

CITY OF WEST TORRENS



MINUTES

of the

COUNCIL ASSESSMENT PANEL

held in the George Robertson Room, Civic Centre
165 Sir Donald Bradman Drive, Hilton

Public Livestream link was provided on the City of West Torrens Website

on

TUESDAY, 11 OCTOBER 2022
at 5.00pm

Hannah Bateman
Assessment Manager

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1 MEETING OPENED

The Presiding Member declared the meeting open at 5.00pm.

1.1 Acknowledgement of Country

The Acknowledgement of Country was read by the Presiding Member.

1.2 Evacuation Procedure

The evacuation procedures were read out to the gallery by the Presiding Member.

1.3 Electronic Platform Meeting

The Presiding Member advised the meeting was being livestreamed via a Zoom public link available on the City of West Torrens website.

2 PRESENT

Panel Members:

Presiding Member: Ms S Ditter
Council Member: Mr G Nitschke
Independent Members: Ms J Strange, Mr M Arman, Mr K Corolis

Mr K Corolis appeared by electronic platform.

Officers:

Mr Angelo Catinari (Deputy Chief Executive Officer)
Mr Nicholas Timotheou (Team Leader Planning)
Mr Brett Mickan (Development Technician/Minute Taker)

3 APOLOGIES

Apologies

Officer:

Ms Hannah Bateman (Manager City Development and Assessment Manager)

RECOMMENDATION

That the apologies be received.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 09 August 2022 be confirmed as a true and correct record.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

5 DISCLOSURE STATEMENTS

Nil

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 Transitional Applications

Nil

6.2 PDI Act Applications

6.2.1 239, 241-243 Richmond Road, RICHMOND

Application No 21028599

Appearing before the Panel were:

Representor: **David Stevens** of 26B Lucas Street, Richmond appeared in support of the representation.

Applicant: **Rod Roach** (Architect) and **Paul Morris** (Traffic Consultant) appeared in response to the representation.

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 applicant against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code Version 2022.6.
2. Application No. 21028599 by Rod Roach to carry out demolition of existing dwellings and associated structures, and construction of three (3) warehouses with associated office and storage space, two retail tenancies (one bulky good) with associated offices along with associated car parking landscaping, freestanding pylon signage and removal of significant tree at 239, 241-243 Richmond Road, RICHMOND (CT-5823/131, CT-6157/995) is GRANTED Planning Consent subject to the following reserved matters and conditions of consent:

Reserved Matters:

The following information shall be submitted for further assessment and approval by the relevant authority as reserved matters under Section 102(3) of the *Planning, Development and Infrastructure Act 2016*:

1. A comprehensive Landscape Plan to be provided for the site to the satisfaction and approval of Council administration. Such planting shall include canopy trees, shrubs and groundcovers that are complimentary to the character sought for this Zone and to assist in the softening of the built form and hard paved surfaces.
2. A Stormwater Management Plan that demonstrates how stormwater is to be detained, discharged, collected and re-used in accordance with the relevant authority's requirements and to the satisfaction and approval of Council administration. A Finished Floor Level of 12.86 is required.

Pursuant to Section 127(1) of the *Planning, Development and Infrastructure Act 2016*, the relevant authority reserves its decision on the form and substance of any further conditions of consent that it considers appropriate to impose in respect of the reserved matters outlined above.

Planning Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below:
 - Existing/Demolition Site Plan, Sheet DA 1, prepared by Rod Roach Architecture, dated July 2021;
 - Site and Floor Plan - Sheet DA 2A, prepared by Rod Roach Architecture, dated March 2022;
 - Elevations, Sheet DA 4A, prepared by Rod Roach Architecture, dated March 2022;
 - Page 11 of the Development Applicant Report - Schedule of Materials and Finishes prepared Rod Roach, dated August 2021;
 - Sections, Sheet DA 5, prepared by Rod Roach Architecture, dated July 2015;
 - Roof Plan, Sheet DA 3, prepared by Rod Roach Architecture, dated July 2021;
2. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage shall not at any time:
 - a) Result in the entry of water into a building;
 - b) Affect the stability of a building;
 - c) Create unhealthy or dangerous conditions on the site or within the building;
 - d) Flow or discharge onto the land of an adjoining owner;
 - e) Flow across footpaths or public ways; or
 - f) Discharge to the adjacent creek.
3. All driveways, parking and manoeuvring areas shall be formed (surfaced with concrete, bitumen or paving) properly drained, and shall be maintained in a reasonable condition at all times.

4. All car parking spaces shall be linemarked, in accordance with the approved plans and in accordance with Australian Standards Association Code AS 2890.1, 2004 Parking Facilities, Part 1, Off Street Car Parking, prior to the occupation of the proposed development. Linemarking and directional arrows shall be clearly visible at all times.
5. Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for storage or display of materials or goods including waste products and refuse.
6. The stormwater connection through the road verge area is to be constructed of shape and material to satisfy Council's standard requirements:
 - 100 x 50 x 2mm RHS Galvanised Steel or
 - 125 x 75 x 2mm RHS Galvanised Steel or
 - Multiples of the above.
7. Hours of operation for the site shall be as follows:
 - Shops - Monday to Friday - 7am to 6pm, Saturday 7am to 5pm, Sundays and Public Holidays - Closed
 - Warehouses - Monday to Friday - 7am to 6pm, Saturday 7am to 1pm, Sundays and Public Holidays - Closed
8. Vehicles accessing the site are limited to no larger than an SRV type.

Commissioner of Highways Conditions

9. An amended plan shall be provided to Council prior to the issue of Development Approval showing vehicular access via Richmond Road limited to an ingress only access in reference to plan DA 2A dated March 2022, the access point angled at 70 degrees to the road and suitably signed and linemarked to reinforce the desired traffic flow.
10. All vehicles shall enter and exit the site in a forward direction and all vehicle manoeuvring areas shall be kept clear of impediments to manoeuvring.
11. The redundant crossover on Richmond Road shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense.
12. Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

COUNCIL ASSESSMENT PANEL DECISION

The Council Assessment Panel, having considered all aspects of the report and the application for consent to carry out development of land resolved to REFUSE Planning Consent, for Application No. 21028599 by Rod Roach for Demolition of existing dwellings and associated structures, and construction of three (3) warehouses with associated office and storage space, two retail tenancies (one bulky goods) with associated offices along with associated car parking landscaping, freestanding pylon signage and removal of significant tree at 239, 241-243 Richmond Road, RICHMOND (CT-5823/131, CT-6157/995) as the proposed development is contrary to the following provisions of the Planning and Design Code (Version 2021.14):

- Employment Zone, Desired Outcome 2
- Employment Zone, Performance Outcome 3.2
- Employment Zone, Designated Performance Feature 3.2
- Employment Zone, Performance Outcome 5.2
- Employment Zone, Designated Performance Feature 5.2
- Regulated and Significant Tree Overlay, Desired Outcome 1
- Regulated and Significant Tree Overlay, Performance Outcome 1.1 & 1.2 & 1.4
- General Development Policies, Design, Desired Outcome 1
- General Development Policies, Design, Landscaping, Performance Outcome 3.1 & 3.2
- General Development Policies, Design, Water Sensitive Design, Performance Outcome 5.1 & 5.2
- General Development Policies, Design, Carparking Appearance, Performance Outcome 7.1 & 7.6 & 7.7
- General Development Policies, Transport, Access and Parking, Vehicle Access, Performance Outcome 3.1

7 REVIEW OF ASSESSMENT MANAGER DECISION

Nil

8 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

9 RELEVANT AUTHORITY ACTIVITIES REPORT

9.1 Activities Summary - October 2022

This report presents information in relation to:

1. Any development appeals before the Environment, Resources and Development (ERD) Court where the Council Assessment Panel (CAP) is the relevant authority;
2. Other appeal matters before the ERD Court of which SCAP and the City of West Torrens Assessment Manger are the relevant authority;
3. Any deferred items previously considered by the CAP;
4. Summary of applications that have been determined under delegated authority where CAP is the relevant authority; and
5. Any matters being determined by the State Commission Assessment Panel (SCAP).

RECOMMENDATION

The Council Assessment Panel receive and note the information.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

10 OTHER BUSINESS

10.1 Planning Policy Considerations

Nil

11 MEETING CLOSE

The Presiding Member declared the meeting closed at 5:52pm.