

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, 14 JUNE 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 & Mr M Arman appeared by electronic platform.

Officers:

Ms Hannah Bateman (Manager City Development and Assessment Manager)
Ms Rachel Knuckey (Team Leader Planning)
Mr Phil Smith (Senior Development Officer - Planning)
Ms Zoe Delmenico (Development Officer - Planning)
Mr Sebastian Anderson (Development Technician/Minute Taker)

3 APOLOGIES

Nil

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 10 May 2022 be confirmed as a true and correct record.

COUNCIL ASSESSMENT PANEL DECISION

That the recommendation be adopted.

5 DISCLOSURE STATEMENTS

The following disclosures of interest were made:

Item	Type of Conflict	Panel Member
6.2.1 90 – 94 Richmond Road and 1 and 3 Farnham Road KESWICK	Direct	Ms Jane Strange

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 Transitional Applications

Nil

6.2 PDI Act Applications

6.2.1 90-94 RICHMOND ROAD & 1 & 3 FARNHAM ROAD, KESWICK

Application No 21039722

5.02pm *Ms Jane Strange declared a direct conflict of interest as the applicant's representative Mr Greg Vincent, is a director of a company providing sponsorship to her employer the Planning Institute of Australia. Ms Strange left the meeting for the discussion and decision.*

Appearing before the Panel were:

Representors: **Rebecca Ristic** of 7 Farnham Road, Keswick appeared in support of her representation via an electronic platform.

Alex Boehm of 22/40 Chatham Road, Keswick appeared in support of his representation via an electronic platform.

Applicant: **Greg Vincent** on behalf of Smart Property Solutions appeared in response to the representations.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT NUMBER	21039722
APPLICANT	Smart Property Solutions
ADDRESS	90-94 Richmond Road & 1 & 3 Farnham Road, KESWICK
NATURE OF DEVELOPMENT	Alterations and extension to existing carpark (including fencing) in association with an existing shop (bulky goods outlet), canopies (retrospective) and replacement of air conditioning units
ZONING INFORMATION	<p>Zones</p> <ul style="list-style-type: none"> • Employment Zone (90- 94 Richmond Road) • Housing Diversity Neighbourhood (1 & 3 Farnham Road) <p>Overlays</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) (All structures over 15 metres) • Affordable Housing • Building Near Airfields • Future Road Widening • Hazards (Flooding) • Hazards (Flooding - Evidence Required) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy • Water Resources

	Technical Numeric Variations (TNVs) <ul style="list-style-type: none"> Maximum Building Height - 3 levels & 12.5 metres (1 & 3 Farnham Road); 2 levels & 8.5 metres (94 Richmond Road)
LODGEMENT DATE	18 January 2022
RELEVANT AUTHORITY	Council Assessment Panel
PLANNING & DESIGN CODE VERSION	Version 2021.17; 16 December 2021
CATEGORY OF DEVELOPMENT	Code Assessed - Performance Assessed
NOTIFICATION	Yes
REFERRALS STATUTORY	Nil
REFERRALS NON-STATUTORY	Nil
RECOMMENDING OFFICER	Zoe Delmenico
RECOMMENDATION	Support with reserved matters & conditions

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

- 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 Version 2021.17.
- Application No. 21039722 by Smart Property Group for alterations and extension to existing carpark (including fencing) in association with an existing shop (bulky goods outlet), canopies (retrospective) and replacement of air conditioning units at 90-94 Richmond Road & 1 & 3 Farnham Road Keswick (CT6135/26, 6135/27, 5231/962 & 5215/624) is GRANTED Planning Consent subject to the following reserved matter 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*:

- The applicant / owner must enter into and register a Land Management Agreement on CT 5215/624 (No. 3 Farnham Road Keswick) which associates the proposed carpark at No. 3 Farnham Road Keswick with the existing shop (bulky goods) retail use at No. 90 - 94 Richmond Road Keswick.
- A Construction Environmental Management Plan (CEMP) shall be prepared and submitted to the relevant authority for endorsement. The plan shall provide for but not be limited to:
 - Management of vehicles within Farnham Road with respect to parking, loading and unloading of materials, contractors, sub-contractors and the like.
 - Alternative arrangements for the management of vehicles associated with staff and customers of Snowy's Outdoors during construction of the proposed carpark to ensure overflow parking on Farnham Road is reasonably minimised to the satisfaction of Council.

Pursuant to Section 127(1) of the *Planning, Development and Infrastructure Act 2016*, the Council 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, specifically plans as listed below except where varied by any condition(s).
 - The plans prepared by Studio Nine Architects including:
 - Snowys Outdoor Site plan / Carpark Plan Drawing No. 107-103-SK01 Revision G dated 27.05.22
 - Snowys Outdoor Roof Plan / Sections Drawing No. 907-103-SK02 Revision A
 - Snowys Outdoor Fence Boundary Elevation, Drawing No. 107-103-SK02, Revision F dated 25.05.22
 - The plans and documents prepared by TMK Consulting Engineers including:
 - Civil Plan Drawing No. 2103129-C1/E dated 25.05.22
 - Civil Details & Notes, Drawing No. 2103129 - C2/E dated 25.05.22
 - Planning Report Carpark Expansion for Snowys Outdoors prepared by MasterPlan SA Pty Ltd dated December 2021
 - Response to Council Request for DA21039722 letter prepared by MasterPlan SA Pty Ltd dated 03.05.22.
 - Email from TMK engineers dated 25 May 2022 confirming retaining walls not required and no adverse impact to creek bed.
2. The hours of operation of the carpark shall not exceed those of the existing shop (bulky goods outlet) as follows:
 - Monday to Friday 8.30am to 5pm
 - Saturday 9am to 5pm
 - Sunday 11am to 5pm
3. 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; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within a building; or
 - 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.
4. All proposed canopy trees nominated shall be at an advanced planting height of not less than 2 metres at time of planting. All landscaping shall be established in the landscaping areas nominated on the plans and provided with an automatic watering system, with all landscaping completed within 3 months of the commencement of the use of the car

park. All landscaping shall be tended to and nurtured at all times, with any plantings that are dead or diseased being replaced to the reasonable satisfaction of the relevant authority.

5. The car parking area shall be set out and line-marked in accordance with the approved plans and Australian Standard AS/NZS 2890.1 - 2004 - Off Street Parking - Car Parking Facilities. Appropriate directional signage shall be installed to reinforce the desired flow of traffic to, from and through the site.
6. All landscaped areas shall be separated from adjacent driveways and parking areas by a suitable kerb or non-mountable device to prevent vehicle movement thereon, prior to occupation of the development.
7. The driveway and car-parking areas are to be surfaced, drained and completed to the reasonable satisfaction of the relevant authority prior to the commencement of the use of the carpark.
8. New or amended crossovers and the stormwater connections shall be constructed in accordance with Council's minimum technical standards.
9. The car parking areas shall be maintained at all times to the reasonable satisfaction of the relevant authority.
10. Driveways, carparking spaces, manoeuvring areas and landscaping areas shall not be used for storage or display of materials or goods including waste products and refuse.

COUNCIL ASSESSMENT PANEL DECISION

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 Version 2021.17.
2. Application No. 21039722 by Smart Property Group for alterations and extension to existing carpark (including fencing) in association with an existing shop (bulky goods outlet), canopies (retrospective) and replacement of air conditioning units at 90-94 Richmond Road & 1 & 3 Farnham Road Keswick (CT6135/26, 6135/27, 5231/962 & 5215/624) 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. The applicant / owner must enter into and register a Land Management Agreement on CT 5215/624 (No. 3 Farnham Road Keswick) which associates the proposed carpark at No. 3 Farnham Road Keswick with the existing shop (bulky goods) retail use at No. 90 - 94 Richmond Road Keswick.
2. A Construction Environmental Management Plan (CEMP) shall be prepared and submitted to the relevant authority for endorsement. The plan shall provide for but not be limited to:

- Management of vehicles within Farnham Road with respect to parking, loading and unloading of materials, contractors, sub-contractors and the like.
- Alternative arrangements for the management of vehicles associated with staff and customers of Snowy's Outdoors during construction of the proposed carpark to ensure overflow parking on Farnham Road is reasonably minimised to the satisfaction of Council.

Pursuant to Section 127(1) of the *Planning, Development and Infrastructure Act 2016*, the Council 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, specifically plans as listed below except where varied by any condition(s).
 - The plans prepared by Studio Nine Architects including:
 - Snowys Outdoor Site plan / Carpark Plan Drawing No. 107-103-SK01 Revision G dated 27.05.22
 - Snowys Outdoor Roof Plan / Sections Drawing No. 907-103-SK02 Revision A
 - Snowys Outdoor Fence Boundary Elevation, Drawing No. 107-103-SK02, Revision F dated 25.05.22
 - The plans and documents prepared by TMK Consulting Engineers including:
 - Civil Plan Drawing No. 2103129-C1/E dated 25.05.22
 - Civil Details & Notes, Drawing No. 2103129 - C2/E dated 25.05.22
 - Planning Report Carpark Expansion for Snowys Outdoors prepared by MasterPlan SA Pty Ltd dated December 2021
 - Response to Council Request for DA21039722 letter prepared by MasterPlan SA Pty Ltd dated 03.05.22.
 - Email from TMK engineers dated 25 May 2022 confirming retaining walls not required and no adverse impact to creek bed.
2. The hours of operation of the carpark shall not exceed those of the existing shop (bulky goods outlet) as follows:
 - Monday to Friday 9am to 5.30pm
 - Saturday 9am to 5pm
 - Sunday 10am to 5pm
3. 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; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within a building; or
 - 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.

4. All proposed canopy trees nominated shall be at an advanced planting height of not less than 2 metres at time of planting. All landscaping shall be established in the landscaping areas nominated on the plans and provided with an automatic watering system, with all landscaping completed within 3 months of the commencement of the use of the car park. All landscaping shall be tended to and nurtured at all times, with any plantings that are dead or diseased being replaced to the reasonable satisfaction of the relevant authority.
5. The car parking area shall be set out and line-marked in accordance with the approved plans and Australian Standard AS/NZS 2890.1 - 2004 - Off Street Parking - Car Parking Facilities. Appropriate directional signage shall be installed to reinforce the desired flow of traffic to, from and through the site.
6. All landscaped areas shall be separated from adjacent driveways and parking areas by a suitable kerb or non-mountable device to prevent vehicle movement thereon, prior to occupation of the development.
7. The driveway and car-parking areas are to be surfaced, drained and completed to the reasonable satisfaction of the relevant authority prior to the commencement of the use of the carpark.
8. New or amended crossovers and the stormwater connections shall be constructed in accordance with Council's minimum technical standards.
9. The car parking areas shall be maintained at all times to the reasonable satisfaction of the relevant authority.
10. Driveways, carparking spaces, manoeuvring areas and landscaping areas shall not be used for storage or display of materials or goods including waste products and refuse.

5.35pm *Ms Jane Strange returned to the meeting.*

6.2.2 11-17 James Congdon Drive, MILE END

Application No 22000566

Appearing before the Panel were:

Representor: **Andrew Mimidas** of 11 Rose Street, Mile End appeared in support of the representation.

Applicant: **Andrew Raeburn** of Aecom Australia Pty Ltd appeared in response to the representation. **Michael Macheledt** of Kennards Storage (via electronic platform) and **Nick Henrys** of Resonate also appeared to respond to questions of the Panel.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT NUMBER	22000566
APPLICANT	Kennards Self Storage
ADDRESS	11-17 James Congdon Drive, MILE END
NATURE OF DEVELOPMENT	Alterations and additions to existing self storage facility comprising 90 additional single storey self storage units, conversion of existing ground level office space to 26 storage units, variation to conditions 2, 3, and 6 in DA 211/984/2015 to allow for 24/7 access to the site, relocation of access, reconfiguration of on-site parking, associated landscaping and construction of a 3m high acoustic wall along portion of the western boundary
ZONING INFORMATION	<p>Zones</p> <ul style="list-style-type: none"> • Established Neighbourhood • Urban Corridor (Boulevard) <p>Overlays</p> <ul style="list-style-type: none"> • Aircraft Noise Exposure • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Character Area • Design • Hazards (Flooding - Evidence Required) • Major Urban Transport Routes • Noise and Air Emissions • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy <p>Technical Numeric Variations (TNVs)</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 32.5m)

	<ul style="list-style-type: none"> • Minimum Site Area (Minimum site area for a detached dwelling is 270 sqm; semi-detached dwelling is 270 sqm; row dwelling is 270 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level) • Minimum Primary Street Setback (Minimum primary street setback is 0m) • Minimum Side Boundary Setback (Minimum side boundary setback is 1m for the first building level; 2m for any second building level or higher) • Interface Height (Development should be constructed within a building envelope provided by a 30 degree plane, measured 3m above natural ground at the boundary of an allotment)
LODGEMENT DATE	25 January 2022
RELEVANT AUTHORITY	Council Assessment Panel
PLANNING & DESIGN CODE VERSION	2022.1
CATEGORY OF DEVELOPMENT	Code Assessed – Performance Assessed
NOTIFICATION	Yes
REFERRALS STATUTORY	Nil
REFERRALS NON-STATUTORY	Internal <ul style="list-style-type: none"> • City Assets • Arboriculture Advisor
DELEGATION	CAP <ul style="list-style-type: none"> • A representor has lodged a valid representation and wishes to be heard
RECOMMENDATION	Grant consent with reserved matters and conditions

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 2021.1.
2. Application No. 22000566 by Kennards Self Storage to undertake Alterations and additions to existing self storage facility comprising 90 additional single storey self storage units, conversion of existing ground level office space to 26 storage units, variation to conditions 2, 3, and 6 in DA 211/984/2015 to allow for 24/7 access to the site, relocation of access, reconfiguration of on-site parking, associated landscaping and construction of a 3m high acoustic wall along portion of the western boundary at 11-17 James Congdon Drive, MILE END (CT-5922/940, CT-5922/943,CT-5974/676,CT-5974/677) is GRANTED 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 City of West Torrens as reserved matters under Section 102(3) of the *Planning, Development and Infrastructure Act 2016*:

1. The provision of Civil and Drainage Management Plan prepared by a suitably qualified and experienced Engineer which demonstrates that the proposed Finished Floor Levels of the storage units will be sufficient to protect the development from inundation.
2. An amended Site Plan which includes an additional 2 car parking spaces to cater for the needs of the additional internal storage units.

Pursuant to Section 127(1) of the *Planning, Development and Infrastructure Act 2016*, the Council 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.

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application, specifically plans as listed below except where varied by any condition(s).
 - The plans prepared by Jacob Design and Visualisation including:
 - Site Location Plan, Project No. JDV0085, Drawing No. JDV0085_SK00, Revision P2, dated 09.05.2022
 - Existing Site Plan, Project No. JDV0085, Drawing No. JDV0085_SK01, Revision P2, dated 09.05.2022
 - Proposed General Layout Plan, Project No. JDV0085, Drawing No. JDV0085_SK02, Revision P10, dated 15.05.2022
 - Proposed External Elevations, Project No. JDV0085, Drawing No. JDV0085_SK03, Revision P2, dated 03.06.2021
 - Proposed External Elevations, Project No. JDV0085, Drawing No. JDV0085_SK04, Revision P2, dated 03.06.2021
 - The plans prepared by Oxigen including:
 - Planting plan, Project: Mile End DA, Project No. 22.015, Drawing No. 101, Revision B, Dated 23.05.22
 - Planting plan, Project: Mile End DA, Project No. 22.015, Drawing No. 201, Revision B, Dated 23.05.22
 - Planting plan, Project: Mile End DA, Project No. 22.015, Drawing No. 202, Revision B, Dated 23.05.22
 - Planting plan, Project: Mile End DA, Project No. 22.015, Drawing No. 203, Revision B, Dated 23.05.22
 - Letter from AECOM, titled Development Application - Kennards Self Storage Facility, 11 James Congdon Drive, dated 11 January 2022.
 - Traffic and Parking Assessment prepared by Stantec, titled Reference: Storage Facility Expansion, - James Congdon Drive, Mile End, File: 301401631, dated December 22 2021.
 - Environmental Noise Assessment prepared by Resonate, 11 James Congdon Drive, Mile, A210937RP1 Revision B, dated 11 January 2022.
 - Plan of Management, dated May 2022.

2. The maximum size of service vehicles accessing the site, including the refuse collection vehicle, shall be limited to an 8.8 long Medium Rigid Vehicle.
3. The car parking area shall be set out and line-marked in accordance with the approved plans and Australian Standard AS/NZS 2890.1 - 2004 - Off Street Parking - Car Parking Facilities. Appropriate directional signage shall be installed to reinforce the desired flow of traffic to, from and through the site.
4. The car parking areas shall be maintained at all times to the reasonable satisfaction of the relevant authority.
5. The amended crossover shall be constructed in accordance with Council's minimum technical standards.
6. The driveways, parking and vehicle manoeuvring areas shall not be used for the storage or display of materials or goods, including waste products and refuse.
7. The loading and unloading of goods and merchandise shall be carried out on the subject land and is not permitted to be carried out in the street.
8. Prior to the occupation or use of the development, all stormwater design and construction shall be to the satisfaction of Council 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; or
 - b) Affect the stability of a building; or
 - c) Create insanitary or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; or
 - e) Flow across footpaths or public ways.
9. The waste enclosure area and disposal facilities shall be installed and made operative to the satisfaction of Council prior to occupation of the development. All waste and rubbish shall be stored in covered containers prior to removal and shall be screened from public view.

The collection of waste from the site shall occur only between the hours of:

Monday to Saturday	7am - 7pm
Sunday	9am - 7pm
10. The fence along the western boundary shall be a minimum of 3 metres in height and shall have a minimum Base Metal Thickness (BMT) of 0.48 steel or alternative solid material without gaps, with a minimum surface density of 10kg/m².
11. All external lights on the subject site shall be directed, screened and of such limited intensity that overspill of light into nearby premises is avoided and no nuisance or loss of amenity is caused to any person beyond the site, including passing motorists.
12. All proposed canopy trees nominated shall be at an advanced planting height of not less than 2 metres at time of planting. All landscaping shall be established in the landscaping areas nominated on the plans and provided with an automatic watering system, with all landscaping completed within 3 months of the commencement of the use of the car park. All landscaping shall be tended to and nurtured at all times, with any plantings that are dead or diseased being replaced to the reasonable satisfaction of the relevant authority.

NOTES

- City Operations has considered the health, structure, form, useful life expectancy and age of the street tree in Rose Street and in this instance will support the removal. Payment of a fee of \$1500.00 will be required prior to the commencement of any work.

COUNCIL ASSESSMENT PANEL DECISION

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 2021.1.
2. Application No. 22000566 by Kennards Self Storage to undertake Alterations and additions to existing self storage facility comprising 90 additional single storey self storage units, conversion of existing ground level office space to 26 storage units, variation to conditions 2, 3, and 6 in DA 211/984/2015 to allow for 24/7 access to the site, relocation of access, reconfiguration of on-site parking, associated landscaping and construction of a 3m high acoustic wall along portion of the western boundary at 11-17 James Congdon Drive, MILE END (CT-5922/940, CT-5922/943,CT-5974/676,CT-5974/677) is GRANTED 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 City of West Torrens as reserved matters under Section 102(3) of the *Planning, Development and Infrastructure Act 2016*:

1. The provision of Civil and Drainage Management Plan prepared by a suitably qualified and experienced Engineer which demonstrates that the proposed Finished Floor Levels of the storage units will be sufficient to protect the development from inundation.
2. An amended Site Plan which includes an additional 2 car parking spaces to cater for the needs of the additional internal storage units, and location and size of informative signage regarding limiting noise on site.

Pursuant to Section 127(1) of the *Planning, Development and Infrastructure Act 2016*, the Council 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.

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application, specifically plans as listed below except where varied by any condition(s).
 - The plans prepared by Jacob Design and Visualisation including:
 - Site Location Plan, Project No. JDV0085, Drawing No. JDV0085_SK00, Revision P2, dated 09.05.2022
 - Existing Site Plan, Project No. JDV0085, Drawing No. JDV0085_SK01, Revision P2, dated 09.05.2022
 - Proposed General Layout Plan, Project No. JDV0085, Drawing No. JDV0085_SK02, Revision P10, dated 15.05.2022

- Proposed External Elevations, Project No. JDV0085, Drawing No. JDV0085_SK03, Revision P2, dated 03.06.2021
 - Proposed External Elevations, Project No. JDV0085, Drawing No. JDV0085_SK04, Revision P2, dated 03.06.2021
 - The plans prepared by Oxigen including:
 - Planting plan, Project: Mile End DA, Project No. 22.015, Drawing No. 101, Revision B, Dated 23.05.22
 - Planting plan, Project: Mile End DA, Project No. 22.015, Drawing No. 201, Revision B, Dated 23.05.22
 - Planting plan, Project: Mile End DA, Project No. 22.015, Drawing No. 202, Revision B, Dated 23.05.22
 - Planting plan, Project: Mile End DA, Project No. 22.015, Drawing No. 203, Revision B, Dated 23.05.22
 - Letter from AECOM, titled Development Application - Kennards Self Storage Facility, 11 James Congdon Drive, dated 11 January 2022.
 - Traffic and Parking Assessment prepared by Stantec, titled Reference: Storage Facility Expansion, - James Congdon Drive, Mile End, File: 301401631, dated December 22 2021.
 - Environmental Noise Assessment prepared by Resonate, 11 James Congdon Drive, Mile, A210937RP1 Revision B, dated 11 January 2022.
 - Plan of Management, dated May 2022.
2. The maximum size of service vehicles accessing the site, including the refuse collection vehicle, shall be limited to an 8.8 long Medium Rigid Vehicle.
 3. The car parking area shall be set out and line-marked in accordance with the approved plans and Australian Standard AS/NZS 2890.1 - 2004 - Off Street Parking - Car Parking Facilities. Appropriate directional signage shall be installed to reinforce the desired flow of traffic to, from and through the site.
 4. The car parking areas shall be maintained at all times to the reasonable satisfaction of the relevant authority.
 5. The amended crossover shall be constructed in accordance with Council's minimum technical standards.
 6. The driveways, parking and vehicle manoeuvring areas shall not be used for the storage or display of heavy machinery vehicles, caravans, materials or goods, including waste products and refuse.
 7. The loading and unloading of goods and merchandise shall be carried out on the subject land and is not permitted to be carried out in the street.
 8. Prior to the occupation or use of the development, all stormwater design and construction shall be to the satisfaction of Council 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; or
 - b) Affect the stability of a building; or
 - c) Create insanitary or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; or
 - e) Flow across footpaths or public ways.

9. The waste enclosure area and disposal facilities shall be installed and made operative to the satisfaction of Council prior to occupation of the development. All waste and rubbish shall be stored in covered containers prior to removal and shall be screened from public view.

The collection of waste from the site shall occur only between the hours of:

Monday to Saturday	7am - 7pm
Sunday	9am - 7pm

10. The fence along the western boundary shall be a minimum of 3 metres in height and shall have a minimum Base Metal Thickness (BMT) of 0.48 steel or alternative solid material without gaps, with a minimum surface density of 10kg/m².
11. All external lights on the subject site shall be directed, screened and of such limited intensity that overspill of light into nearby premises is avoided and no nuisance or loss of amenity is caused to any person beyond the site, including passing motorists.
12. All proposed canopy trees nominated shall be at an advanced planting height of not less than 2 metres at time of planting. All landscaping shall be established in the landscaping areas nominated on the plans and provided with an automatic watering system, with all landscaping completed within 3 months of the commencement of the use of the car park. All landscaping shall be tended to and nurtured at all times, with any plantings that are dead or diseased being replaced to the reasonable satisfaction of the relevant authority.

NOTES

- City Operations has considered the health, structure, form, useful life expectancy and age of the street tree in Rose Street and in this instance will support the removal. Payment of a fee of \$1500.00 will be required prior to the commencement of any work.

7 REVIEW OF ASSESSMENT MANAGER DECISION

Nil

8 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

8.1 5-9 Palmyra Avenue, TORRENSVILLE

Application No. DA 211/279/2021

RECOMMENDATION

It is recommended to the Council Assessment Panel that:

1. On the basis that this matter is before the Environment Resources and Development Court so any disclosure would prejudice the position of Council, the Council Assessment Panel orders pursuant to regulation 13(2) of the *Planning, Development and Infrastructure (General) Regulations 2017*, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams, Assessment Manager, City Development staff in attendance at the meeting, and meeting secretariat staff, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Assessment Manager on the basis that this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.
2. At the completion of the confidential session the meeting be re-opened to the public.

COUNCIL ASSESSMENT PANEL DECISION

That the recommendation be adopted.

6.22pm the meeting moved into Confidence and session commenced.

6.45pm the Confidential session closed and the meeting reopened to the public.

Note: The Confidential minutes are kept separate from this document.

9 RELEVANT AUTHORITY ACTIVITIES REPORT

9.1 Activities Summary - May 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 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

Mr Michael Arman advised that he would be an apology for the next Council Assessment Panel meeting in July.

10.1 Planning Policy Considerations

Nil

11 MEETING CLOSE

The Presiding Member declared the meeting closed at 6.46pm.