

Community Alliance SA Inc
PO Box 520
Goodwood, SA 5034

Engaging for Reform



20 March 2013

Attn: Mario Barone
The Presiding Member
Development Policy Advisory Committee
Adelaide Oval Footbridge DPA
c/- Department of Planning, Transport and Infrastructure
GPO Box 1815, Adelaide SA 5001
Email: dpac@sa.gov.au

Adelaide Oval Footbridge Ministerial Development Plan Amendment

Dear Sir,

Community Alliance SA is a coalition formed to campaign for ethical, transparent governance, provision of genuine information to communities, real participative decision-making in planning, and for comprehensive reform of South Australia's planning and development regime.

The Alliance recommends that the Minister reject the Adelaide Oval Footbridge Ministerial Development Plan Amendment (DPA), and requests the opportunity to be heard at the public meeting in support of this submission.

Please find attached correspondence to Minister Rau, dated 18 October 2012 recommending disallowance of the *Development (Riverbank Footbridge) Variation Regulations 2012* (SA *Government Gazette*, 12 July 2012 pp. 3111-3112) which sought to fast-track construction of a \$40 million bridge, across the River Torrens within the City of Adelaide Park Lands, by avoiding normal development assessment processes.

The Alliance objected to that attempt to evade proper community consultation on the proposed construction of a footbridge, undermining the rights of communities to enjoy real, effective participation.

The Adelaide Oval Ministerial DPA Interim Operation is similarly objectionable as it pre-empts, and makes a farce of, community consultation, and was effected "with the clear intent to allow a footbridge and associated infrastructure" (CCDAC 14/03/2013 Agenda Item 3.3 Planning Report Section 2).

On 21 January 2013, Minister John Rau ordered the “Interim Operation of the Adelaide Oval Footbridge” DPA to come into effect on the (future) date of publication of that same Notice, prior to approving an Adelaide Oval Footbridge DPA for public consultation and four days ahead of signing-off on the Adelaide Oval Footbridge DPA (on 24 January 2013).

Having brought the Adelaide Oval Footbridge DPA into immediate effect by Gazettal on 24 January 2013, concurrent Agency and public consultation was commenced on 24 January 2013 (closing 20 March 2013).

The Alliance notes that development commenced prior to the close of public consultations and that processes to that end were commenced prior to the commencement of public consultation (timeline attached).

Through amendments to the Adelaide (City) Development Plan the Adelaide Oval Footbridge Ministerial DPA (South Australian Government Gazette, No. 7, Thursday 24 January 2013 p.114) intends:

- to fast-track construction on Adelaide Park Lands of
 - a luxury bridge between the former Adelaide Oval and a proposed Sky City Entertainment Casino expansion (promoted by Sky City Entertainment as intended to be constructed on Adelaide Park Lands on the northern façade of the Adelaide Railway Station) and
 - expansion of Adelaide Festival Centre commercial Bistro and Offices;
- to remove demolition of State Heritage places as non-complying development, thereby altering the classification to **‘Category 1, public consultation is not required’** and hence removing public rights to notification, and potentially removing rights to be heard and to appeal;
- to make changes to provisions for Adelaide Oval (i.e. neither footbridge nor Festival Centre).

Definition of developments as ‘non-complying’, such as expansion outside existing footprints and demolition of State Heritage places, properly permits community consultation whereas the changes proposed under the Adelaide Oval Footbridge DPA would remove such rights to consultation.

Adelaide Oval Footbridge DPA provisions that intend removal of public rights to comment, and of appeal, are detrimental to the proper engagement of the community in the planning and development process and should be rejected, for example:

- Principle of Development Control 25(b) demolition of State Heritage places, should not be deleted as this removes community consultation requirements;
- Expansion outside existing footprints should not be exempted from being non-complying developments (Park Lands Zone PDC 16) as this removes community consultation requirements.

In destroying fine-grained and nuanced planning controls developed over several decades with remnant (albeit diminishing and increasingly inadequate) provisions for community engagement, the Adelaide Oval Footbridge DPA is yet another example of illegitimate government action squandering the State's planning heritage, making a farce of consultative processes, and undermining the rights of communities to enjoy real, effective participation.

Current development processes are no longer based on sound planning principles for building sustainable communities, and deny South Australians meaningful participation in decision-making and in defining the future shape of our communities and our State's capital.

Putting a permissive policy like the Adelaide Oval Footbridge DPA into interim operation, and then purporting to hold the consultation process afterwards is an abuse of process. We do not consider this to be a reasonable measure nor 'necessary in the interest of the orderly and proper development of the area affected' (John Rau, Deputy Premier, Minister for Planning, SAGG, 24 January 2013, p. 114).

What happens to development applications approved under this policy if there are revisions as a result of consultation? Will Development Approvals then be disallowed or scaled back?

Irrespective of the rights and wrongs of the policy content - this process is wrong!

Our aim is to put the people back into planning. Interim operation of DPAs used to be implemented to protect an area or object, but in this case, (and in the Capital City DAP) the opposite has occurred. This is most concerning for this organisation and is something we wish to see changed in the future.

The DPAC's role places it in a position to assist the Community Alliance in progressing urgent reform of the State's development regime. Rejection of this DPA is the next step towards restoring the proper role of communities in South Australian planning, and for orderly and proper development of the City of Adelaide.

We thank you for the opportunity to be heard.

Kind regards

Tom Matthews
President
Community Alliance SA Inc
PO Box 520 Goodwood, 5031
Mobile: 0439 337 453
Email: Tom1991@iinet.net.au

Enclosures:

Adelaide Oval Footbridge Timeline, prior to the close of consultation
Letter to Minister Rau, dated 18 October 2012 (3p)
South Australian Government Gazette, No. 7, Thursday 24 January 2013 p.114
Extract of Minutes Capital City Development Assessment Committee (CCDAC) 14 March 2013,
Agenda Item 3.3 Adelaide Festival Centre, Torrens Lake and Tardanya Womma (Park 26) (9p)

Adelaide Oval Footbridge Timeline, prior to the close of consultation

1. **2011/2012** – finalisation of bridge design
2. **15 January 2013**
Riverbank Precinct Pedestrian Bridge *Environment Protection and Biodiversity Conservation Act 1999* (Cth) referral received by the Australian Government Department of Sustainability, Environment, Water, Population and Communities (Queensland and South Australia Assessment Branch)
3. **16 January 2013**
Riverbank Precinct Pedestrian Bridge *Environment Protection and Biodiversity Conservation Act 1999* (Cth) referral signed by Mario Russo, Project Manager, McConnell Dowell Constructors Australia Pty Ltd
4. **30 January 2013**
Development Application (DA 020/004/13A; Adelaide City Council reference: DA F/S10/002/2013) (Adelaide Festival Centre, the Torrens Lake and Tardanya Womma (Park 26) construction of a Torrens Lake bridge) lodged with Development Assessment Commission, by Manuel Delgado (Department of Planning, Transport and Infrastructure) and David Bills (Masterplan);
5. **12 February 2013**
Australian Government Department of Sustainability, Environment, Water, Population and Communities decision on Riverbank Precinct Pedestrian Bridge, Adelaide, SA (EPBC 2013/6723) referral;
6. **13 February 2013**
“DPTI was issued with an *Aboriginal Heritage Act 1998* Section 23 authorisation;
7. **18 February 2013**
“development application was considered by the Council’s” Development Assessment Panel “and was supported” (CCDAC p5);
8. **21 February 2013**
‘Riverbank Footbridge – Final Design’ Special Meeting of the Adelaide Park Lands Authority;
9. **Prior to or on 8 March 2013**
exclusion of public from Adelaide Park Lands (areas of River Torrens north and south banks);
10. **On or about 8 March 2013**
chainsawing and woodchipping of Park Lands trees (north bank);
11. **14 March 2013**
Capital City DAC resolved to grant Development Plan Consent for Development Application DA 020/004/13A Adelaide Festival Centre, the Torrens Lake and Tardanya Womma (Park 26) construction of a Torrens Lake bridge;
12. **19 March 2013**
Chainsawing and woodchipping of three riverbank *Eucalyptus* sp. tagged for retention (north bank) within Tree Protection Zones (TPZs).

Community Alliance SA Inc
PO Box 520
Goodwood, SA 5034

Engaging for Reform



Hon J R Rau
Parliament House
North Terrace
ADELAIDE SA 5000

Disallowance of *Development (Riverbank Footbridge) Variation Regulations 2012*

Dear Member of Parliament,

Community Alliance SA is a community coalition representing 30+ residents associations. We are dedicated to 'Putting the People back into Planning', and fighting for a planning and development process that is accountable, transparent, environmentally and socially sustainable, and that guarantees real consultation.

The Alliance recommends disallowance of the *Development (Riverbank Footbridge) Variation Regulations 2012* (*South Australian Government Gazette*, 12 July 2012, pp 3111-3112).

This variation to the *Development Regulations 2008* intends to fast-track construction of a \$40 million bridge, across the River Torrens within the City of Adelaide Park Lands, by avoiding normal development assessment processes.

In trashing fine-grained and nuanced *planning controls* developed over several decades with remnant (albeit diminishing and increasingly inadequate) provisions for community engagement, the *Development (Riverbank Footbridge) Variation Regulations 2012* is yet another example of government action squandering the State's planning heritage, making a farce of consultative processes, and undermining the rights of communities to enjoy real, effective participation.

Current development processes are no longer based on sound planning principles for building sustainable communities, and deny South Australians meaningful participation in decision-making and in defining the future shape of our communities and our State's capital.

Re-defining a \$40 million bridge as 'development that does not require consent' by means of the *Development (Riverbank Footbridge) Variation Regulations 2012*, and thereby grouping it with small residential garages, swimming pools, solar panels and rain water tanks is a brazen abuse of process, directly contravening provisions of the principle Act (*Development Act 1993*) for protection of the Adelaide Park Lands.

Irrespective of the rights and wrongs of the policy content on the Adelaide Oval Redevelopment—this process is totally inappropriate.

Acclaimed as the 'World's Widest Concrete Span' (*The Mail*, 5 Oct 1929, p 16), the City of Adelaide's King William Road ('Adelaide' or 'City') bridge opened on 5 March 1931. Since then Adelaide's King William Road bridge has been capable of accommodating crowds of 50,000+ football and cricket spectators emanating from Adelaide Oval.

"The new bridge, which will be constructed on the site of the old one, will be 222 ft. long [37.18 metres] and 132 ft. wide [40.23 metres] ... For Adelaide, however, there will be a distinction associated with the structure, for it will be the widest concrete bridge in the world."

(*The Mail*, 5 Oct 1929, p 16)

"The bridge was built to avoid congestion of crowds coming from football and cricket matches on the Adelaide Oval."


(*The Brisbane Courier*, 6 March 1931, p 9)

Adelaide Oval Attendances

50,962	1933	Third Test (Bodyline series)
44,885	1939	Port v Torrens
53,473	1946	Norwood v Port Adelaide
47,000	1946	Victoria def. South Australia
50,489	1950	League grand final
41,579	1952	penultimate match/major round
52,632	1953	Victoria def. South Australia
62,543	1965	Port Adelaide v Sturt (SANFL Grand Final)

To imply that South Australia has somehow de-evolved to the pre-1930s era when the city lacked sufficient width of bridge for Adelaide Oval crowds is unsubstantiated.

Parliamentarians are in a position to assist the Alliance in furthering urgent reform of the State's development regime, and disallowance of the *Development (Riverbank Footbridge) Variation Regulations 2012* is the next step towards restoring the proper role of communities in South Australian planning, and for orderly and proper development of the City of Adelaide.



Tom Matthews

President

Community Alliance SA Inc
PO Box 520 Goodwood, 5031
P: 0429 337 453
Tom1991@iinet.net.au

18 October 2012

The Mail (Adelaide, SA : 1912 - 1954), Saturday 5 October 1929, page 16

ADELAIDE'S NEW CITY BRIDGE WILL BE WORLD'S WIDEST CONCRETE SPAN

The new bridge, which will be constructed on the site of the old one, will be 222 ft. long and 132 ft. wide. It will not be completed for another 18 months. For Adelaide, however, there will be a distinction associated with the structure, for it will be the widest concrete bridge in the world.

Extract:
The Brisbane Courier
Friday 6 March 1931, p 9.

NEW BRIDGE.

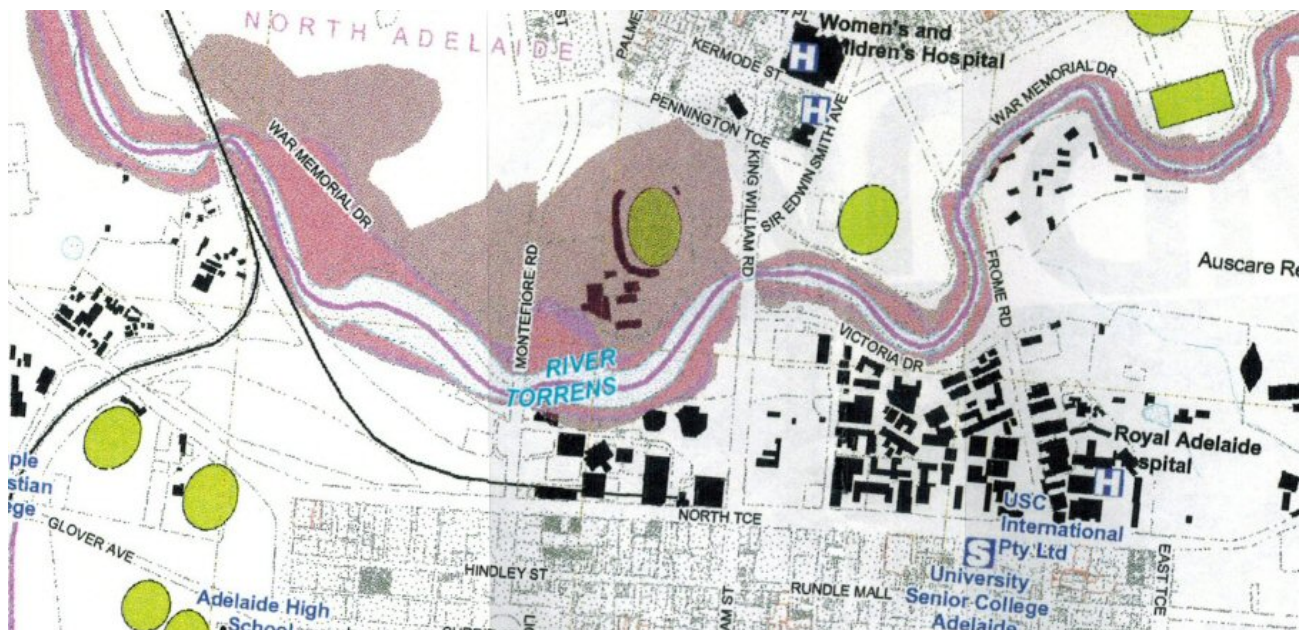
FUNCTION AT ADELAIDE.

ADELAIDE, March 5.

The new city bridge, which has been constructed over the Torrens on King William road, was opened by the Governor (Sir Alexander Hore Rutherford) to-day.

The bridge is believed to be the largest reinforced concrete bridge in the world, having a total width of 132ft., of which 40ft. will be taken up with two footpaths. The bridge was built to avoid congestion of crowds coming from football and cricket matches on the Adelaide oval.

FLOOD MAPPING FOR RIVER TORRENS, CITY OF ADELAIDE, SOUTH AUSTRALIA



DEVELOPMENT ACT 1993: SECTION 28 (1): DECLARATION OF INTERIM OPERATION OF THE ADELAIDE OVAL FOOTBRIDGE DEVELOPMENT PLAN AMENDMENT BY THE MINISTER

NOTICE

PURSUANT to Section 28 (1) of the Development Act 1993, I, the Honourable John Rau, Minister for Planning, am of the opinion that it is necessary in the interest of the orderly and proper development of the area affected by the Adelaide Oval Footbridge Development Plan Amendment that the Development Plan Amendment should come into operation without delay.

I declare that the Development Plan Amendment will come into operation on an interim basis on the day in which this notice is published.

Dated 21 January 2013.

JOHN RAU, Deputy Premier, Minister for Planning

DEVELOPMENT ACT 1993

Adelaide Oval Footbridge Development Plan Amendment for Public Consultation

NOTICE is hereby given that the Minister for Planning, pursuant to Sections 24 and 26 of the Development Act 1993, has prepared the Adelaide Oval Footbridge Development Plan Amendment (DPA) to amend the Adelaide (City) Development Plan.

The purpose of this DPA is to review land use policy around the Riverbank Precinct adjacent to the Adelaide Festival Centre and Adelaide Oval to enable the construction of a footbridge across the Torrens Lake between the Adelaide Oval and the Adelaide Festival Theatre complex. The footbridge will align with related works such as a plaza, pedestrian linkages, offices and bistro facilities to be integrated into the Festival Centre. This supports the Adelaide Oval's redevelopment as part of the State Government's Creating a More Vibrant City initiative.

The DPA will be on public consultation from 24 January to 20 March 2013.

For more information and to view the DPA online visit the Adelaide Oval Footbridge amendment webpage at:

www.sa.gov.au/planning/ministerialdpas.

Copies of the DPA also are available during normal office hours at:

- Department of Planning, Transport and Infrastructure, Level 5, 136 North Terrace, Adelaide; and
- City of Adelaide, Colonel Light Centre, 25 Pirie Street, Adelaide.

Written submissions regarding the DPA should be submitted no later than 5 p.m. on Wednesday, 20 March 2013. Submissions should be addressed to:

The Presiding Member, Development Policy Advisory Committee

Adelaide Oval Footbridge DPA

c/o Department of Planning, Transport and Infrastructure

- Post: G.P.O. Box 1815, Adelaide, S.A. 5001
- Email: dpac@sa.gov.au

Your submission should clearly indicate whether you wish to be heard at the public meeting.

Copies of all public submissions will be available for inspection by interested persons at the Department of Planning, Transport and Infrastructure, Level 5, 136 North Terrace, from the closing date until the conclusion of the public meeting, and will also be available for viewing online on the Adelaide Oval Footbridge amendment webpage at www.sa.gov.au/planning/ministerialdpas.

The public meeting will be held on Tuesday, 9 April 2013 at 7 p.m. at the James Alexander Room, Mercure Grosvenor Hotel, 125 North Terrace, Adelaide at which time interested persons may appear to be heard in relation to the DPA and the submissions. The public meeting may not be held if no submissions are received or if no-one requests to be heard. Please check the Adelaide Oval Footbridge amendment webpage at www.sa.gov.au/planning/ministerialdpas or the Development Policy Advisory Committee

website at www.dpac.sa.gov.au before the scheduled date of the meeting to find out whether it is being held.

If you would like more information about the DPA, please contact Andrew Mitchell on telephone number 8303 0767 or via email at andrew.mitchell@sa.gov.au.

M. VRANAT, Secretary, Development Policy Advisory Committee

FISHERIES MANAGEMENT ACT 2007: SECTION 115

TAKE notice that pursuant to Section 115 of the Fisheries Management Act 2007, Callie Nickolai of the Natural Resources South Australian Murray-Darling Basin, P.O. Box 1374, Berri, S.A. 5343 or persons acting as her agents (the 'exemption holders') are exempt from Section 70 of the Fisheries Management Act 2007 and Regulation 10 of the Fisheries Management (General) Regulations 2007, but only insofar as they may engage in the collection of fish from the waters described in Schedule 1 (the 'exempted activity'), using the gear specified in Schedule 2, subject to the conditions set out in Schedule 3, from 17 January 2013 until 17 January 2014, unless varied or revoked earlier.

SCHEDULE 1

The backwaters and wetlands of the River Murray between the South Australian, Victorian and New South Wales border and Blanchetown.

SCHEDULE 2

- 2 dip nets;
- 20 shrimp traps;
- 20 fyke nets (the maximum length of which does not exceed 10 m, and minimum mesh size 8.5 mm); and
- 2 seine nets (the maximum length of which does not exceed 10 m, and minimum mesh size of 10 mm).

SCHEDULE 3

1. The specimens collected by the exemption holders are for scientific and research purposes only and must not be sold.

2. All native fish taken pursuant to the exempted activity must be immediately returned to the water unless retained for the purpose of species identification.

3. A maximum of five fish of any species per location may be taken for the purpose of species identification.

4. The exemption holder must notify PIRSA Fishwatch on 1800 065 522 at least two hours prior to conducting the exempted activity and answer a series of questions about the exempted activity. The exemption holder will need to have a copy of the exemption notice at the time of making the call, and be able to provide information about the area and time of the exempted activity, the vehicles and boats involved, the number of agents undertaking the exempted activity and other related questions. Exemption No. 9902588.

5. The exemption holders must provide a report in writing detailing the outcomes of the research and the collection of organisms pursuant to this notice to the Director of Fisheries, (G.P.O. Box 1625, Adelaide, S.A. 5001) within three months of the expiry of this notice, giving the following details:

- the date, soak time and location of collection;
- the number of nets used;
- the description of all species collected (fish, invertebrates, turtles);
- the number of each species collected; and
- any other information regarding size, breeding or anything deemed relevant or of interest that is able to be volunteered.

6. While engaged in the exempted activity, the exemption holder or agent must be in possession of a copy of this notice. Such notice must be produced to a Fisheries Officer if requested by that officer.

Dated 17 January 2013.

PROFESSOR M. DOROUDI, Director of Fisheries



Development Assessment Commission

**Capital City Development Assessment Committee
held on Thursday, 14 March 2013 commencing at 2.20 PM
Conference Room 6.2, Level 6, 136 North Terrace, Adelaide**

1. OPENING

1.1 PRESENT

Presiding Member	Ted Byrt
Deputy Presiding Member	Megan Leydon
Members	Geoffrey Loveday Carolyn Wigg Simone Fogarty Andrew Ford Michael Llewellyn-Smith AM
Secretary	Sara Zuidland
Principal Planner	Mark Adcock
DPTI Staff	Simon Neldner (Agenda Item 3.1) Jeremy Wood (Agenda Item 3.2) Gabrielle McMahon (Agenda Item 3.3)

1.2 APOLOGIES – Damien Brown.

2. DEFERRED APPLICATIONS – Nil.

3. NEW APPLICATIONS

**3.1 Commercial & General Flinders Office Pty Ltd
020/0003/13A
50 Flinders Street, Adelaide**

The Presiding Member welcomed the following people to address the Committee:

Applicant(s)
• Jamie McClurg

Adelaide City Council for further assistance and information by calling Nick Nash on 8203 7562.

10. Pursuant to Regulation 74, the Council must be given one business day's notice of the commencement and the completion of the building work on the site. To notify Council, contact City Services on 8203 7332.
11. 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.
12. You are 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.
13. You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.
14. You have a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval. Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which you receive this notice or such longer time as the Court may allow. Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
15. It is recommended that anti-graffiti coatings and/or resistant materials should be considered in the construction of the building at the ground level.
16. The development is to be undertaken in four stages: Stage 1 demolition of all existing buildings and structures; Stage 2 substructure construction; Stage 3 superstructure construction; Stage 4 internal fitout
17. The following requirements of the *Heritage Places Act 1993* should be noted:
 - a) if an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
 - b) where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

For further information, contact the SA Heritage Unit (DEWNR) on 8214 4960.

3.3 **DPTI, C/- Masterplan**

020/0004/13A

Adelaide Festival Centre, the Torrens Lake and Tardanya Womma (Park 26)

The Presiding Member welcomed the following people to address the Committee:

Applicant(s)

- David Bills (Masterplan)
- Manuel Delgado (DPTI)

Agency

- Ben Hewett (ODASA)

The Committee 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 the proposal by the Department of Planning, Transport and Infrastructure for the construction of a new pedestrian and cyclist footbridge over the Torrens Lake between the Adelaide Festival Centre and the Adelaide Oval/Memorial Drive sporting precinct, comprising associated works on the northern and southern banks of the River Torrens to facilitate access to the footbridge and an improvement to the public realm (including public plazas, stairs and ramps, water features, pedestrian and cycling paths, new bistro and offices) and the removal of one significant tree, seven regulated trees and the pruning of two significant trees and associated new landscaping, subject to the following conditions of consent.

Planning Conditions:

1. 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 plans, as submitted in Development Application 020/0004/13A including:

Architectural and landscape drawings as follows:

Architectural Plans

AUR-DRG-AR-0011 SITE PLAN 1:1000 Rev B.
AUR-DRG-AR-0020 SITE PLAN Rev B.
AUR-DRG-AR-0040 DEMOLITION PLAN Rev B.
AUR-DRG-AR-2000 PLAN Rev C.
AUR-DRG-AR-2010 ELEVATIONS Rev B.
AUR-DRG-AR-2020 ELEVATIONS AND SECTION (CHAINAGE) Rev B.
AUR-DRG-AR-2040 SECTIONS 1 Rev C.
AUR-DRG-AR-2041 SECTIONS 2 Rev C.
AUR-DRG-AR-2060 REFLECTED SOFFIT, SUPPORT AND ABUTMENTS PLAN Rev C.
AUR-DRG-AR-2070 DETAILED SOFFIT PLANS 1 (PANEL INDEX PLAN) Rev B.
AUR-DRG-AR-2071 DETAILED SOFFIT PLANS 2 (PANEL INDEX PLAN) Rev B.
AUR-DRG-AR-2072 DETAILED SOFFIT PLANS 3 (PANEL INDEX PLAN) Rev B.
AUR-DRG-AR-2080 ABUTMENT ELEVATIONS Rev B.
AUR-DRG-AR-2100 MID-SPAN SUPPORT ELEVATIONS Rev B.
AUR-DRG-AR-3000 DEMOLITION PLAN RL 26 Rev C.
AUR-DRG-AR-3001 DEMOLITION PLAN RL 30 Rev C.
AUR-DRG-AR-3010 RL 26 SETOUT PLAN Rev B.
AUR-DRG-AR-3011 RL 30 SETOUT PLAN Rev B.
AUR-DRG-AR-3020 RL 26 FLOOR PLAN Rev G.
AUR-DRG-AR-3021 RL 30 FLOOR PLAN Rev H.
AUR-DRG-AR-2023 FITOUT PLAN BISTRO KITCHEN RL 26 Rev B.
AUR-DRG-AR-3050 ELEVATIONS Rev D.
AUR-DRG-AR-3060 SECTIONS 1 Rev E.
AUR-DRG-AR-3200 ADELAIDE RAILWAY STATION ENTRY AND FESTIVAL DRIVE WORKS PLAN Rev G.
AUR-DRG-AR-3201 ADELAIDE RAILWAY STATION ENTRY AND FESTIVAL DRIVE ELEVATIONS Rev D.
AUR-DRG-LS-2001 LANDSCAPE-GENERAL LAYOUT PLAN Rev E.
AUR-DRG-LS-2002 LANDSCAPE PLANTING Rev A.
AUR-DRG-LS-3000 LANDSCAPE – SOUTH PLAN Rev D.
AUR-DRG-LS-3001 LANDSCAPE SETOUT PLAN – SOUTH LANDING Rev A.
AUR-DRG-LS-3002 LANDSCAPE SOUTH SURFACES PLAN Rev C.
AUR-DRG-LS-3003 LANDSCAPE SOUTH LANDING PEDESTRIAN BRIDGE Rev B.
AUR-DRG-LS-3100 LANDSCAPE SECTIONS SOUTH GENERAL SECTIONS Rev A.
AUR-DRG-LS-3101 LANDSCAPE SOUTH DETAILS PAVING Rev A.
AUR-DRG-LS-3151 LANDSCAPE SOUTH WATER FEATURE – TYPE 1 Rev A.
AUR-DRG-LS-3152 LANDSCAPE SOUTH WATER FEATURE: TYPE 2 – SAND FLATS Rev A.

AUR-DRG-LS-3153 SOUTH WATER FEATURE TYPE 3 – WATER PLAY Rev A.
AUR-DRG-LS-4000 LANDSCAPE – NORTH PLAN Rev E.
AUR-DRG-LS-4004 NORTH LANDING SURFACES PLAN 1 OF 3 Rev D.
AUR-DRG-LS-4005 NORTH LANDING SURFACES PLAN 2 OF 3 Rev D.
AUR-DRG-LS-4006 NORTH LANDING SURFACES PLAN 3 OF 3 Rev D.
AUR-DRG-LS-4200 LANDSCAPE – NORTH SECTIONS Rev B.
AUR-DRG-LS-4201 LANDSCAPE – NORTH STAIR SECTIONAL ELEVATIONS Rev B.

Landscape Plans

AUR-SKT-LS-1000[A] LANDSCAPE - SKETCH DESIGN PLAN.
AUR-SKT-LS-1002[A] LANDSCAPE - SOUTH LANDING PLAN.
AUR-SKT-LS-1004[A] LANDSCAPE - NORTH LANDING PLAN.
AUR-SKT-LS-1006[A] VIEW OF SOUTH LANDING FROM THE BRIDGE.
AUR-SKT-LS-1007[A] VIEW OF ADELAIDE OVAL FROM THE BRIDGE PLAZA.
AUR-SKT-LS-1007[A] VIEW OF NORTH LANDING AND ADELAIDE OVAL FROM THE BRIDGE.
DPTI-DRG-ENV-0001 SIGNIFICANT/REGULATED TREES VEGETATION REMOVAL PLAN

Masterplan Development Application titled *Planning Report – Riverbank Bridge* ref 13776REP02 dated 29/1/2013

Masterplan letter dated 12 February 2013 and 4 March 2013 and accompanying Construction Environmental Management Plan (CEMP) by McConnell Dowell Constructors Pty Ltd (025-Y002-252) and the following plans by McConnell Dowell:

MDSR-AOP-0202-10
MDSR-AOP-0202-11
MDSR-AOP-0202-14
MDSR-AOP-0202-17
MDSR-AOP-0202-18
MDSR-AOP-0202-30

2. The details of junctions between existing and new fabric at the interface with the Adelaide Festival Centre shall be submitted to, and approved by the Development Assessment Commission in consultation with the Department of Environment, Water and Natural Resources prior to construction of the works associated with the plaza and bridge.

Reason for condition: Detailed information not available at this stage of the project. Some inconsistencies exist within the current documentation (eg extent of salvaged balustrade to be reinstated).

3. The details of the paving design and layout in the vicinity of the Dunstan Playhouse shall be submitted to, and approved by the Development Assessment Commission in consultation with the Department of Environment, Water and Natural Resources prior to the construction of the works associated with the plaza and bridge.

Reason for condition: To finalise the line of interface between existing and new plaza paving, and the design and geometric relationship of new paving in relation to the Dunstan Playhouse.

4. Appropriate signage shall be included to help assist pedestrians with way-finding. Any additional signs that constitute development under the Development Act, 1993 shall be the subject of a separate application.
5. The final details of the railing or other safety structure associated with the boardwalk on the northern bank shall be provided to, and approved by the Development Assessment Commission, prior to final approval being granted by Council for this section of the development.
6. The crime prevention measures shall be incorporated into the development, such as appropriate lighting of the footbridge, plaza areas and pedestrian thoroughfares and the use of CCTV cameras. Such lighting

shall be operational during the hours of darkness at all times to the reasonable satisfaction of the Development Assessment Commission.

7. The stormwater from the hard surface areas shall be appropriately treated to the satisfaction of the Adelaide City Council.
8. The development should be constructed in accordance with the staged consents, as described below:

Stage	Package Name	Activity
1A		Removal of significant trees
1	BR2	Footings for belvedere
2	BR3B	Belvedere
3	S2	Architectural finished and services for S1
4	S1	Southern landing demolition, structure, bistro and office structures
5	S4	Railway station glass door modification, bin enclosure and gate removal
6	BR4	Structure for non-span component of bridge
7	N1	Civil works, amphitheatre and road on Northern side of River Torrens
8	N2	Urban design finishes and works for Northern side of River Torrens
9	BR5	Cladding for bridge facade
10	BR6	Finishes to the bridge deck including paving, handrails and balustrades
11	S3	Office and bistro fitout
12	BR2A	Bridge footings between Chainage 55 and 130
13	BR3A	Bridge concrete superstructure

9. Final configuration and design detail of the southern plaza, adjacent the Intercontinental loading dock, and access to the railway concourse shall be submitted to, and approved by the Development Assessment Commission prior to commencement of stage 5.

Conditions directed by the Environment Protection Authority

10. Construction of the development herein approved must be undertaken in accordance with the final version of the Construction Environment Management Plan (CEMP). The final version of the CEMP must include the following revisions, sub-plans and environmental protection instructions (EPIs) as identified in the CEMP (but not limited to):
 - a) include reference to the Environment Protection (Water Quality) Policy 2003 in Table 3: Summary of Environmental Legislation
 - b) include stop-work response for immediate attention when a potential environmental impact is identified. It must create a response mechanism where an immediate cessation of work can be triggered, and return to the work that caused the original incident only occurs after sustainable rectification.
 - c) Table 5 'Air Quality' states: 'Air quality monitoring to satisfy EPA requirements including PM10 Continuous Particulate Matter'. This should include detail of what is being proposed, including the standards against which they will be assessed.
 - d) a Soil Erosion and Drainage Management Plan (SEDMP), incorporating a water quality monitoring program that clearly outlines how soil and sediment transport from the construction site will be prevented. The SEDMP must be prepared and implemented in accordance with the EPA's Code of Practice for the building and construction industry (available at:

http://www.epa.sa.gov.au/xstd_files/Water/Code%20of%20practice/bccop1.pdf) and must include:

- i) prevention of sediment transport off site via vehicular traffic
 - ii) prevention of sediment transport off site through runoff and wind
 - iii) appropriate management of soil stockpiles to prevent sediment leaving the site through runoff and entering the stormwater system
 - iv) immediate rehabilitation and stabilisation of land as the development progresses
 - v) instructions on how to manage any sediment dams established during construction and how they will be removed once the development is completed
 - vi) consider how dewatering activities affect the known groundwater contamination in the vicinity of the site and any potential for this to cause further site contamination.
- e) Site Contamination Management Plan
 - f) Noise and Vibration Management Plan
 - g) Water Quality Protection/Erosion and Sediment Control EPI
 - h) Construction Noise and Vibration Control EPI
 - i) Air Quality Controls EPI
 - j) Materials and Fuels and Waste Management EPI
 - k) Solid and Liquid Waste EPI
 - l) Acid Sulphate Soils EPI.
11. All material (waste) proposed to be disposed off-site must be classified and characterised in accordance with the EPA Information Sheet - Current criteria for the classification of waste (http://www.epa.sa.gov.au/xstd_files/Waste/Information%20sheet/current_waste_criteria.pdf) prior to removal off-site to a facility licensed to receive, dispose and/or treat that waste.
12. Any rock, gravel or other material placed in the river as part of the construction of the footbridge must be clean and suitable for the purpose of use in the River Torrens. This material must comply with the Standard for the production and use of waste derived fill: http://www.epa.sa.gov.au/xstd_files/Waste/Guideline/standard_wdf.pdf.
13. All 'in water' and 'over water' works must be undertaken within the confines of silt curtains designed, operated and maintained to prevent suspended solids escaping the immediate vicinity of the work area.
14. Any discharge from earthworks drainage (such as from within coffer dams, excavations on site or rainfall on the works area) must only be discharged back into the River Torrens within an area that is fully enclosed by silt curtains.
15. A definitive statement must be provided to the satisfaction of the EPA following completion of the development confirming that any residual contamination does not pose unacceptable risks to human health or the environment, taking into account the land use(s). This must be in the form of an environmental assessment report prepared by a suitably qualified site contamination consultant in accordance with the relevant EPA guidelines. Note: Statements made by consultants in relation to site

contamination must be clearly qualified as to the existence of site contamination at the site specifying the land use(s) that was taken into account in forming that opinion as required by section 103ZA of the Environment Protection Act 1993.

Advisory Notes:

1. The applicant is reminded of their general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
2. An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements.
3. A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
4. Any information sheets, guidelines documents, codes of practice, technical bulletins etc. that are referenced in this response can be accessed on the following web site: <http://www.epa.sa.gov.au>
5. In order to meet the General Environmental Duty, as required by S.25 of the *Environment Protection Act 1993*, taking all reasonable and practicable measures means, but is not limited to, the following:
 - conducting construction works that will cause annoyance only between 7am and 7pm Monday to Saturday unless absolutely necessary to do otherwise. "Absolutely necessary" does not mean for economic reasons (e.g. meeting project schedules) but for reasons of public safety or occupational health and safety (e.g. to minimise traffic hazards, to avoid working in very hot weather)
 - using the quietest equipment available
 - using temporary or permanent acoustic barriers where possible
 - commencing any particularly noisy part of the activity (such as masonry sawing, pile driving or jack hammering) after 9.00 a.m.
 - locating noisy equipment or processes so that their impact on neighbouring premises is minimised (whether by maximising the distance to the premises, using structures or elevations to create barriers or otherwise)
 - shutting or throttling equipment down whenever it is not in use
 - ensuring that noise reduction devices such as mufflers are fitted and operating effectively
 - ensuring that equipment is not operated if maintenance or repairs would eliminate or significantly reduce a characteristic of noise resulting from its operation that is audible at noise-affected premises
 - operating equipment and handling materials so as to minimise impact noise
 - using off-site or other alternative processes that eliminate or lessen resulting noise.
6. At least 72 hours prior to the commencement of noisy activities, distribute a letter or leaflet to local residences and businesses (Intercontinental Hotel, Dunstan Playhouse, Adelaide Festival Centre, Convention Centre etc) that may be affected by the noise. The letter or leaflet should include the following information:

- if construction is occurring other than between 7am and 7pm Monday to Saturday, explain what public safety or occupational health and safety risk (e.g. to minimise traffic hazards, to avoid working in very hot weather) makes it necessary to do so.
 - what measures will be used to minimise noise
 - the start and finish times of the work
 - the phone number of an on-site contact person who will be available to receive complaints from the public. This should be arranged so that the contact person can answer calls at all times during the construction work.
7. If, at any stage during site works, site contamination is detected that harms or threatens underground water, there is a requirement to provide a Section 83A notification to the EPA as soon as reasonably practicable in accordance with the EPA Guideline '*Site Contamination: Notification of site contamination that affects or threatens underground water pursuant to section 83A of the Environment Protection Act 1993*'. This requirement falls on an owner, an occupier or a site contamination consultant or auditor, pursuant to section 83A(1)(a) and (b) of the *Environment Protection Act 1993*. The applicant should discuss this requirement with their consultant (and auditor if engaged) to ensure that there is no confusion in reporting obligations.
 8. It should be noted that silt curtains will fail in fast flowing water. The applicant/contractor should consider how this will be managed when there is rainfall within the urban parts of the Torrens Catchment.
 9. The EPA has a preference that any water that is chemically treated on site should not be discharged to the river or the stormwater system.
 10. You are advised of the following requirements of the *Heritage Places Act 1993*.
 - If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
 - Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

For further information, contact the Department of Environment, Water and Natural Resources.

11. It is required that the developer must comply with the authorisation and conditions granted by the Minister for Aboriginal Affairs and Reconciliation, in accordance with the *Aboriginal Heritage Act 1988*.
12. The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.
13. Development Approval will not be granted until Building Rules Consent and/or an Encroachment Consent have been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
14. A Building Site Management Plan is required prior to construction work beginning on site. The Building Site Management Plan should include details of such items as:
 - Work in the Public Realm

- Street Occupation
- Hoarding
- Site Amenities
- Traffic Requirements
- Servicing Site
- Adjoining Buildings
- Reinstatement of Infrastructure

15. 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.
16. You are 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.
17. You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.
18. You have a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval. Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which you receive this notice or such longer time as the Court may allow. Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).

4. **ANY OTHER BUSINESS**

4.1. **Delegations**

Report from Principal Planner

RESOLVED

That the Capital City Development Assessment Committee RESOLVE to grant the following delegations to the Principal Planner – DAC and the operating procedures be amended accordingly:

The power to determine in respect to an application that has previously been granted Development Plan Consent pursuant to Section 33(1)(a) of the Act, the following:

1. where the matter seeking determination is considered to be **minor** in that it will not materially affect the principal planning merit of the application as originally approved:
 - an amendment or variation to the proposal
 - the satisfaction of reserved matters
 - the satisfaction of conditions
 - an extension of time of operation of a development plan consent or development approval
2. **proceed** with the assessment of a non-complying development application pursuant to Regulation 17(3), but not decline to proceed with assessment of a non-complying development application

and that a report on matters determined under delegation be provided to CCDAC periodically.