

Council Assessment Panel Minutes

20 July 2022

Our Vision

*A City which values its heritage, cultural diversity,
sense of place and natural environment.*

*A progressive City which is prosperous, sustainable
and socially cohesive, with a strong community spirit.*

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City of
Norwood
Payneham
& St Peters

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VENUE Norwood Concert Hall, Norwood Town Hall

HOUR 7:00 pm

PRESENT

Panel Members Mr John Minney
Mr Mark Adcock
Mr Ross Bateup
Ms Jenny Newman

Staff Carlos Buzzetti General Manager, Urban Planning & Environment
Mark Thomson Consultant Planner
Nenad Milasinovic Senior Urban Planner
Kieran Fairbrother Senior Urban Planner
Tala Aslat Planning Assistant

APOLOGIES Terry Mosel

ABSENT

Mr Mark Thomson advised that Mr Mosel is an apology and sought nomination for an Acting Presiding Member.

MOVED

That Mr Adcock be Acting Presiding Member

Seconded and Carried

**1. CONFIRMATION OF THE MINUTES OF THE MEETING OF THE COUNCIL ASSESSMENT
PANEL HELD ON 20 JUNE 2022**

2. STAFF REPORTS

2.1 DEVELOPMENT APPLICATION 22014444 – BUNNINGS GROUP LIMITED – 3-5 PENNA AVENUE, GLYNDE, 37 PROVIDENT AVENUE, GLYNDE, 35 BARNETT AVENUE, GLYNDE AND 37, 39, 41-43 GLYNBURN ROAD, GLYNDE

DEVELOPMENT NO.:	22014444
APPLICANT:	Bunnings Group Limited
ADDRESS:	3-5 PENNA AV GLYNDE SA 5070 37 PROVIDENT AV GLYNDE SA 5070 37 GLYNBURN RD GLYNDE SA 5070 35 BARNETT AV GLYNDE SA 5070 41-43 GLYNBURN RD GLYNDE SA 5070 39 GLYNBURN RD GLYNDE SA 5070 41-43 GLYNBURN RD GLYNDE SA 5070
NATURE OF DEVELOPMENT:	Bulky Goods Outlet (Shop) with advertising displays and earthworks
ZONING INFORMATION:	Zones: • Employment Overlays: • Airport Building Heights (Regulated) • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development Technical Numeric Variations (TNVs): Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	6 May 2022
RELEVANT AUTHORITY:	Assessment manager at City of Norwood, Payneham and St. Peters
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
REFERRALS STATUTORY:	Commissioner of Highways
REFERRALS NON-STATUTORY:	Manager, Traffic & Integrated Transport

CONTENTS:

APPENDIX 1:	Relevant P&D Code Policies	ATTACHMENT 5:	Response to Representations
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ATTACHMENT 4:	Representations		

DETAILED DESCRIPTION OF PROPOSAL:

The Applicant seeks consent to construct a bulky goods retail outlet, together with associated earthworks, signage, car parking and landscaping, as well as amending the boundary layout to facilitate alterations to the road and kerbing, and intersection upgrade works associated with the installation of a signalised intersection. More specifically, the proposed outlet is to be occupied by Bunnings, a large-scale retailing hardware supplies store.

A trade centre for the sale and pick up of larger building materials is proposed at the western end of the building, with its own access and egress via Penna Avenue. A small ancillary café with adjacent toilets and children's play area (approx. 170m² total) is proposed at the eastern end of the building.

The ground floor level of the building is proposed to comprise a car parking area, accommodating 294 car parking spaces. The level of the car parking area is approximately 1.3m below the level of Glynburn Road and 300mm below Barnett Avenue. Access to the basement car parking area is proposed via Penna Avenue only. Trade sales are to be accessed via Penna Avenue at the western end of the building. Deliveries of goods to the subject land is proposed via Glynburn Road, with vehicles circulating around the building, unloading and exiting via Penna Avenue. Deliveries are to be one-way traffic movements.

At first floor level, the Glynburn Road frontage of the building is to be occupied by a bagged goods area (potting mix, manure, cubby houses, fertiliser etc) and plant nursery. This area is partly open-air, partly covered with solid roof over the bagged goods area and shade sails over the nursery. The indoor component of the hardware store is set back 40 metres from Glynburn Road and has a total building height of 17.8m. The first floor is approximately 8456m² in area. A second 'mezzanine' floor has a gross floor area of 3,709m², comprising a retail floor area of 3,446m² and a staff facilities/offices floor area of 263m².

The Glynburn Road facade of the building is proposed to be set back between 3.0m and 3.2m from a revised street boundary, with landscaping within that setback. The facade consists of a combination of black powder coated screen fencing to the car park which is to be largely screened by the landscaping. Above that at first floor level, is a combination of powder coated aluminium louvres incorporating the Bunnings corporate logo in front of the bagged goods area and mesh and precast concrete panels in front of the nursery. This façade treatment returns along the north and south of the building.

The Penna Avenue facade of the building is proposed to be set back 2.2m to 10.8m from the street boundary, with areas of landscaping within that setback. The facade consists of a combination of fibre-reinforced cement sheets and reinforced concrete tilt up panelling and glazing.

BACKGROUND:

The Council's Development Assessment Panel (DAP) considered a non-complying Development Application (DA Number 155/154/2016) by Bunnings Group Ltd, for the demolition of existing structures and the construction of a bulky goods outlet together with associated car parking, signage and landscaping on 10 May 2017. The DAP determined to refuse the application for the following reason:

"The proposed development is contrary to objective 1 of the Light Industry Zone as it will generate heavy traffic and is not manufacturing on a small scale"

On 7 July 2017, Bunnings Group Pty Ltd (Bunnings) lodged Development Application Number 155/503/17, for the demolition of existing buildings and the construction of a distribution centre. In accordance with legal advice received, the application was for a complying form of development, comprising a 'store' which satisfied the relevant preconditions. As such, the application was granted Development Plan Consent.

On 2 January 2018, Bunnings lodged a non-complying Development Application (DA Number 155/2/2018) which replicated DA 155/154/16, with the exception of access and egress arrangements to the customer car parking area. In particular, no vehicular access to Barnett Avenue was proposed and egress onto Penna Avenue had been restricted to right turns only. The Council Assessment Panel resolved not to proceed with an assessment of the Development Application, pursuant to Regulation 17(3)(b) of the *Development Regulations 2008*.

Bunnings had no right of appeal against the decisions of the DAP and CAP with respect to Development Applications 155/154/2016 and 155/2/2018 because those applications were non-complying. Specifically, shops were listed as a non-complying land use within the Light Industry Zone.

On 19 March 2021, the Planning and Design Code replaced the Development Plan as the relevant instrument for the assessment of development applications. This resulted in the subject land being zoned as Employment Zone instead of Light Industry Zone and the assessment pathway being 'performance assessed' instead of non-complying.

On 25 May 2021, Bunnings lodged Development Application 21008794 for a Bulky Goods Outlet (Shop) with advertising displays and earthworks. The CAP determined to refuse the application for the following reason:

"Bulk, scale and intensity and the consequential traffic generation render the proposed development to have an unacceptable conflict with Employment Zone Desired Outcome 1, Desired Outcome 2 and Performance Outcome 2.1."

The decision has been appealed by Bunnings to the Environment Resources and Development Court. The appeal is currently being held in abeyance, awaiting the outcome of the current development application which is the subject of this report.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 3-5 PENNA AV GLYNDE SA 5070

Title ref.: CT 5364/617	Plan Parcel: F135589 AL38	Council: THE CITY OF NORWOOD PAYNEHAM AND ST PETERS
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Location reference: 37 PROVIDENT AV GLYNDE SA 5070

Title ref.: CT 5148/230	Plan Parcel: F104491 AL8	Council: THE CITY OF NORWOOD PAYNEHAM AND ST PETERS
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Location reference: 37 GLYNBURN RD GLYNDE SA 5070

Title ref.: CT 6129/955	Plan Parcel: F135591 AL40	Council: THE CITY OF NORWOOD PAYNEHAM AND ST PETERS
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Location reference: 35 BARNETT AV GLYNDE SA 5070

Title ref.: CT 5359/125	Plan Parcel: D7118 AL38	Council: THE CITY OF NORWOOD PAYNEHAM AND ST PETERS
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Location reference: 41-43 GLYNBURN RD GLYNDE SA 5070

Title ref.: CT 5487/69	Plan Parcel: F135593 AL42	Council: THE CITY OF NORWOOD PAYNEHAM AND ST PETERS
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Location reference: 39 GLYNBURN RD GLYNDE SA 5070

Title ref.: CT 6129/936	Plan Parcel: F135592 AL41	Council: THE CITY OF NORWOOD PAYNEHAM AND ST PETERS
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Location reference: 41-43 GLYNBURN RD GLYNDE SA 5070

Title ref.: CT 6129/954	Plan Parcel: F137955 AL51	Council: THE CITY OF NORWOOD PAYNEHAM AND ST PETERS
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The subject land has an irregular shape with frontages to Glynburn Road (92 metres), Penna Avenue (146 metres), Provident Avenue (35 metres) and Barnett Avenue (17 metres).

The subject land is vacant, with most buildings having been demolished in 2019. The natural topography of the subject land is sloping, with a fall of approximately 2.0m from eastern to the western boundary and a fall of approximately 2.0m from southern to northern boundary across the Glynburn Road frontage of the site.

Locality

The locality of the subject land contains a mix of commercial land uses, as outlined in detail below.

North of the Subject Land

All land within the locality to the north of the subject land is located within the Employment Zone. Adjacent the subject land to the north is an integrated food manufacturing premises and café, crash repairers, a vacant yard and a number of office/warehouses.

South of the Subject Land.

On the southern corner of Glynburn Road and Provident Avenue is a crash repairer and an office. Directly adjacent the subject land, is an office warehouse. Provident Avenue contains a mix of land uses including crash repairers, furniture manufacturing, engineering services, office/warehouses and service trade premises.

East of the Subject Land

The eastern side of Glynburn Road is located within the City of Campbelltown and contains a mix of residential and commercial land uses. The latter includes a relatively new homemaker centre containing three (3) tenancies, relatively small scale retail premises and several dwellings in the form of residential flat buildings and group dwellings.

West of the Subject Land

Along Barnett Avenue, a number of office/warehouses exist along with a service trade premises, two (2) food manufacturing facilities and several stores.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
Other - Commercial/Industrial - Earthworks: Code Assessed - Performance Assessed
Advertisement: Code Assessed - Performance Assessed
Shop: Code Assessed - Performance Assessed

- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed

- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**
adjacent land to a site (or land) used for residential purposes in a neighbourhood-type zone

• **LIST OF REPRESENTATIONS**

Valid representations were received from the following persons:

Given Name	Family Name	Address	Position	Wishes To Be Heard	Represented By
Dimitrios	Alexoudis	25a Castres street, Glynde SA 5070	Opposed	NO	
Trent	Ames	11 Allen Avenue, Glynde SA 5070	Opposed	NO	
Erminia	Amici	10 WAKELIN STREET, GLYNDE SA 5070	Opposed	YES	TBA
Carol	Bronzin	PO Box 3, Cudlee Creek SA 5232	Opposed	YES	
John	Capaldo	111 LEWIS ROAD, GLYNDE SA 5070	Opposed	YES	
Mr Pasquale and Mrs Lee	Clemente	30A SUNBEAM ROAD, GLYNDE SA 5070	Opposed	YES	Amanda Price McGregor
Liam	Connolly	19 Gwynne St, Firlie SA 5070	Opposed	NO	
Ralph	Crook	70 Henry Street, Glynde SA 5070	Opposed	NO	
Elsa and Bruna	D Ercoli	8 WAKELIN STREET, GLYNDE SA 5070	Opposed	NO	
Hans	Dathe	23 Harrison St, Magill SA 5072	Opposed	YES	
Maria	Di Rito	62 Lewis Road, Glynde SA 5070	Opposed	NO	
Gayle	Goodman	36 Hilltop Ave, Felixstow SA 5070	Opposed	NO	
Jennifer	Gould	Apt 3 404 Payneham Road, Glynde SA 5070	Opposed	NO	
Paul	Henry	95 LEWIS ROAD, GLYNDE SA 5070	Opposed	YES	
Tim	Jenke	12 GEORGE STREET, PAYNEHAM SA 5070	Opposed	NO	
Mandy	Keulen	17 Blanden Ave, Marden SA 5070	Opposed	NO	
Pasquale	La Vista	1 BARNETT AVENUE, GLYNDE SA 5070	Opposed	NO	
Liz	Lane	111 Glynburn Rd, Glynde SA 5070	Opposed	NO	
Malcolm	Loeffler	Unit 144/22 Avenue Road, Glynde SA 5070	Opposed	NO	
Rosalie	Loeffler	Unit 144/22 Avenue Road, Glynde SA 5070	Opposed	NO	
Albert	Lombardoizzi	44 ASHBROOK AVENUE, PAYNEHAM SA 5070	Opposed	YES	TBA
Andrew	McKenzie	80 Tenth Avenue, Joslin SA 5070	Opposed	NO	
Ian	Pfeiffer	11/46 Barnes Rd, Glynde SA 5070	Opposed	NO	

Given Name	Family Name	Address	Position	Wishes To Be Heard	Represented By
Andy	Reid	62 Marian Road, Payneham SA 5070	Opposed	NO	
Chris	Reid	3 SUNBEAM ROAD, GLYNDE SA 5070	Opposed	NO	
Josie	Russo	8 Clairville Rd, Campbelltown SA 5074	Opposed	YES	
Mauro	Russo	27-29 BARNETT AVENUE, GLYNDE SA 5070	Opposed	YES	Giacomo Scalzi
Giacomo	Scalzi	66 HENRY STREET, GLYNDE SA 5070	Opposed	YES	
Fiona	Sherwin	9 Almond Ave, Glynde SA 5070	Opposed	NO	
Amer	Sibai	39 PROVIDENT AVENUE, GLYNDE SA 5070	Opposed	YES	
Jessica	Sibai	97 LEWIS ROAD, GLYNDE SA 5070	Opposed	YES	
Cheryl	Smith	20 SHIRLEY AVENUE, FELIXSTOW SA 5070	Opposed	NO	
Craig	Steen	14 PENNA AVENUE, GLYNDE SA 5070	Support with concerns	NO	
Heidi	Sutton	10/34 John Street, Payneham SA 5070	Opposed	NO	
Vincent	Tarzia MP	25a Montacute Road, CAMPBELLTOWN SA 5074	Opposed	NO	
Maria	Tremonte	4B Sunbeam Road, Glynde SA 5070	Opposed	NO	
Merilyn	Yemm	PO Box 236, Marden SA 5070	Opposed	YES	

• SUMMARY

A total of thirty-seven (37) valid representations were received. Of the 37 valid representations, 36 are opposed to the development application and 1 is supportive with concerns. The key issues raised by representors are, in summary:

- Concern over additional vehicle movements parking in the local area;
- Traffic congestion concerns on Glynburn Road;
- ‘Rat Running’ through residential areas;
- Increased heavy vehicle movements in residential areas, with associated noise and dust impacts;
- There is no need for another hardware store in this location;
- The scale of the development is not envisaged in the Employment Zone;
- The proposal is not ‘low impact’
- The building is devoid of architectural merit and is too large;
- The proposal reduces the opportunity to develop within the zone in accordance with its intended purpose;

AGENCY REFERRALS

- Commissioner of Highways

In summary, the Commissioner of Highways has advised:

- The traffic assessment undertaken by MFY has identified that whilst the development will result in an increase in traffic, the traffic impacts associated with the development are generally able to be appropriately managed.
- It is noted that the removal of the access points on Barnett Avenue and Provident Avenue result in all traffic being concentrated at the Penna Avenue access. Whilst this will have limited impact on the distribution of traffic associated with the development, it has the potential to result in congestion at the Penna Avenue access. It is also likely that delay for vehicles exiting Penna Avenue onto Glynburn Road will increase.
- It is recommended that the deleted access points be reinstated to minimise this potential. In the event that this cannot be achieved, as a minimum, amendments to the car park design should be considered to ensure that parking and un-parking movements do not interfere with the free flow of traffic into the car park (i.e. the main entry aisle is free of car parking spaces).
- With respect to the signalised intersection design, the department is supportive of the concept subject to detailed design.
- The general design of the right turn lane and associated 300mm extended median is supported.
- The proposed access on Glynburn Road is supported, and it will require the relocation of the existing bus stop (18A) to the satisfaction of the department.

Despite recommending that the alternative access points on Barnett Avenue and Provident Avenue be reinstated, the Commissioner of Highways has not objected to the development application and has directed that a number of conditions of consent be imposed.

INTERNAL REFERRALS

- Manager, Traffic & Integrated Transport

In summary, the Manager, Traffic & Integrated Transport has advised:

- a single access point off of Penna Avenue is not a preferred outcome and would be likely, at times, to result in significant traffic congestion in Penna Avenue between the access point and Glynburn Road.
- There will be additional non-local traffic accessing the site via the local street network to avoid delays on the arterial road network, and it would be up to the Council to address this issue in the broader, long-term context.
- The proposed traffic signals would however facilitate safe and convenient access to the subject site and would be likely to improve access & egress to other premises in the Employment Zone due to improved right turns out to Glynburn Road. This may reduce the frequency of large vehicles throughout the local street network.
- The access arrangements only allow large delivery vehicles to enter from Glynburn Road which is supported as these vehicles would not use the local street network to enter. The egress point on Penna Avenue should be designed to allow right out movements only.
- It is assumed that it would be acceptable for staff and visitors of the nearby businesses to utilise the off-street parking spaces in Bunnings, to offset the loss of on-street parking.

- The concept design of the traffic signals does not include a pedestrian crosswalk across the southern leg of Glynburn Road which reduces amenity and safety for pedestrians and cyclists, and a crosswalk on all legs would be preferred.

The concern raised by both the Manager, Traffic & Integrated Transport and the Commissioner of Highways regarding a single access point and resultant congestion on Penna Avenue, has been discussed with MFY.

To summarise MFY's response to the concerns raised with the single access, they have advised:

- the modelling of the previous scheme included additional volumes at the intersection to account for transfer of volumes from other streets. This means that the situation where all traffic will exit to Penna Avenue has in effect been accounted for in the modelling.
- it is relevant to consider that the traffic solution is a balance between what is functional and what provides a compromise access solution to respond to concerns raised by residents/businesses. The proposal will result in additional traffic at a single access but not beyond what can be accommodated.
- even if there are increases in queues and delays (compared to the earlier proposal) the access will operate within capacity and will, in any event, only experience peak movements on weekends when many other businesses in the area are not operating.
- Given that the model included the additional turning volumes in the assessment, MFY consider that it demonstrated that even the additional volumes will be accommodated by the proposed intersection treatment;
- Any increase in volumes on Penna Avenue will be mitigated by the works proposed to widen the road.

MFY have advised that they held discussions with DIT regarding their concerns that the main parking aisle at the entrance to the car park could become congested, causing cars to queue onto Penna Avenue. MFY have advised that the aisle is very wide (in the order of 10m) adjacent the access and there is therefore sufficient width to cater for drivers to enter if another vehicle is propped waiting to enter a space.

In respect to the concern raised by the Manager, Traffic & Integrated Transport regarding delivery vehicles (semi-trailers) potentially making left turns onto Penna Avenue, MFY have advised that the design of the access will not accommodate the left turn movements of large vehicles (the radius of the exit is too small and the left turn therefore prohibited by the design). A design has been prepared by MFY and is included in the application documents in Attachment 1.

In respect to the concern raised by the Manager, Traffic & Integrated Transport regarding pedestrian crosswalks, MFY have advised that this can be discussed with DIT in detailed design, however may not be accepted by DIT as it will be impacted by the phasing which will be linked to the Payneham Road intersection. There would not be a high demand for pedestrians to cross Glynburn Road at this location and therefore a crossing on one side would be consistent with many T-intersection designs. In addition, MFY have advised that it is relevant to note that while it may appear safer and more convenient to have crosswalks on all legs of an intersection, this is not necessarily the case where there is a signalised right turn priority movement.

PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

Land Use

Desired Outcome 1 for the Employment Zone states:

"A diverse range of low impact light industrial, commercial and business activities that complement the role of other zones accommodating significant industrial, shopping and business activities."

Performance Outcome 1.1 of the Employment Zone states:

“A range of employment generating light industrial, service trade, motor repair and other compatible businesses servicing the local community that do not produce emissions that would detrimentally affect local amenity.”

The Designated Performance Feature for Performance Outcome 1.1 is development comprising one or more of a list of fifteen (15) land uses. Included in the list is ‘shop’.

Performance Outcome 1.2 states:

“Shops provide convenient day to day services and amenities to local businesses and workers, support the sale of products manufactured on site and otherwise complement the role of Activity Centres.”

The Designated Performance feature for Performance Outcome 1.2 states:

“Shop where one of the following applies:

- a) with a gross leasable floor area up to 100m²*
- b) is a bulky goods outlet*
- c) is a restaurant*
- d) is ancillary to and located on the same allotment as an industry and primarily involves the sale by retail of goods manufactured by the industry.”*

Performance Outcome 1.4 states:

“Bulky good outlets and standalone shops are located to provide convenient access.”

The Designated Performance Feature for Performance Outcome 1.4 is:

“Bulky goods outlets and standalone shops are located on sites with a frontage to a State Maintained Road.”

The proposed development is a form of bulky goods outlet, as per the definition contained in the Planning & Design Code, which lists ‘hardware’ as an example of goods that may be available or on display at bulky goods outlets or retail showrooms.

It is clear from Performance Outcomes 1.2 and 1.4 and their associated Designated Performance Features, that bulky goods outlets are an anticipated land use within the Employment Zone, particularly on sites with an arterial road frontage where convenient access is able to be provided.

According to Designated Performance Feature 1.2, there is no floor area limit for bulky goods outlets within the Employment Zone. When read in conjunction with Performance Outcome 1.2 and in particular the desire for shops to *“complement the role of Activity Centres”*, it is evident that bulky goods outlets are envisaged within the Employment Zone, despite being located outside of an Activity Centre. In this respect, it is typical for bulky goods outlets to be located outside of Activity Centres, primarily due to the unavailability of land of sufficient size within Activity Centres. In the case of the proposed development, it is considered to complement the nearby (250 metres away) Suburban Activity Centre at the Glynde corner to the north.

The reason for refusal of the previous application by the Panel included a concern that the application was inconsistent with Desired Outcome 1 (DO1) for the Employment Zone. It is understood that this concern was twofold:

1. because the Panel did not consider the application to be ‘low impact’; and
2. because the Panel considered that wording of DO1 suggests that ‘significant’ shopping activities should only occur in other zones.

In respect to the first concern, the term ‘low impact’ needs to be considered in the context of the overall intent of the Employment Zone. The Planning & Design Code (the Code) establishes the following two zones which are expressly intended to accommodate industrial uses:

- Employment Zone – accommodates Light Industry only (DPF 1.1); and
- Employment (Enterprise) Zone – accommodates Light and General Industry (DPF 1.1)

Unlike DO1 of the Employment Zone, the Desired Outcome for the Employment (Enterprise) Zone does not contain a caveat that activities should be 'low impact'. This is likely because it is intended to accommodate a range of industries, including general industries which, by definition can be impactful.

Although the construction of the sentence in DO 1.1 for the Enterprise Zone is such that the term 'low impact' technically applies to light industrial, commercial and business activities, it is considered most likely to have been intended to relate to the impacts associated with industrial type activities, so as create a distinction with the Employment (Enterprise) Zone. The policies within the Enterprise Zone under the heading of *Land Use and Intensity* support this interpretation. The only such policy which deals with any form of impact, is PO 1.1, which seeks a *range of employment-generating light industrial, service trade, motor repair and other compatible businesses servicing the local community that do not produce emissions that would detrimentally affect local amenity.*

In respect to the second concern of the Panel, it is understood that the Panel was of the opinion that DO1 directed all 'significant' industrial, shopping and business activities to other more suitable zones and that the proposal was a significant shopping activity. It is questionable as to whether the term 'significant' in DO1 is intended to apply only to industrial uses, or also shopping and business activities. The sentence punctuation provides no clarity on this question. However, on the assumption that it is intended to apply to shopping activities, the policy contained under the heading of Land Use and Intensity provides much more specific and quantifiable criteria with respect to the type and scale of shopping activities envisaged for the Zone. In particular, Performance Outcome 1.2 and Designated Performance Feature 1.2 provide specific policy for the consideration of shops:

PO 1.2

Shops provide convenient day-to-day services and amenities to local businesses and workers, support the sale of products manufactured on-site and otherwise complement the role of Activity Centres.

DTS/DPF 1.2

Shop where one of the following applies:

- (a) with a gross leasable floor area up to 100m²
- (b) is a bulky goods outlet
- (c) is a restaurant
- (d) is ancillary to and located on the same allotment as an industry and primarily involves the sale by retail of goods manufactured by the industry.

According to the P&D Code's Rules of Interpretation, the following applies to Designated Performance Features:

"In order to assist a relevant authority to interpret the performance outcomes, in some cases the policy includes a standard outcome which will generally meet the corresponding performance outcome (a designated performance feature or DPF). A DPF provides a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome but does not need to necessarily be satisfied to meet the performance outcome, and does not derogate from the discretion to determine that the outcome is met in another way, or from the need to assess development on its merits against all relevant policies."

DPF 1.2 provides four shop types/scenarios (a-d), of which only one needs to apply in order to satisfy PO 1.2. In respect to retail shops, there is a floor limit of 100m². In relation to restaurants and bulky goods outlets, there is no floor limit stipulated. This strongly indicates that there is a desire to permit large bulky goods outlets within the Employment Zone, whilst ensuring that retail shops (other than very small ones) are located in zones with more of a primary focus on retail shopping.

In light of this clear policy position, it is considered that the most likely purpose behind the reference in DO1 to significant shopping activities in other zones (if that is the correct reading of the sentence), is to direct significant retail shops, not bulky goods outlets, to other zones.

In summary, it is considered that the proposed development is a land use which is envisaged within the Employment Zone, at the scale and intensity which is proposed and in the location which is proposed (on an arterial road).

streetscape/bulk/scale/height/character/set-backs

Desired Outcome 2 for the Employment Zone states:

"Distinctive building, landscape and streetscape design to achieve high visual and environmental amenity particularly along arterial roads, zone boundaries and public open spaces."

Performance Outcome 2.1 of the Employment Zone states:

“Development achieves distinctive building, landscape and streetscape design to achieve high visual and environmental amenity particularly along arterial roads, zone boundaries and public open spaces.”

Performance Outcome 2.2 of the Employment Zone states:

“Building facades facing a boundary of a zone primarily intended to accommodate residential development, public roads, or public open space incorporate design elements to add visual interest by considering the following:

- a) using a variety of building finishes*
- b) avoiding elevations that consist solely of metal cladding*
- c) using materials with a low reflectivity*
- d) using techniques to add visual interest and reduce large expanses of blank walls including modulation and incorporation of offices and showrooms along elevations visible to a public road.”*

Performance Outcomes 3.1 and 3.2 relate to setbacks of buildings from primary and secondary street boundaries respectively. In the case of the primary street (Glynburn Road), Designated Performance Feature 3.1 seeks a minimum 3.0m setback where no building exists on an adjoining site with the same primary street frontage. In the case of the secondary street setbacks (Provident Avenue, Penna Avenue and Barnett Avenue), Designated Performance Feature 3.2 seeks a minimum 2.0m setback.

With respect to height, Performance Outcome 3.5 states:

“Building height is consistent with the form expressed in any relevant Maximum Building Height (Levels) Technical and Numeric Variation layer, and is otherwise generally low rise to complement the established streetscape and local character.”

The relevant Maximum Building Height (Levels) Technical and Numeric Variation (TNV) for the subject land is 2 building levels.

The term Building Levels is defined in the Planning & Design Code as follows:

“Means that portion of a building which is situated between the top of any floor and the top of the next floor above it, and if there is no floor above it, that portion between the top of the floor and the ceiling above it. It does not include any mezzanine or any building level having a floor that is located 1.5m or more below finished ground level.”

In turn, the Code defines the term mezzanine as follows:

“Means an intermediate floor within a building level that is open to the floor below and does not extend over the whole floor space.”

The upper floor level of the proposed development is a mezzanine level, as it is open to the floor below and does not extend over the whole floor space. Accordingly, the proposal is consistent with the 2 level TNV. Consistent with Performance Outcome 3.5, the proposal is also considered to complement the established streetscape and local character. Due to the large area of the subject land and the fact that it is mostly surrounded by roads, it is considered that the height of the building is unlikely to appear excessive in the context of the existing locality, which includes a 3 level building on the adjacent corner (Pasta Deli).

The proposed building is 2.8 metre (14%) lower in height than was the building in the previous development application; down from 20.6 metres to 17.8 metres.

The desire for a ‘distinctive building’ as expressed in Desired Outcome 2 and Performance Outcome 2.1, needs to be considered in the context of the types of buildings envisaged in the Employment Zone, include warehouses and light industries, which typically comprise buildings of considerable height and floor area and pragmatic form. In this context, the proposed building is considered to be a ‘distinctive building’, as despite being ostensibly a large volume tilt-up concrete building, it does have distinctive elements, such as the louvred façade facing Glynburn Road and the glazed entry adjacent Penna Avenue.

The proposed building is considered to satisfy Performance Outcome 2.2, as it incorporates all of the elements a-d in the associated Designated Performance Feature. In particular, the building:

- uses a variety of building finishes including painted cement sheet, powder coated louvres and grills and glass;
- avoids elevations that consist solely of metal cladding;
- uses materials with a low reflectivity (whilst the roof is zincalume, it is at a very low pitch and behind parapets, such that it is not likely to cause glare); and
- uses modulation in height and setbacks to add visual interest and reduce large expanses of blank walls.

It is considered that the visual bulk of the proposed building has been managed through the use of each of the design approaches listed above. The proposed building presents to all streets with a good degree of articulation and mix of materials. Whilst the Barnett Avenue and Provident Avenue frontages are less articulated than the Glynburn Road and Penna Avenue frontages, they are also shorter in length and the void created by the open air car parking areas, assists in reducing the scale. The proposed materials are generally considered to be of a high quality, for example the feature aluminium louvres with integrated signage, giving the overall building a positive streetscape presentation.

Typically a large scale bulky goods outlet or homemaker centre would be set back a considerable distance from the road, with open air car parking located between the building and the street. In this instance the car parking is provided at grade level and the building occupies the site close to the Glynburn Road and Penna Avenue street frontages. Whilst this increases the prominence of the building in the streetscape, the benefit is that it eliminates the view of extensive open-air car parking from the streetscape. The proposal reinforces the primary and secondary street frontages of the site with articulated built forms and is complementary to the siting of the building on the adjacent corner at 31-33 Glynburn Road (Pasta Deli).

Desired Outcome 2 and Performance Outcome 2.1 seek a distinctive landscape design to achieve high visual and environmental amenity, particularly along arterial roads.

The Applicant has engaged a Landscape Architect, Citicene, to design the landscaping scheme, including all hard paved and soft landscaping. The scheme includes dense plantings of a range of trees shrubs and groundcovers, all of which is expected to result in a positive streetscape presentation.

The 3.0m wide landscaped setback along Glynburn Road accords with the minimum setback criteria in Designated Performance Feature 3.1. This setback is proposed to be planted with a row of ornamental upright pear trees (*Pyrus Calleryana* 'capital') trees together with native rosemary and lilly pilly shrubs. This combination of plants is considered to provide a suitable screening of the car parking at ground level and a reasonably high visual amenity outcome.

The landscaped setback along Penna Avenue exceeds the minimum dimension of 2.0m in Designated Performance Feature 3.1. It is proposed to be planted with a mix of trees (Tulipwood and Manchurian Pear), shrubs (native rosemary and Bottlebrush) and groundcovers (Flax lily and New Zealand Flax). This combination of plants is considered to provide for a high visual amenity outcome along Penna Avenue.

The car parking areas adjacent to Barnett Avenue and Provident Avenue are proposed to be landscaped with a similar mix of trees, shrubs and groundcovers, assisting to shade and provide visual amenity to those car parking areas and streetscapes.

Signage is well integrated into the building and does not protrude above the external wall height or result in a proliferation of signage on the property.

On balance it is considered that the proposal is generally consistent with the provisions of the Planning & Design Code relating to the design and appearance of buildings.

Carparking/access/manoeuvring

The discussion in this section of the report is provided under the following headings, representing the key traffic related issues which have been identified through the course of the assessment of the Application:

- adequacy of on-site car parking provision;
- impact of additional traffic in local streets;
- on street parking matters; and
- access/manoeuvring

Adequacy of On-site Car Parking Provision

Table 1 of the Transport, Access and Parking section of the General Development Policies, provides a rate of 2.5 car parking spaces per 100m² of floor area for shops in the form of a bulky goods outlet.

It is proposed that 294 car parking spaces are to be provided within the car parking area, including spaces for persons with a disability and 'car with trailer' spaces. This equates to a rate of 2.3 spaces per 100m² of gross leasable floor area. Additional parking spaces are located in the trade drive in facility. The Applicant's Traffic Engineers, MFY, have undertaken surveys of Bunnings stores in four locations (3 of which are metropolitan Adelaide locations) to determine peak demand rates. The peak rates observed at those locations ranged from 1.03 spaces per 100m² at Woodville to 2.14 spaces per 100m² at Mile End. This information was provided with the previous development application.

The Council's Manager, Traffic & Integrated Transport considers that it is appropriate to apply the surveyed rates in lieu of the rate contained in the P&D Code. That being the case, even if the highest demand surveyed (ie. 2.14 per 100m²) was applied to the proposal, there would be a surplus of approximately 22 car parking spaces at peak times.

It is therefore considered that the provision of car parking is acceptable and in accordance with Performance Outcome 5.1 and Designated Performance Feature 5.1 of the Transport, Access and Parking section of the General Development Policies.

The loss of on street car parking spaces will occur due to the proposed road works associated with the development, as slip lanes and a signalised intersection are being created. Typically parking is banned within 20m on the approach and 10m on the departure side of a signalised intersection, as a minimum. This has been extended as a result of the left turn slip lane on the approach. On street parking will effectively be lost on both sides of Penna Avenue between the proposed main access point to the Bunnings car park and Glynburn Road.

The proposal would result in a loss of 26 legal on-street car parking spaces, comprising 7 on Glynburn Road and 19 on Penna Avenue. Whilst the loss of on street parking is a negative factor, the creation of a signalised intersection which will provide an improvement to traffic management within the locality, coupled with the significant provision of car parking on the subject land, are considered to outweigh the negative aspects of the loss of on-street car parking.

The existing on street parking spaces are currently occupied much of the time during weekday business hours. A practical outcome if the proposed development is approved would be for those cars to park within the Bunnings car parking area, as there would be sufficient capacity during those times. MFY and Bunnings have advised that they are aware that shared parking occurs at many Bunnings sites given that the access is typically not controlled and therefore there will be informal availability for shared parking should it occur. Bunnings have advised that there is no intention to control access to the car park.

Impact of Additional Traffic in Local Streets

A number of the representations received from persons opposed to the proposed development, raised concerns with the potential for increased traffic in the adjacent and nearby local streets as a result of the proposed development.

In response, MFY have advised that while the proposal will result in additional traffic volumes, it equally provides an upgraded intersection which will not only improve traffic safety and efficiency for the development but will also resolve existing access constraints for the broader area. Further, MFY have pointed out that the subject land will not remain undeveloped and that it is preferable to develop a holistic solution which includes an intersection upgrade than a number of developments which will increase traffic incrementally and not contribute to external infrastructure.

The signalised intersection will provide for safer turning movements for large commercial vehicles which access the area. This is a substantial improvement to the current situation where the road width of the Penna Avenue is too narrow to safely accommodate turning movements of semi-trailers.

MFY estimate that the proposed development will generate approximately 364 vehicle movements per hour in the weekday afternoon commuter peak period and 712 per hour in the Saturday peak period. Based primarily on a number plate survey, MFY have previously forecast that an average of less than 10 percent of drivers

will use the residential street network to access the proposed Bunnings, to avoid Glynburn Road. Therefore, MFY forecast that 36 vehicles per hour would use the local road network during the weekday peak.

In relation to the issue of increased non-local traffic in the adjacent residential streets, the Council's Manager, Traffic & Integrated Transport is of the opinion that similar impacts will most likely result from any redevelopment of the site in accordance with the land uses envisaged for the Employment Zone and that "*it would be up to the Council to address this issue in the broader, long-term context*". In this respect, a traffic study of the streets bound by Glynburn Road, Portrush Road, Payneham Road and Magill Road is currently underway by the Council, to identify traffic issues in the area with view to improving residential amenity where possible. The subject site falls within this study boundary and the forecast traffic of this site and other nearby sites for future development will form part of this study.

Access/manoeuvring

The Manager, Traffic & Integrated Transport has reviewed the proposed access and manoeuvring arrangements and has raised no concerns. Clarification was sought on whether heavy delivery vehicles exiting the site would be forced to turn right onto Penna Avenue, rather than heading west into the local streets. The Applicant has responded, advising that the design will not provide for left turn movements by semi-trailers, however a condition could be imposed to reinforce this requirement.

Trees (significant, mature, street and proposed)

As a result of the DPTI requirements for slip lanes on the eastern boundary of the site, the proposed development will require the removal of three (3) juvenile street trees. The Applicant has agreed to meet all required costs for the removal of the trees, with replacement trees planted in other locations within the City.

Should the panel determine to support the proposed development, then it is considered appropriate that a condition of consent be included requiring that all trees nominated to be planted on the subject land have a minimum planting height of 3.0m.

As the proposal will involve the construction of new road reserves, new footpaths will be required adjacent the subject land. The Council's Urban Services staff have provided detailed specifications for the proposed works, which the Applicant has agreed to implement.

Overall, the proposed landscaping scheme is considered to be a positive attribute of the proposal.

Advertising

Advertising is envisaged within the Employment Zone, pursuant to Designated Performance Feature 1.1(a).

Performance Outcome 6.1 states:

"Freestanding advertisements are not visually dominant within the locality."

The associated Designated Performance Features states:

"Freestanding advertisements:

- a) do not exceed 6m in height above natural ground level*
- b) do not have a face that exceeds 8m²."*

A freestanding pylon sign is proposed at the entrance to the car parking area which is to be accessed from Provident Avenue. The sign is 12 metres in height and has a fixed face with an area of 35m² (4.8m wide x 7.2m high). A changeable promotional banner with an area of 5m² is proposed below this fixed face.

Despite being inconsistent with Designated Performance Feature 6.1, the proposed freestanding pylon sign is not considered to be excessively dominant against the backdrop of the proposed building.

The following General Development Policies under the heading Advertising are relevant to the proposed advertising displays.

Desired Outcome 1:

“Advertisements and advertising hoardings are appropriate to context, efficient and effective in communicating with the public, limited in number to avoid clutter, and do not create hazard.”

Performance Outcome 1.1:

“Advertisements are compatible and integrated with the design of the building and/or land they are located on.”

There are a number of criteria contained in the Designated Performance Feature associated with Performance Outcome 1.1. In particular:

“Advertisements attached to a building satisfy all of the following:

- b) are not located in a Neighbourhood-type zone*
- c) where they are flush with a wall:
 - i. if located at canopy level, are in the form of a fascia sign*
 - ii. if located above canopy level:
 - A. do not have any part rising above parapet height*
 - B. are not attached to the roof of the building***
- d) where they are not flush with a wall:
 - i. if attached to a verandah, no part of the advertisement protrudes beyond the outer limits of the verandah structure*
 - ii. if attached to a two-storey building:
 - A. has no part located above the finished floor level of the second storey of the building*
 - B. does not protrude beyond the outer limits of any verandah structure below*
 - C. does not have a sign face that exceeds 1m² per side.***
- e) if located below canopy level, are flush with a wall*
- f) if located at canopy level, are in the form of a fascia sign*
- g) if located above a canopy:
 - i. are flush with a wall*
 - ii. do not have any part rising above parapet height*
 - iii. are not attached to the roof of the building.**
- h) if attached to a verandah, no part of the advertisement protrudes beyond the outer limits of the verandah structure.*
- i) if attached to a two-storey building, have no part located above the finished floor level of the second storey of the building.*
- j) where they are flush with a wall, do not, in combination with any other existing sign, cover more than 15% of the building facade to which they are attached.”*

The majority of the proposed advertising displays comprises signage painted on the building, rather than being attached. The above criteria does not apply to these painted signs, as they are not ‘attached’. An attached sign is proposed on the eastern side of the building adjacent to Glynburn Road. The sign projects out horizontally from the building façade, at a height of approximately 5 metres above ground level. The sign is 3 metres high and 1.5 metres wide. Criteria d) (ii) A-C apply to this sign, as it is not flush with a wall and is attached to a two storey building. The top of the sign is above the second storey (ie. the first floor level) of the building, contrary to part A. There is no verandah below, therefore part B is not relevant. The face of the sign is 4.5m² per side, contrary to Part C. Despite these inconsistencies, the sign is considered to be consistent with Performance Outcome 1.1, as the scale is compatible with the scale of the building and it is reasonably well integrated.

Performance Outcome 2.3 states:

“Proliferation of advertisements attached to buildings is minimised to avoid visual clutter and untidiness.”

The associated Designated Performance Feature states:

“Advertisements satisfy all of the following:

- a) are attached to a building*

- b) *other than in a Neighbourhood-type zone, where they are flush with a wall, cover no more than 15% of the building facade to which they are attached*
- c) *do not result in more than one sign per occupancy that is not flush with a wall*

The proposed advertising covers:

- 13.9% of the southern façade;
- 12.6% of the northern façade;
- 16.6% of the eastern façade; and
- 12% of the western façade.

The proposed advertising is consistent with the Designated Performance Feature and not considered to result in visual clutter or untidiness.

Contamination

A Preliminary Site Investigation (PSI) report was prepared for Bunnings in 2015, which concluded the site was generally suitable for the intended use and recommending further soil sampling in some areas of the site. Pursuant to Practice Direction 14, the applicant is required to submit a current PSI report and depending upon the information contained therein, the application may need to be referred to the Environment Protection Authority (EPA). An updated PSI report has not yet been prepared. Therefore, if the Panel determines to grant consent to the application, it is recommended that the consent be subject to the reservation of assessment of site contamination, following receipt of relevant information.

CONCLUSION

Bulky goods outlets are an anticipated land use within the Employment Zone, particularly on sites with an arterial road frontage, with no 'cap' on floor area. That said, development within the zone should be 'low impact'. Impacts associated with a bulky goods outlet are predominantly traffic impacts. In this respect, the proposal would result in an increase in traffic in local streets, impacting somewhat on residential amenity. Without trivialising this impact, it is considered to be a relatively low level impact in the context of the types of developments which are anticipated within employment type zones (formerly industrial zones), and the associated potential impacts such as emissions.

The building has 2 levels consistent with the TNV for the Employment Zone. Whilst large, the scale of the building has been reduced and is commensurate with the size of the site and not considered excessive in its context. The siting of the building, reinforcing the edges of the corner site is considered to be a positive outcome, as compared to a more traditional approach of the building being located behind a car parking area. Suitable landscaping is proposed within the setbacks, including numerous large trees.

Adequate on site car parking is provided and traffic impacts on the local street network are considered to be acceptable whilst also improving the function of the Glynburn Road/Penna Avenue intersection via a signalised intersection. There are differences of opinion amongst the traffic experts as to whether the single access point on Penna Avenue will cause congestion and excessive queuing on Penna Avenue. However, MFY advise that previous modelling has taken into account the likely volumes (due to vehicles transferring from other streets) and the road and intersection will function appropriately. Importantly, the peak traffic times will be outside of the business hours of most other businesses in the street.

The proposed advertising is considered acceptable, despite the scale of the freestanding pylon sign and projecting wall sign being greater than the relevant designated performance feature, as they are commensurate with the scale of the development as a whole.

Whilst street trees are proposed to be removed, the extent of replacement tree planting proposed is considered to outweigh the loss of those trees and in any event, there are no practical ways in which the proposal could be amended to prevent that from occurring.

Accordingly, it is considered that the proposal is not seriously at variance with the Planning & Design Code and sufficiently accord with the relevant provisions of the Planning & Design Code to warrant consent.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 22014444, by Bunnings Group Limited is granted Planning Consent subject to the following reserved matter and conditions:

RESERVED MATTERS

The following detailed information shall be submitted for further assessment and approval by the Council Assessment Panel as a reserved matter pursuant to Section 102(3) of the Planning, Development and Infrastructure Act 2016:

1. An updated Preliminary Site Investigation report and if relevant having regard to Practice Direction 14, advice from the EPA resulting from any referral on any requirements with respect to potential site contamination.

Pursuant to Section 102(1) of the Planning, Development and Infrastructure Act 2016, the Council Assessment Panel reserves its decision on the form and substance of any further conditions of planning consent that it considers appropriate to impose in respect of the reserved matters set out at 1 above.

On receipt of the information relating to a reserved matter, it will be assessed and if satisfactory, approved by the Council Assessment Panel.

CONDITIONS

Planning Consent

1. The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
2. The western access/egress point on Penna Avenue shall be designed to physically prevent delivery vehicles from being able to turn left onto Penna Avenue, to the reasonable satisfaction of the Assessment Manager.
3. All plants within the proposed landscaped areas shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council or its delegate.
4. All trees nominated on the approved landscaping plan shall have a minimum planting height of 3.0 metres.
5. All plants shall be watered through the installation of a suitable irrigation system which shall be maintained to the reasonable satisfaction of the Council or its delegate.
6. Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for the storage or display of any goods, materials or waste at any time.

7. All refuse and stored materials shall be screened from public view to the reasonable satisfaction of the Council or its delegate.
8. All car parking shall be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.1.2004 Parking Facilities-Off Street car parking and AS/NZS 2890.6.2009 Parking facilities – Off Street parking for people with disabilities, and the facilities for commercial vehicles shall conform to the Australian Standard AS 2890.2-2002 Parking facilities – Off street commercial vehicle facilities.
9. The Applicant shall be responsible for all costs associated with the removal/pruning/relocation of street trees affected by the proposed development. The costs associated with these works are required to be paid to the Council prior to the granting of Development Approval.
10. The final design of the signalised intersection of Penna Avenue and Glynburn Road shall have regard to the desirability or otherwise of including an additional pedestrian crosswalk on the southern 'leg'.
11. All costs associated with the removal of street trees and the planting of replacement trees to the reasonable satisfaction of the Council as proposed, shall be borne by the applicant.

Conditions imposed by Commissioner of Highways under Section 122 of the Act

12. The access on Glynburn Road shall be limited to ingress movements only and shall only be used by delivery/service vehicles. The access shall be appropriately signed and line marked to reinforce its operation.
13. The Glynburn Road / Penna Avenue intersection shall be upgraded to a signalised intersection in accordance with MFY plan Bunnings Glynde, Glynburn Road – Penna Avenue Intersection Design, drawing mfy_21-0013_01_07_01_SH01, revision A, dated 15/06/21. The works shall include the installation of a channelised left turn lane (AUL(s)) on the southern approach, including associated realignment of the kerb and footpath and the extension of channelised right turn lane on Glynburn Road to provide a minimum of 65 metres storage to accommodate projected queues.
14. All required road works associated with the development shall be designed and constructed in accordance with Austroads Guides/Australian Standards and to the satisfaction of the Department for Infrastructure and Transport (DIT). All associated costs (including but not limited to project management and any necessary pavement works, road lighting and drainage upgrades) shall be borne by the applicant. These works shall be completed prior to operation of the development.

Note: The applicant shall contact DIT's Network Management Services, Senior Network Integrity Engineer, Mr Narendra Patel on telephone 8226 8244 or via email at Narendra.Patel@sa.gov.au, to discuss the proposed road works prior to undertaking any.

15. The existing bus stop on Glynburn Road shall be relocated to the satisfaction of DIT. All costs shall be borne by the applicant.
16. All vehicles shall enter and exit the site in a forward direction.
17. All redundant crossovers to/from the site shall be reinstated to Council standard kerb and gutter at the applicant's expense prior to the operation of the development.
18. Stormwater run-off shall be collected on-site and discharged without impacting the integrity and safety of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.
19. Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

Mr Sibai addressed the Council Assessment Panel via Zoom from 7:10pm until 7:14pm
Ms Sibai addressed the Council Assessment Panel via Zoom from 7:15pm until 7:19pm
Mr Kelly addressed the Council Assessment Panel from 7:20pm until 7:25pm
Mr Weaver addressed the Council Assessment Panel from 7:26pm until 7:28pm
Ms Bronzin addressed the Council Assessment Panel from 7:37pm until 7:40pm
Mr Henry addressed the Council Assessment Panel from 7:41pm until 7:47pm
Mr Capaldo addressed the Council Assessment Panel from 7:48pm until 7:54pm
Mr Lombardozzi addressed the Council Assessment Panel from 7:55pm until 7:59pm
Mr Scalzi addressed the Council Assessment Panel from 8:00pm until 8:10pm
Mr Game addressed the Council Assessment Panel from 8:11pm until 8:27pm
Ms Mellen addressed the Council Assessment Panel via Zoom from 8:28pm until 8:30pm
Mr Osborn addressed the Council Assessment Panel from 8:33pm until 8:34pm
Mr Eden addressed the Council Assessment Panel from 8:35pm

MOVED

Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, Development Application Number 22014444 is not seriously at variance with the provisions of the Planning and Design Code; and

Development Application Number 22014444, by Bunnings Group Limited is refused Planning Consent for the following reasons:

- *Bulk, scale and intensity and the consequential traffic generation render the proposed development to have an unacceptable conflict with Employment Zone Desired Outcome 1, and Performance Outcome 2.1.*

Seconded and lost

MOVED

Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and

Development Application Number 22014444, by Bunnings Group Limited is granted Planning Consent subject to the following reserved matter and conditions:

RESERVED MATTERS

The decision & assessment of matters pertaining to site contamination, including any required site remediation, is reserved for further assessment pursuant to s102(3) of the PDI Act.

As part of that assessment the applicant is to provide an updated Preliminary Site Investigation report. The Panel reserves its decision on the imposition of any additional conditions of planning consent that it considers appropriate to impose in respect of the reserved matter following its further assessment.

CONDITIONS

Planning Consent

1. *The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.*

2. *The western access/egress point on Penna Avenue shall be designed to physically prevent delivery vehicles from being able to turn left onto Penna Avenue, to the reasonable satisfaction of the Assessment Manager.*
3. *All plants within the proposed landscaped areas shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council or its delegate.*
4. *All trees nominated on the approved landscaping plan shall have a minimum planting height of 3.0 metres.*
5. *All plants shall be watered through the installation of a suitable irrigation system which shall be maintained to the reasonable satisfaction of the Council or its delegate.*
6. *Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for the storage or display of any goods, materials or waste at any time.*
7. *All refuse and stored materials shall be screened from public view to the reasonable satisfaction of the Council or its delegate.*
8. *All car parking shall be designed in accordance with Australian/New Zealand Standard AS/NZS 2890.1.2004 Parking Facilities-Off Street car parking and AS/NZS 2890.6.2009 Parking facilities – Off Street parking for people with disabilities, and the facilities for commercial vehicles shall conform to the Australian Standard AS 2890.2-2002 Parking facilities – Off street commercial vehicle facilities.*
9. *The Applicant shall be responsible for all costs associated with the removal/pruning/relocation of street trees affected by the proposed development. The costs associated with these works are required to be paid to the Council prior to the granting of Development Approval.*
10. *The final design of the signalised intersection of Penna Avenue and Glynburn Road shall have regard to the desirability or otherwise of including an additional pedestrian crosswalk on the southern 'leg'.*
11. *All costs associated with the removal of street trees and the planting of replacement trees to the reasonable satisfaction of the Council as proposed, shall be borne by the applicant.*
12. *A detailed landscaping plan prepared in consultation with Council planning staff to ensure compatibility of species selection with local conditions shall be provided to the satisfaction of the Assessment Manager prior to the granting of the development approval.*
13. *The freestanding pylon sign proposed adjacent to Provident Avenue shall be deleted.*
14. *A pedestrian movement plan shall be provided including access to Provident Avenue to the satisfactory of the Assessment Manager prior to granting of the development approval.*

Conditions imposed by Commissioner of Highways under Section 122 of the Act

15. *The access on Glynburn Road shall be limited to ingress movements only and shall only be used by delivery/service vehicles. The access shall be appropriately signed and line marked to reinforce its operation.*
16. *The Glynburn Road / Penna Avenue intersection shall be upgraded to a signalised intersection in accordance with MFY plan Bunnings Glynde, Glynburn Road – Penna Avenue Intersection Design, drawing mfy_21-0013_01_07_01_SH01, revision A, dated 15/06/21. The works shall include the installation of a channelised left turn lane (AUL(s)) on the southern approach, including associated realignment of the kerb and footpath and the extension of channelised right turn lane on Glynburn Road to provide a minimum of 65 metres storage to accommodate projected queues.*

17. *All required road works associated with the development shall be designed and constructed in accordance with Austroads Guides/Australian Standards and to the satisfaction of the Department for Infrastructure and Transport (DIT). All associated costs (including but not limited to project management and any necessary pavement works, road lighting and drainage upgrades) shall be borne by the applicant. These works shall be completed prior to operation of the development.*

Note: The applicant shall contact DIT's Network Management Services, Senior Network Integrity Engineer, Mr Narendra Patel on telephone 8226 8244 or via email at Narendra.Patel@sa.gov.au, to discuss the proposed road works prior to undertaking any.

18. *The existing bus stop on Glynburn Road shall be relocated to the satisfaction of DIT. All costs shall be borne by the applicant.*
19. *All vehicles shall enter and exit the site in a forward direction.*
20. *All redundant crossovers to/from the site shall be reinstated to Council standard kerb and gutter at the applicant's expense prior to the operation of the development.*
21. *Stormwater run-off shall be collected on-site and discharged without impacting the integrity and safety of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.*
22. *Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.*

Seconded and Carried

3. OTHER BUSINESS

Nil

4. CONFIDENTIAL REPORTS

Nil

5. CLOSURE

The Presiding Member declared the meeting closed at 10:09pm

Mark Adcock
ACTING PRESIDING MEMBER

Mark Thomson
CONSULTANT PLANNER