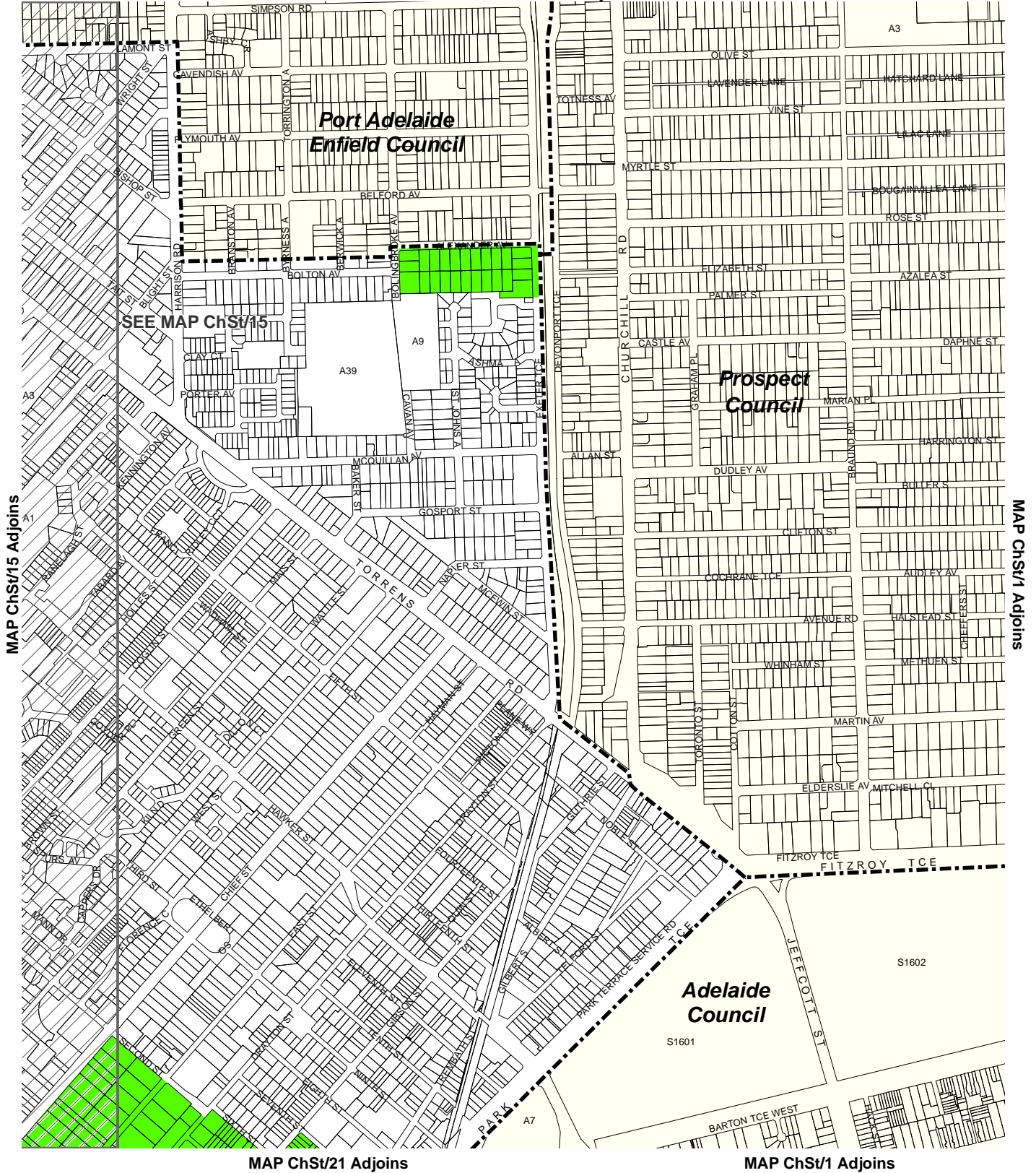
- Train Line
- Noise and Air Emissions Designated Area
- Development Plan Boundary

Overlay Map ChSt/16

NOISE AND AIR EMISSIONS

CHARLES STURT COUNCIL


MAP ChSt/1 Adjoins



Overlay Map ChSt/16

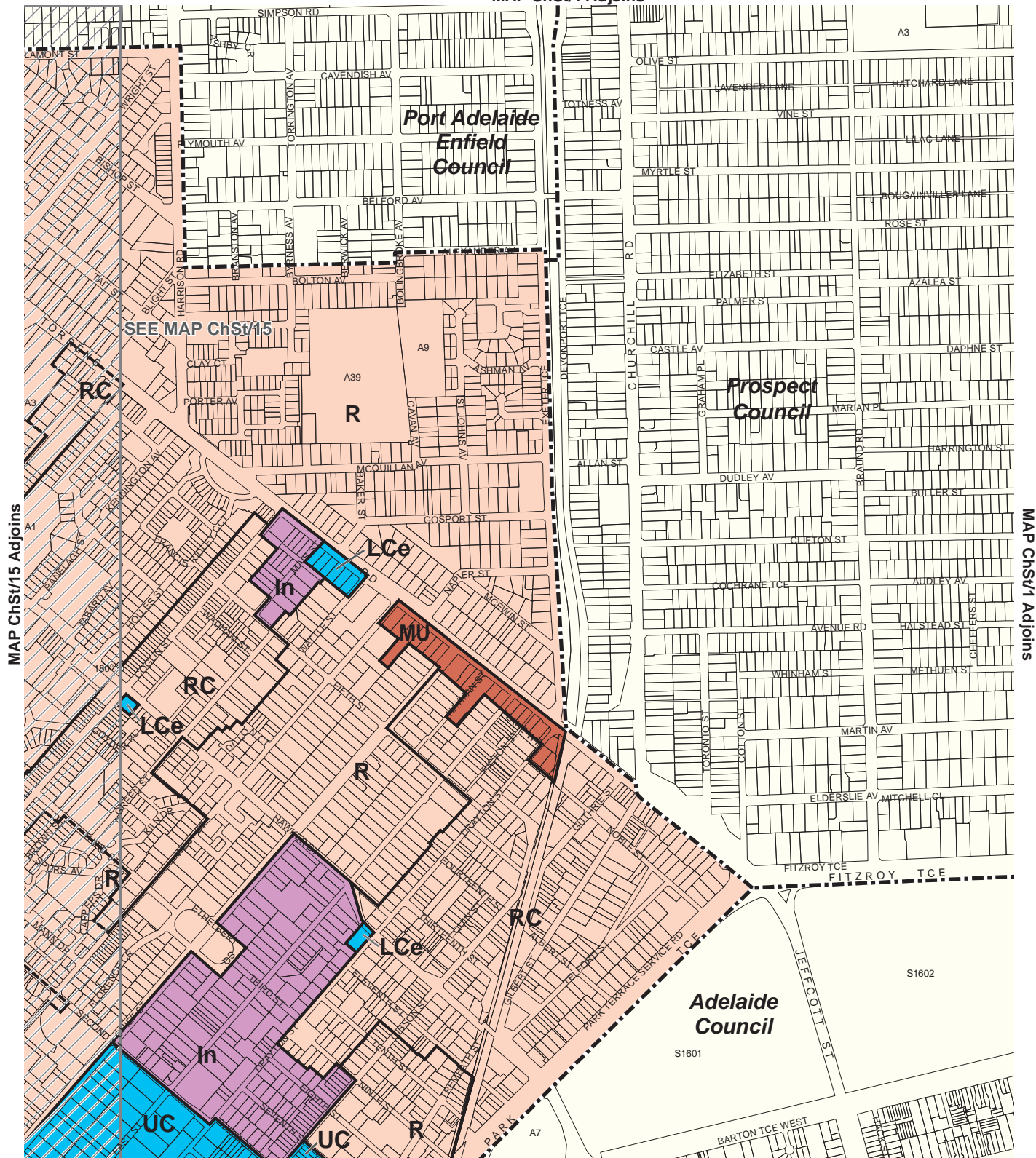
AFFORDABLE HOUSING

CHARLES STURT COUNCIL

 Affordable Housing Designated Area

 Development Plan Boundary

MAP ChSt/1 Adjoins



MAP ChSt/21 Adjoins

MAP ChSt/1 Adjoins

See enlargement map for accurate representation.
Lamberts Conformal Conic Projection, GDA94



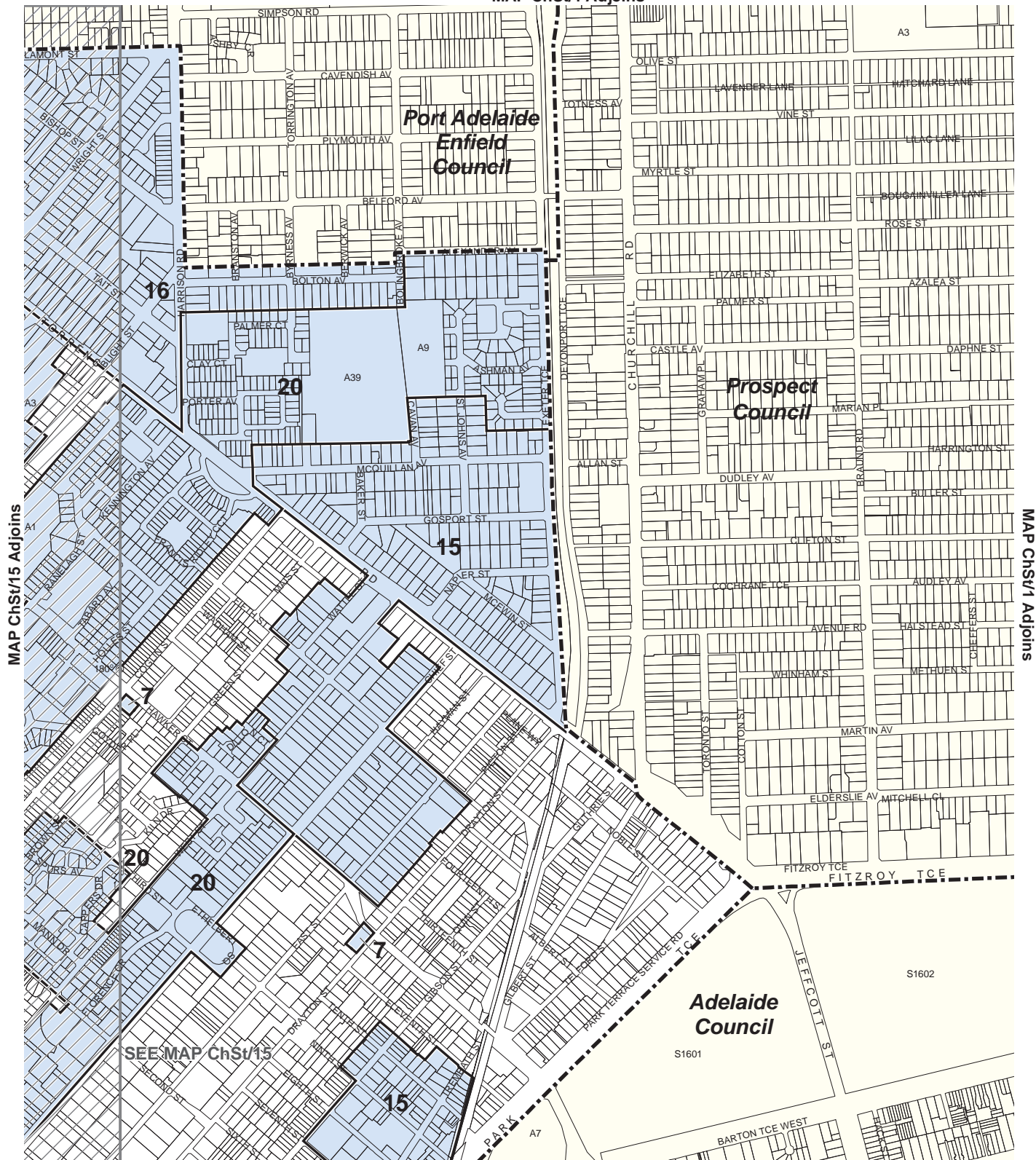
Zones

- In Industry
- LCe Local Centre
- MU Mixed Use
- R Residential
- RC Residential Character
- UC Urban Core
- Zone Boundary
- Development Plan Boundary

Zone Map ChSt/16

CHARLES STURT COUNCIL

MAP ChSt/1 Adjoins



See enlargement map for accurate representation.
Lamberts Conformal Conic Projection, GDA94

Policy Area

- 15 Inner Suburban
- 16 Mid Suburban
- 20 Integrated Medium Density
- 7 Local Shopping

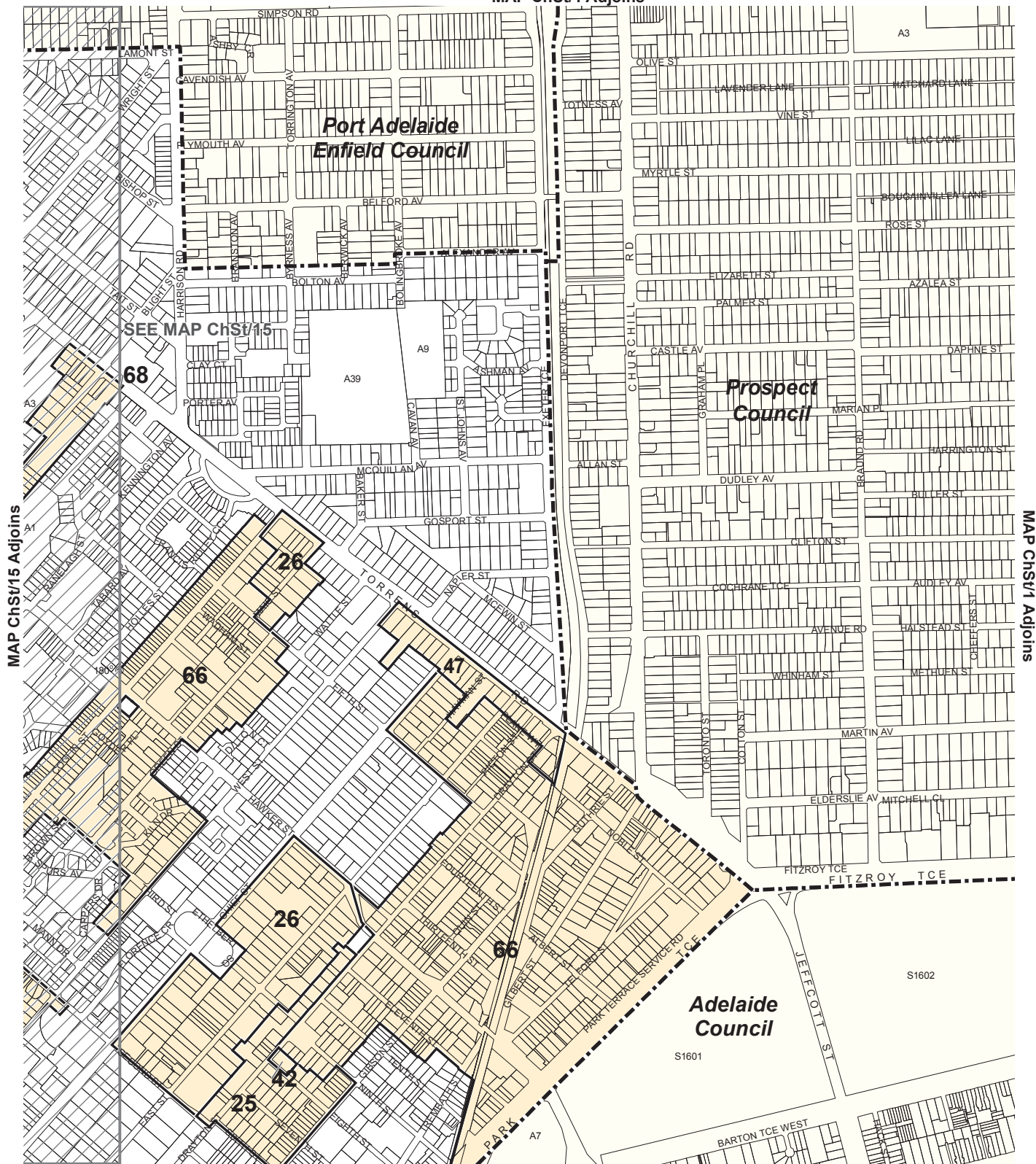


Policy Area Map ChSt/16

- Policy Area Boundary
- Development Plan Boundary

CHARLES STURT COUNCIL

MAP ChSt/1 Adjoins



See enlargement map for accurate representation.
Lamberts Conformal Conic Projection, GDA94

Precinct

- 25 Bowden
- 26 Brompton
- 42 Eighth Street
- 47 Mixed Use
- 66 Bowden/Brompton
- 68 Early SA Housing Trust



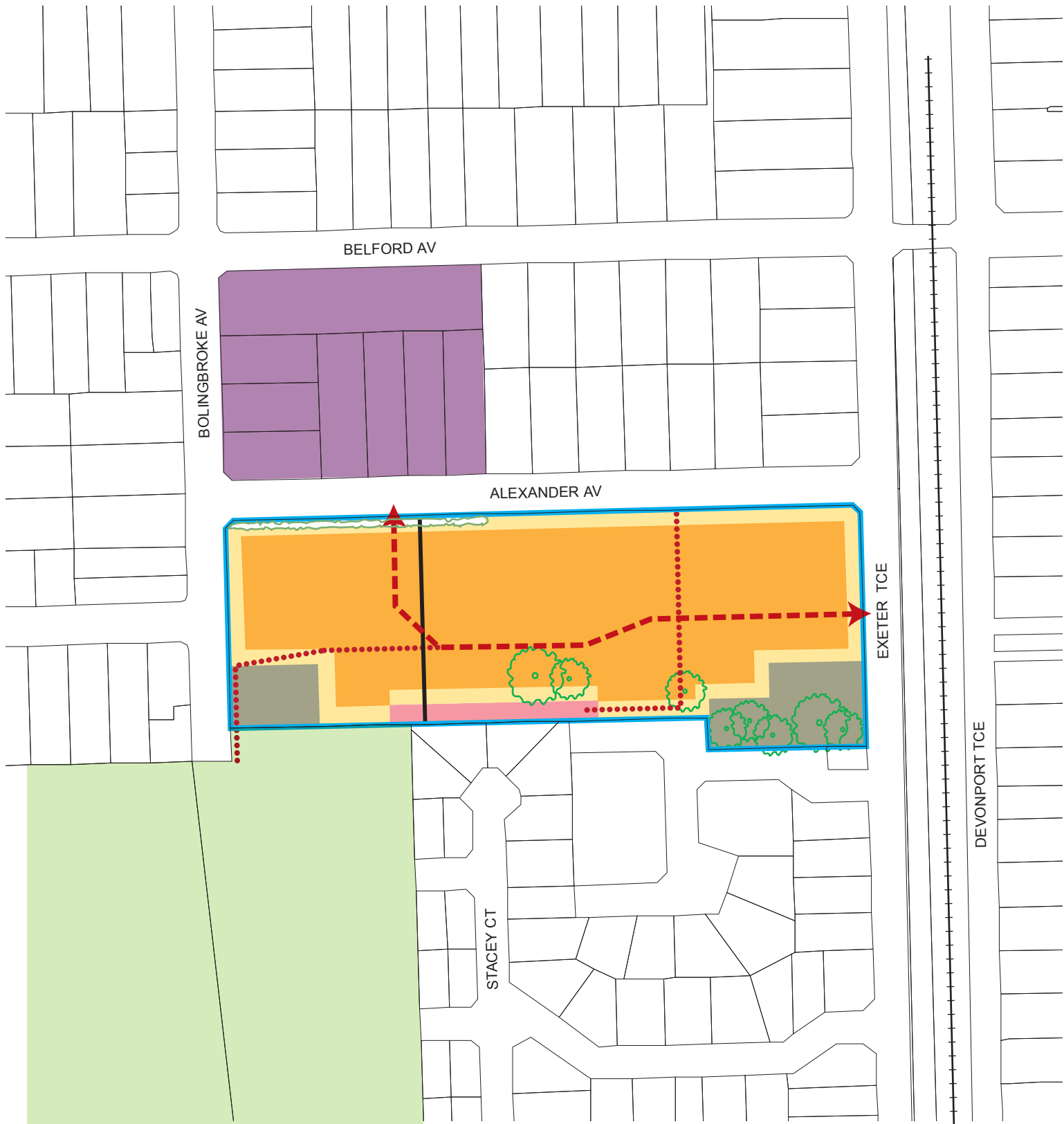
Precinct Map ChSt/16

- Precinct Boundary
- Development Plan Boundary

CHARLES STURT COUNCIL

ATTACHMENT D

Devon Park Medium Density Redevelopment Site Concept Plan Map ChSt/26



- 3 Storeys
- Up to 2 Storeys
- 1 Storey
- Internal Roadway
- Pedestrian Connection
- Industry
- Local Reserve
- Open Space (Indicative)
- Indicative Location of Significant Trees
- Landscaping
- Property Owner Boundary
- Concept Plan boundary



Concept Plan Map ChSt/26

DEVON PARK MEDIUM DENSITY POLICY AREA

CHARLES STURT COUNCIL

City of Charles Sturt

**Devon Park Residential
Development Plan
Amendment**

**Summary of Consultation and
Proposed Amendments
(SCPA) Report**

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Introduction

This report is provided in accordance with Section 25(13) of the Development Act 1993 to identify matters raised during the consultation period and any recommended alterations to the amendment. The report also provides details of the consultation process undertaken by Council.

The SCPA Report should be read in conjunction with the consultation version of the DPA. Where relevant, any new matters arising from the consultation process are contained in this Report.

The Amendment reflects the recommendations of Council contained in this Report.

Consultation

Consultation Process

Statutory consultation with agencies and the public was undertaken in accordance with DPA process B and in accordance with Section 25(6) of the Development Act 1993; Regulations 10 and 11 of the Development Regulations 2008; and the agreed Statement of Intent.

The following Local Member(s) of Parliament were consulted on the DPA:

- (a) South Australian member for Croydon – Hon Michael Atkinson MP
- (b) Federal Member for Adelaide – Hon Kate Ellis MP

No comments were received.

The consultation period ran from Thursday 24 October to Thursday 19 December 2013.

Public Notification

A notice(s)/Notices was/were published in the 'The Advertiser' on Thursday 24 October 2013, the Government Gazette on Thursday 24 October 2013 and local Messenger (Weekly Times Inner City) on Wednesday 30 October 2013.

The draft DPA documents were also on display at Council's service centres and Council's five libraries and were made available on Council's website at www.charlessturt.sa.gov.au at. A copy of the DPA was forwarded to the Department of Planning and Local Government on 24 October 2013.

Public and Agency Submissions

Public Submissions

Seven (7) public submissions were received. Key issues raised in the submissions are summarised as follows:

- (a) A general support for the rezoning
- (b) Not wishing to see greater than 3 storeys in height
- (c) Issues of increased traffic and pedestrians
- (d) Issues of car parking in the area
- (e) Concerns on the day to day impacts of the operations of an adjacent industrial use

- (f) Issues of access and egress from the development site adjacent to the industrial use
- (g) Support for the application of the Noise and Air Emissions Overlay policy
- (h) Concerns for the proposed 3 storey building height proposed

A report on each submission (summary, comments, and action taken in response to each submission) is included in **Attachment A**.

Agency Submissions

Ten (10) responses were received from agencies. Key issues raised in the responses are summarised as follows:

- (a) Recommended amendments to wording in Desired Character Statement to reinforce stormwater management.
- (b) Recommended amendments to wording in Desired Character Statement to reinforce future remediation management.
- (c) Ensuring sufficient on-site and visitor carparking.
- (d) Ensuring safe and convenient access from the affected draft DPA area.
- (e) Ensuring technical amendments to the draft DPA are addressed.
- (f) Review of the scope of the Noise and Air Emissions overlay area.
- (g) Review of policy to avoid repetition in the Development Plan.

Review of Submissions and Public Meeting

Copies of all submissions were made available for public review from Friday 20 December 2013 to Monday 17 February 2014 on the Council website and at the Council offices.

One submitter requested to be heard, and therefore a public meeting was held on Monday 17 February, 2014. A copy of the proceedings and a summary of verbal submissions made at the public meeting are included in **Attachment B**.

Timeframe Report

A summary of the timeframe of the DPA process relative to the agreed Statement of Intent timetable is located at **Attachment C**.

Delay(s) occurred because:

- (a) Consultation on the draft DPA commenced on 24 October and closed on 19 December 2013.
- (c) A Public Hearing was held on 17 February 2014 to avoid the Christmas and New Year holiday periods thereby causing a slight delay in the overall DPA process.
- (d) A report seeking endorsement of the draft DPA (with amendments following a review of the submissions received) was presented to Council at its Strategic Development Committee meeting on 22 April 2014.
- (e) The recommendations of Council's Strategic Development Committee were formally endorsed by Council at its meeting on 28 April 2014.

CEO's Certification

The consultation process has been conducted and the final amendment prepared in accordance with the requirements of the Act and Regulations as confirmed by the CEO's Certifications provided in **Attachment D** (Schedule 4A Certificate) and **Attachment E** (Schedule 4B Certificate).

Summary of Recommended Changes to the Amendment following Consultation

The following is a summary of the changes recommended to the Amendment following consultation and in response to public submissions and/or agency comments:

- (a) Amendments to the Desired Character Statement to reflect the desire for inward-facing development opposite the Entech site, while also outlining the need for appropriate articulation to the design facing Alexander Avenue (this aspect also proposed to be reiterated in amended Principle of Development Control 5).
- (b) Amendments to the Desired Character Statement for high quality design, appropriate built form to minimise overlooking into the Entech site, as well as provide for further landscaping in this location to screen views of the Entech site for future dwellings in this location. The location of desired landscaping will also be reiterated on an amended Concept Plan.
- (c) Amendments to the Desired Character Statement to reinforce the internal traffic linkage between both parcels of land within the affected area of the draft DPA.
- (d) Amendments to the Desired Character Statement and Concept Plan to acknowledge the ongoing industrial land use on the Entech site.
- (e) Amendments to the Desired Character Statement to the design of the internal driveway access points identified by the Concept Plan should ensure safe and convenient movement and the internal driveway access onto Alexander Avenue be designed in a manner to maximise separation distances from the existing crossovers associated with the existing industrial land on the northern side of Alexander Avenue.
- (f) Maintain the proposed Noise and Air Emissions Overlay over the land affected by the draft DPA.

Attachment A – Summary and Response to Public Submissions

Report on each public submission received (including summary, comments and action taken in response)

| Sub No. | Name and Address | Submission Summary | Comment | Council Response |
|---------|---|---|--|-----------------------------|
| 1. | Peter 20 Jack Johnson Court Renown Park SA 5008 | Indicated support for the proposed rezoning of the subject land from industry to residential zone to support medium density housing up to 2-3 storeys in height. Indicated does not wish to see higher than 3 storeys. Suggested the consideration of an electric barbecue facility in Sam Johnson Park. | Comments noted. Additional suggestion of an electric barbecue facility in Sam Johnson Sportsground to be referred to Council's Open Space Unit for consideration in future upgrades. | No changes to the draft DPA |
| 2. | Geoffrey Mitton 6 Bolingbroke Avenue Devon Park SA 5008 | Indicated support for the proposed rezoning of the subject land from industry to residential zone to support medium density housing up to 2-3 storeys in height living on the boarder of the site. Indicated that the current land use (factory/warehouse) is an eye sore. Indicated that Devon Park was well suited to the proposed rezoning as an inner suburb. Indicated his interest in the future to downsize and move to a future medium density site as proposed. | Comments noted. | No changes to the draft DPA |
| 3. | Peter Williams 34 Exeter Terrace Devon Park SA 5008 | Indicated that he is in favour of the proposed rezoning of the subject land from industry to residential zone to support medium density housing up to 2-3 storeys in height. Raised some concerns/questions: Possibility of retaining existing vegetation on the corner of Alexander Avenue and Exeter Terrace? | There is only one tree within this section that is deemed significant under the Development Act legislation. The other tree and vegetation are not protected under current legislation. Notwithstanding this, the draft DPA proposes setbacks of a minimum of 5.0 metres from Alexander Avenue and a minimum of 3.0 metres from Exeter Terrace for up to 2 storeys. While no guarantees can be made, | No changes to the draft DPA |

City of Charles Sturt
Devon Park Residential Development Plan Amendment
Attachment A — Summary and Response to Public Submissions

| Sub No. | Name and Address | Submission Summary | Comment | Council Response | | | | | | | | | | | | |
|--------------------------------|----------------------------|---|---|------------------|---------|--------------------------|-----------------------|----------------------------|--|--------------------------------|------|---|-----------|-----------|---|-----------------------------|
| | | <p>Outlined that Alexander Avenue is used as a shortcut from Churchill Road to Torrens Road and if increase of vehicles/pedestrians consideration of speed restrictions similar to what has occurred in Prospect.</p> | <p>the retention of existing vegetation in a future development proposal on the site could be discussed with a future applicant.</p> <p>According to traffic data collected earlier this year (shown in the table below) the traffic conditions in Alexander Avenue are consistent with those commonly observed in local streets in the Adelaide metropolitan area. The speed that 85% of vehicles are travelling is well below posted speed limit of 50km/h and the number of vehicles using the streets is relatively low, being under 500 vehicles per day.</p> <p>Alexander Avenue Traffic Data</p> <table><tr><th>Item</th><th>Measure</th><th>Comment for Local Street</th></tr><tr><td>Average daily traffic</td><td>423 vehicles per day (vpd)</td><td>Environmental impacts start to show at 1,000vpd with maximum tolerable 3,000vpd. Desirable maximum 1,500vpd.</td></tr><tr><td>Percentage commercial vehicles</td><td>4.0%</td><td>General maximum 6%, but could be as high as 8% when connecting two industrial areas..</td></tr><tr><td>85% speed</td><td>46.1 km/h</td><td>Tolerable speed range is up to 5-10 km/h above posted speed limit, i.e.</td></tr></table> | Item | Measure | Comment for Local Street | Average daily traffic | 423 vehicles per day (vpd) | Environmental impacts start to show at 1,000vpd with maximum tolerable 3,000vpd. Desirable maximum 1,500vpd. | Percentage commercial vehicles | 4.0% | General maximum 6%, but could be as high as 8% when connecting two industrial areas.. | 85% speed | 46.1 km/h | Tolerable speed range is up to 5-10 km/h above posted speed limit, i.e. | No changes to the draft DPA |
| Item | Measure | Comment for Local Street | | | | | | | | | | | | | | |
| Average daily traffic | 423 vehicles per day (vpd) | Environmental impacts start to show at 1,000vpd with maximum tolerable 3,000vpd. Desirable maximum 1,500vpd. | | | | | | | | | | | | | | |
| Percentage commercial vehicles | 4.0% | General maximum 6%, but could be as high as 8% when connecting two industrial areas.. | | | | | | | | | | | | | | |
| 85% speed | 46.1 km/h | Tolerable speed range is up to 5-10 km/h above posted speed limit, i.e. | | | | | | | | | | | | | | |

City of Charles Sturt
Devon Park Residential Development Plan Amendment
Attachment A — Summary and Response to Public Submissions

| Sub No. | Name and Address | Submission Summary | Comment | Council Response |
|---------|------------------|--|---|-----------------------------|
| | | | <div> <div></div> <div></div> <div>above 55km/h.</div> </div> <p>Based on the above data, the current baseline traffic volumes in Alexander Avenue are well within tolerable limits. The design of any future development on the site will take into account the impacts on the adjacent road network and the objective will be to keep volumes within the tolerances shown above. Intervention in the form of traffic controls will only be considered if it is clear that the projected future volumes for the street, as a result of the development, will exceed these tolerable limits, or if the real volumes in the street are shown to exceed these limits.</p> | |
| | | North side of Alexander Avenue is currently zoned for 2hour parking and hopes this would continue. | The boundary of the City of Charles Sturt lies in the middle of the road in Alexander Avenue which means the parking control signs on the north side of the road were installed and are maintained by the City of Port Adelaide Enfield. | No changes to the draft DPA |
| | | Will impacted residents be able to comment on final design proposal? | <p>The current process on consultation is for the proposed rezoning of the land from industry zone to residential. There is no current proposals for new development. If the rezoning is approved by Council and authorised by the Minister the industry uses currently there can continue to enjoy their existing use rights until such time as a new development proposal for residential uses are proposed, approved and developed. In terms of opportunities to comment on a future residential proposal on the site, this will be determined under Schedule 9 of the Development Act Regulations (2008). This details which type of development is listed as category1 (no notification) and category 2 (adjoining owner notification).</p> <p>A web link to the Development Act was</p> | No changes to the draft DPA |

**City of Charles Sturt
Devon Park Residential Development Plan Amendment
Attachment A — Summary and Response to Public Submissions**

| Sub No. | Name and Address | Submission Summary | Comment | Council Response |
|---------|--|---|--|-----------------------------|
| | | Opportunity for amenity upgrades such as street scaping? | <p>provided to Mr Williams for his information.</p> <p>With regards to street trees, each street throughout the City of Charles Sturt is rated for the overall absence of trees including if it is appropriate to plant and an overall condition rating of trees for the street.</p> <p>The criteria for inclusion includes the following:</p> <ul style="list-style-type: none"> .The number of tree planting requests received from residents in the street .The absence of trees in the street .The overall condition of the existing trees in the street .Whether the existing species are appropriate for the locality .An integrated approach with Engineering and Construction Projects (i.e. road reconstruction and footpath programs) <p>Comments on the potential to upgrade vegetation on Alexander Avenue to be referred to Council's Open Space & Recreation Unit for consideration in future street tree planting programming.</p> | No changes to the draft DPA |
| 4. | <p>Marie Leshinskas & Doris Horvath 2 Bolingbroke Avenue Devon Park SA 5008 & 2a Bolingbroke Avenue Devon Park SA 5008</p> | <p>Indicated support for the proposed rezoning of the subject land from industry to residential zone to support medium density housing up to 2-3 storeys in height. Raised some concerns/questions:</p> <p>Sought clarification on the building height re. issues of privacy and solar orientation.</p> | <p>Noted. Also met with the property owners with Council's Transport Engineer to discuss their issues face to face on 12 November 2013.</p> <p>The draft DPA proposes three storeys with a setback of 6 metres from Bolingbroke Avenue (which does not include the width of the roadway). The draft policies and existing Development Plan policies (Council-wide provisions) relating to design to minimise visual intrusion will assist to address issues</p> | No changes to the draft DPA |

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| Sub No. | Name and Address | Submission Summary | Comment | Council Response |
|---------|--|--|--|-----------------------------|
| | | | of overshadowing and overlooking. | |
| | | Raised traffic issues in the location – with large vehicles using Bolton Avenue, and consideration for 5 tonne load limit on this road similar to Port Adelaide Council on their part of Bolingbroke Avenue. | Traffic Engineering advice has indicated that a tonnage requirement on Bolingbroke Avenue would not be considered as it is structurally sound to handle heavier loads. | No changes to the draft DPA |
| | | Raised issue of parking/traffic on Bolton Avenue due to new housing on Bolton Avenue between Berwick and Byrness Avenues. Hoped that parking on the site will be adequate. | The parking provisions are not proposed to be amended in the general section of Council's Development Plan (Table ChSt/2) which is dependent on no. of bedrooms eg. for 2 bedrooms 1 space + .25 for visitor. In a group dwelling or residential flat building situation if there were four homes that would mean 1 space each and 1 space for visitors. The draft DPA proposes to encourage medium density development on a site that is accessible to public transport both bus and rail in close proximity. Any consideration to increase parking on a medium density site in close proximity to public transport services goes against the premise for proposing medium density development. | No changes to the draft DPA |
| | | Would not want to see an access from number 1 Bolingbroke Avenue onto Bolingbroke Avenue. | Noted, the draft DPA does not propose direct vehicular access from Bolingbroke Avenue. | No changes to the draft DPA |
| 5. | Laura-Anne Smith 10 Stacey Place Renown Park SA 5008 | Indicated that she suffers from agoraphobia and the proposed open space would not benefit her. However, indicated that it would benefit kids, pets, sporting events and markets, etc. | Comments noted. | No changes to the draft DPA |
| 6. | URPS Alan Rumsby Suite 12/154 Fullarton (Cnr Alexandra Avenue) | Submission made on behalf of Belford Avenue Pty Ltd – land directly north of the DPA site – north side of Alexander Avenue Belford Avenue Pty Ltd currently lease | Noted, following Council staff meeting with the land owner it was acknowledged that some amendments were considered warranted to ensure protection of the existing industrial site to the north and to future | No changes to the draft DPA |

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| | Rose Park SA 5067 On behalf of Belford Avenue Pty Ltd 37 Belford Avenue Devon Park SA 5008 | <p>the land to Entech Electronics Pty Ltd (Entech) Entech Electronics is a locally owned business manufacturing engineering products such as medical, military, scientific, computing systems and solar energy technologies. Entech employs 110 staff at the site. Entech plans to continue to operate from the site and anticipates making ongoing improvements. Outlined the ownership of the site by Belford Avenue Pty Ltd and its location and size. The land involved with the submission is located within the City of Port Adelaide Enfield. The submission has indicated that Belford Avenue Pty Ltd wishes to make a personal address to Council in support of this submission at the public meeting in the matter. <u>Proposed Zone Amendments:</u> Belford Avenue Pty Ltd does not object to the rezoning nor the future residential development. Indicated however that because they wish to continue to operate their existing business from their site they wish to seek to ensure that the form of future residential development does not create a sensitive interface and responds to the existing and longstanding conditions on the Belford land. Belford Avenue Pty Ltd is concerned that the introduction of further residential population and the increase of traffic generation along Alexander Avenue will impact on the day to day operations of the</p> | <p>residential uses on the site adjacent to the industrial land use. Details of proposed policy amendments detailed in sections below.</p> | |

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| Sub No. | Name and Address | Submission Summary | Comment | Council Response |
|---------|------------------|---|---|---|
| | | <p>businesses and potential longer term use of the site. The issues that require further consideration in the DPA include:</p> <p>The desired Future Character: Indicated suggested amendments to the Desired Character: that the land at the western end of the subject land on the Alexander Avenue side should be “inward facing” to avoid overlooking Belford land and improve amenity. Provide appropriate landscaping to the rear of this area addressing Alexander Avenue. That future dwellings be appropriately designed to minimise bulk and massing, provide articulated and interesting facades where visible from adjoining public realm and comprise smaller buildings rather than fewer larger buildings. Indicated that the submission has provided suggested amended Desired Character Statement and Concept Plan contained in Appendix C and D for review to reflect the proposed submission comments. Recommendations: amending the Desired Character Statement to reflect the desire for “inward-facing” development where the subject land adjoins the Belford land; further clarifying the desire for future development to be of a high quality design, with appropriate built form provisions to minimise over looking into the Belford land, as well as provide for further landscaping to</p> | <p>Noted, following Council staff meeting with the land owner it was acknowledged that some amendments were considered warranted to ensure protection of the existing industrial site to the north and to future residential uses on the site adjacent to the industrial land use.</p> <p>The following proposed amendments to the draft DPA were outlined and agreed to by Entech.</p> | <p>Following amendments proposed to the Desired Character:</p> <p>Amendments to the Desired Character Statement to reflect the desire for inward-facing development opposite the Entech site, while also outlining the need for appropriate articulation to the design facing Alexander Avenue (this aspect also proposed to be reiterated in amended Principle of Development Control 5).</p> <p>Amendments to the Desired Character Statement for high quality design, appropriate built form to minimise overlooking into the Entech site, as well as provide for further landscaping in this location to screen views of the Entech site for future dwellings in this location. The location of desired landscaping will also be reiterated on an amended Concept Plan.</p> <p>Amendments to the Desired Character Statement to reinforce the internal traffic linkage between both parcels of land within the affected area of the draft DPA.</p> <p>Amendments to the Desired Character Statement and Concept Plan to acknowledge the ongoing industrial land use on the Entech site.</p> |

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| Sub No. | Name and Address | Submission Summary | Comment | Council Response |
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| | | soften the visual impact of new dwelling development and to screen views of the Belford land; | | |
| | | <p>Access and Egress from the Development Site: Indicated concern for the proposed vehicle access point on Alexander Avenue opposite the main dispatch and delivery egress point on Belford Pty Ltd land. Provide Council with an alternative access/egress arrangement at Bolingbroke Avenue and a further alternative onto Jack Johnson Court on the southern edge of the DPA site. Indicated that the submission has provided suggested amended Concept Plan contained in Appendix D for review to reflect the proposed submission comments. Also provided recommended wording of Principle 5 in Appendix D to address matters raised above. Recommendations re. the draft Concept Plan: amending the Concept Plan to remove the access point which is directly opposite the Belford land to minimise potential vehicle conflict; amending the Concept Plan to limit all vehicular access (ie including for dwelling driveways) along the portion of the subject land which lies opposite the Belford land; and</p> | <p>A meeting was held between Council staff and Entech on site to discuss the location of the access point on Alexander Avenue in the draft DPA Concept Plan.</p> <p>Advised based on traffic engineering advice the proposed Concept Plan access/egress is not recommended to be amended based on traffic engineering advice primarily due to a desire to reduce the number of conflict points at the access to the development. The traffic volumes in Bolton Avenue and Alexander Avenue are approximately 450 vehicles per day, respectively.</p> <p>A new four way intersection at the existing intersection of Bolton Avenue and Bolingbroke Avenue, approximately 40 metres from the intersection of Alexander Avenue and Bolingbroke Avenue, creates a relatively high degree of traffic conflict at the access point.</p> <p>Locating the access road to Alexander Avenue increases the separation from existing intersections and reduces the degree of traffic conflict.</p> <p>While it is acknowledged that an access road in Alexander Avenue will be located closer to the access driveways of the Entech site the vehicle classes and volumes accessing the Entech site constitute far less traffic conflict than the suggested alternative access point in Bolingbroke Avenue.</p> <p>Traffic data collected by Council shows that around 450 vehicles, including 30-40 commercial vehicles (from small trucks to</p> | <p>Following amendments proposed to the draft DPA:</p> <p>Amendments to the Desired Character Statement to reflect the desire for inward-facing development opposite the Entech site, while also outlining the need for appropriate articulation to the design facing Alexander Avenue (this aspect also proposed to be reiterated in a Principle of Development Control).</p> <p>Amendments to the Desired Character Statement for high quality design, appropriate built form to minimise overlooking into the Entech site, as well as provide for further landscaping in this location to screen views of the Entech site for future dwellings in this location. The location of desired landscaping will also be reiterated on an amended Concept Plan.</p> <p>Amendments to the Desired Character Statement to reinforce the internal traffic linkage between both parcels of land within the affected area of the draft DPA.</p> <p>Amendments to the Desired Character Statement and Concept Plan to acknowledge the ongoing industrial land use on the Entech site.</p> |

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| | | | <p><i>articulated trucks), travel along Alexander Avenue per day. These volumes are minimal and are not a cause for concern.</i></p> <p><i>The degree of conflict is reduced further if the access road is not in direct alignment with the Entech access driveways, which has been recommended by Council.</i></p> <p><i>Notwithstanding the above Council acknowledges the concerns raised in the submission and the following amendments are proposed in the draft DPA to minimise the concerns raised in the submission.</i></p> <p><i>These proposed amendments to the draft DPA were outlined and agreed to by Entech.</i></p> | <p>Amendments to the Desired Character Statement to the design of the internal driveway access points identified by the Concept Plan should ensure safe and convenient movement and the internal driveway access onto Alexander Avenue be designed in a manner to maximise separation distances from the existing crossovers associated with the existing industrial land on the northern side of Alexander Avenue.</p> |
| | | <p><i>The Need for Appropriate Noise Attenuation:</i></p> <p><i>Formal acknowledgement of the features and conditions on the Belford land.</i></p> <p><i>Strongly recommended that the subject land be located within the Noise and Air Emissions Overlay of the Development Plan.</i></p> <p><i>The need for future dwellings to be designed and constructed with appropriate protection from all noise sources is paramount.</i></p> <p><i>amending Principle 5 to ensure that future development of the subject land does not affect the long term operations of Entech Electronics Pty Ltd, the current tenant of the Belford site.</i></p> | <p><i>Noted, following Council staff meeting with the land owner it was acknowledged that some amendments were considered warranted to ensure protection of the existing industrial site to the north and to future residential uses on the site adjacent to the industrial land use.</i></p> <p><i>The Noise and Air Emissions Overlay policy is considered appropriate over the entire site given the location of the railway line and the industrial use to the north and should remain.</i></p> | <p>Following amendments proposed to the draft DPA:</p> <p>Amendments to the Desired Character Statement to reflect the desire for inward-facing development opposite the Entech site, while also outlining the need for appropriate articulation to the design facing Alexander Avenue (this aspect also proposed to be reiterated in a Principle of Development Control).</p> <p>Amendments to the Desired Character Statement for high quality design, appropriate built form to minimise overlooking into the Entech site, as well as provide for further landscaping in this location to screen views of the Entech site for future dwellings in this location. The location of desired landscaping will also be reiterated on an amended Concept Plan.</p> |

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| Sub No. | Name and Address | Submission Summary | Comment | Council Response |
|---------|---|--|---|---|
| | | | | <p>Amendments to the Desired Character Statement to reinforce the internal traffic linkage between both parcels of land within the affected area of the draft DPA.</p> <p>Amendments to the Desired Character Statement and Concept Plan to acknowledge the ongoing industrial land use on the Entech site.</p> <p>Maintain the proposed Noise and Air Emissions Overlay over the land affected by the draft DPA.</p> |
| 7. | Aijun Fung 12 Alexander Avenue Devon Park SA 5008 | <p>Apologised for the late submission but now residing in Glenunga due to family commitments.</p> <p>Indicated support for rezoning industrial area into residential.</p> <p>Raised some concerns/questions: Considers that 3 storey buildings will affect the sunlight exposure of the buildings and front gardens on the northern side of Alexander Avenue as well as privacy of the residents there.</p> <p>Raised car parking issues through increased densities on the road side and increased noise from expected residents and traffic.</p> <p>Suggests to consider two storey town houses instead of apartments with an example of such already existing on the corners of Belford Avenue, Byrness Avenue and Bolton Avenue.</p> | <p>The draft DPA proposes three storeys with a setback of 6 metres from Alexander Avenue (which does not include the width of the roadway). The draft policies and existing Development Plan policies (Council-wide provisions) relating to design to minimise visual intrusion will assist to address issues of overshadowing and overlooking. With the proposed affected area located south of the applicant's residence there will be no direct overshadowing on the northern side of Alexander Avenue given the orientation/movement of the sun.</p> <p>With regards to car parking, the parking provisions are not proposed to be amended in the general section of Council's Development Plan (Table ChSt2) which is dependent on no. of bedrooms eg. for 2 bedrooms 1 space + .25 for visitor. In a group dwelling or residential flat building situation if there were four homes that would mean 1 space each and 1 space for visitors. The draft DPA proposes to encourage medium density development on a site that is accessible to public transport both bus and</p> | No changes to the draft DPA |

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| | | | <i>rail in close proximity. Any consideration to increase parking on a medium density site in close proximity to public transport services goes against the premise for proposing medium density development.</i> | |

Attachment B – Summary and Response to Public Meeting Submissions

One submitter requested to be heard, and therefore a public meeting was held on Monday 17 February 2014.

| Sub No. | Name of Respondent | Summary of Verbal Submission/Issues Raised | Council Response |
|---------|---|--|--|
| 1. | Simon Channon URPS On behalf of Belford Avenue Pty Ltd 37 Belford Avenue Devon Park SA 5008 | <ul style="list-style-type: none"> Indicated that Entech does not object to the rezoning. Concerned with location of access point and potential conflict with main access to the industry site on the north side of Alexander Avenue. Concerned with traffic assessment at development assessment stage would be too late and proposes an amendment to the access location on the Concept Plan. | <p>Following Council's Public Meeting on 17 February 2014, Council staff met with the land owner of the Industry site with their consultant's.</p> <p>It was acknowledged that some amendments were considered warranted to ensure protection of the existing industrial site to the north and to future residential uses on the site adjacent to the industrial land use.</p> <p>The following proposed amendments to the draft DPA were outlined and agreed to by Entech.</p> <p>(a) Amendments to the Desired Character Statement to reflect the desire for inward-facing development opposite the Entech site, while also outlining the need for appropriate articulation to the design facing Alexander Avenue (this aspect also proposed to be reiterated in amended Principle of Development Control 5).</p> <p>(b) Amendments to the Desired Character Statement for high quality design, appropriate built form to minimise overlooking into the Entech site, as well as provide for further landscaping in this location to screen views of the Entech site for future dwellings in this location. The location of desired landscaping will also be reiterated on an amended Concept Plan.</p> <p>(c) Amendments to the Desired Character Statement to reinforce the internal traffic linkage between both parcels of land within the affected area of the draft DPA.</p> <p>(d) Amendments to the Desired Character Statement and Concept Plan to acknowledge the ongoing industrial land use on the Entech site.</p> <p>(e) Amendments to the Desired Character Statement to the design of the internal driveway access points identified by the Concept Plan should ensure safe and convenient movement and the internal driveway access onto Alexander Avenue be designed in a manner to maximise separation distances from the existing crossovers associated with the existing industrial land on the northern side of Alexander Avenue.</p> <p>(f) Maintain the proposed Noise and Air Emissions Overlay over the land affected by the draft DPA.</p> |

Attachment C – Timeframe Report

SCPA Timeframe Report: Process B – without consultation approval / 1 Step

The SOI was agreed by the Minister and Council on 14 June 2012

| Key steps | Period agreed to in SOI | Actual time taken | Reason for difference (if applicable) |
|---|---|--|--|
| Investigations conducted and DPA prepared | 10 weeks (from 16 August-September 2013) | Completed in August 2013 and draft DPA endorsed for consultation on 23 September 2013. | N/A |
| Agency and public consultation period (report on any delays incurred by agencies) | 8 weeks (October/November 2013) | Consultation undertaken on 24 October to 19 December 2013. | Minor delay of 3 weeks for preparation of consultation process. |
| Public Hearing held, submissions summarised and DPA amended in accordance with Council's assessment of submissions. <i>Summary of Consultations and Proposed Amendments</i> submitted to Minister for approval. | 4 weeks (December 2013) | Public Meeting held on 17 February 2014. | Delay in holding of Public Meeting to avoid the Christmas/New Year holiday period. |

Attachment D – Schedule 4A Certificate

Draft Devon Park Residential DPA
City of Charles Sturt
References/Bibliography

Schedule 4a Certificate

**CERTIFICATION BY COUNCIL'S CHIEF EXECUTIVE OFFICER
DEVELOPMENT REGULATIONS 2008
SCHEDULE 4A**

Development Act 1993 – Section 25 (10) – Certificate - Public Consultation

**CERTIFICATE OF CHIEF EXECUTIVE OFFICER THAT A
DEVELOPMENT PLAN AMENDMENT (DPA) IS SUITABLE FOR THE PURPOSES OF
PUBLIC CONSULTATION**

I Mark Withers, as Chief Executive Officer of City of Charles Sturt, certify that the Statement of Investigations, accompanying this DPA, sets out the extent to which the proposed amendment or amendments-

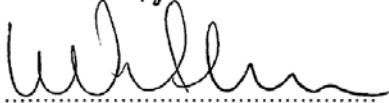
- (a) accord with the Statement of Intent (as agreed between the City of Charles Sturt and the Minister under section 25(1) of the Act) and, in particular, all of the items set out in Regulation 9 of the *Development Regulations 2008*; and
- (b) accord with the Planning Strategy, on the basis that each relevant provision of the Planning Strategy that related to the amendment or amendment has been specifically identified and addressed, including by an assessment of the impacts of each policy reflected in the amendment or amendments against the Planning Strategy, and on the basis that any policy which does not fully or in part accord with the Planning Strategy has been specifically identified and an explanation setting out the reason or reasons for the departure from the Planning Strategy has been included in the Statement of Investigation; and
- (c) accord with the other parts of the Development Plan (being those parts not affected by the amendment or amendments); and
- (d) complement the policies in the Development Plans for adjoining areas; and
- (e) satisfy the other matters (if any) prescribed under section 25(10)(e) of the *Development Act 1993*.

The following person or persons have provided advice to the council for the purposes of section 25(4) of the Act:

Justin Hensgen (Independent Reviewer)

Jim Gronthos

DATED this 19 October 2013



Mark Withers

Chief Executive Officer

Attachment E – Schedule 4B Certificate

Schedule 4B—Certificate—section 25(14)(b)

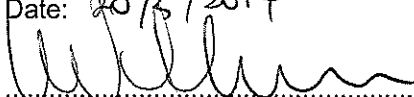
Certificate of chief executive officer that an amendment to a Development Plan is suitable for approval

I, Mark Withers, as Chief Executive Officer of the City of Charles Sturt, certify, in relation to the proposed amendment or amendments to Charles Sturt Council Development Plan as last consolidated on 15 May 2014, referred to in the report accompanying this certificate—

- (a) that the Council has complied with the requirements of section 25 of the Development Act 1993 and that the amendment or amendments are in a correct and appropriate form; and
- (b) in relation to any alteration to the amendment or amendments recommended by the Council in its report under section 25(13)(a) of the Act, that the amendment or amendments (as altered)—
 - (i) accord with the Planning Strategy, on the basis that each relevant provision of the Planning Strategy that relates to the amendment or amendments has been specifically identified and addressed, including by an assessment of the impacts of each policy reflected in the amendment or amendments against the Planning Strategy, and on the basis that any policy which does not fully or in part accord with the Planning Strategy has been specifically identified and an explanation setting out the reason or reasons for the departure from the Planning Strategy has been included in the report of the Council; and
 - (ii) accord with the other parts of the Development Plan (being those parts not affected by the amendment or amendments); and
 - (iii) complement the policies in the Development Plans for adjoining areas; and
 - (iv) satisfy the other matters (if any) prescribed under section 25(14)(b)(ii) of the Development Act 1993; and
- (c) that the report by the Council sets out a comprehensive statement of the reasons for any failure to complying with any time set for any relevant step under section 25 of the Act; and
- (d) that the following person or persons have provided professional advice to the Council for the purposes of section 25(13)(a) of the Act:

Justin Hensgen (Independent Reviewer)

Jim Gronthos

Date: 20/5/2014


Mark Withers

Chief Executive Officer

