

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, 9 AUGUST 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:	Mr M Arman, Mr K Corolis

Mr K Corolis appeared by electronic platform.

Officers:

Ms Hannah Bateman	(Manager City Development and Assessment Manager)
Mr Phil Smith	(Senior Development Officer - Planning)
Ms Branka Dzalto	(Executive Assistant and Minute Taker)

3 APOLOGIES

Apologies

Panel Member:

Ms Jane Strange

Deputy Panel Member:

Mr Heath Edwards

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 12 July 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 53-57 & 59-63A Deeds Road, NORTH PLYMPTON

Application No 22008071

Appearing before the Panel were:

Representors: **Paul Cosci** of 1 Lea Street, North Plympton appeared in support of the representation.

Vanessa De Pretis of 4 Lea Street, North Plympton appeared in support of the representation.

Amy Defluiter of 26 Laurence Street, South Plympton did not appear in support of the representation.

Applicant: **Phillip Brunning** (Town Planner), **Phil Weaver** (Traffic Engineer), **Chris Turnbull** (Acoustic Engineer), **Anthony Hunter** (Philmac Pty Ltd), **Dragan Zlatkovic** (Philmac Pty Ltd) and **Richard Broadhead** (Philmac Pty Ltd) appeared in response to the representations.

The Presiding Member allowed a request from the public gallery for a further representor to be heard:

Diane Simons of 5 Lea Street, North Plympton appeared in support of the representation.

Prior to the consideration of CAP Item 6.2.1 - 53-57 & 59-63A Deeds Road, NORTH PLYMPTON, the Assessment Manager tabled a copy of the applicant's Environmental Noise Assessment prepared by Sonus and shadowing diagrams which had been omitted from the Agenda. Copies were also made available for the public gallery.

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. 22008071 by Philmac Pty Ltd to carry out additions and alterations to an existing industrial warehousing and storage facility, and removal of a significant tree at 53-57 & 59-63A Deeds Road, NORTH PLYMPTON (CT-5847/323, CT-5132/335) is GRANTED Planning Consent subject to the following reserved matter and conditions of consent:

Reserved Matter:

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. A comprehensive Landscape Plan to be provided for the rear of the site along the rear boundary. Such planting shall include Pencil Pine trees, shrubs and groundcovers that are complimentary to the desired character sought for this Zone and to assist in the softening of the built form and hard paved surfaces. More specifically, the row of Pencil Pine trees is to be planted along, and for the entire length of, the rear boundary (eastern boundary) at a height of 1.8m at the time of planting and planted no greater than 1m apart.

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 except where varied by any conditions listed below:
 - Existing/Demo Site Plan, Sheet PL01 Rev B, prepared by Tesseract International;
 - Proposed Site Plan - Sheet PL02 Rev D, prepared by Tesseract International;
 - Proposed Part Site Plan, prepared by Tesseract International, Sheets PL03 - Rev C, PL04 - PL07 Rev B;
 - Elevations, prepared by Tesseract International, 20-549, dated 17 July 2022;
 - Elevations, prepared by Tesseract International, PL08 Rev A;
 - Elevations, prepared by Tesseract International, PL09, PL10 Rev B;
 - Elevations, prepared by Tesseract International, PL11, PL12 Rev C;
 - Perspectives, prepared by Tesseract International, PL13, PL14 Rev B;
 - Section, prepared by Tesseract International, PL15 Rev B;
 - Stormwater Management Plan, prepared by Tesseract International, Sheets C100 - C103 Rev A, dated March 2022;
 - Stormwater Management Plan prepared by Tesseract International, CSK1 Rev A, dated February 2022
 - Environmental Noise Assessment, prepared by Sonus Pty Ltd (Acoustic Engineers), dated July 2022;
 - Traffic Impact Statement prepared by Phil Weaver and Associates, dated 5 July 2022.

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. An amended plan shall be provided prior to the issue of Development Approval showing three car parking spaces (on the corners of the western row of each aisle) within the car parking area at the rear of the site removed in order to facilitate circulation of 19 m long semitrailers within the rear row of car parking at the eastern end of the site and circulation of a Heavy Rigid Vehicle (HRV) turning into the western aisle way at the rear of the site. The amended plan shall also show the angle of the 10 spaces on the northern side of the driveway (opposite the proposed WIP building) reorientated to 60° (rather than the current angle of 90°) as per the recommendations in the report prepared by Phil Weaver dated 5 July 2022.
4. 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.
5. All carparking 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 Carparking, prior to the occupation of the proposed development. Linemarking and directional arrows shall be clearly visible at all times.
6. 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.

Advisory Notes:***Adelaide Airport Ltd:***

1. The development as described at an approximate height of RL 33.9m Australian Height Datum (AHD) does not penetrate the Adelaide Airport Obstacle Limitation Surface (OLS) airspace protected for aircraft operations. Any further proposed addition to the structure, including aerials, masts and vent/exhaust stacks, must be subject to a separate assessment.
2. Crane operations associated with construction will be restricted to a maximum height of 36m Australian Height Datum and shall be the subject of separate application. Adelaide Airport Limited requires 48 days prior notice of any crane operations during the construction. Crane assessment may also have to be conducted by the Civil Aviation Safety Authority (CASA).
3. Restrictions may apply to lighting illumination. Any lighting proposed shall conform to airport lighting restrictions and shall be shielded from aircraft flight paths.
4. On completion of construction of the building. The proponent must provide Adelaide Airport with a written report from a certified surveyor on the finished height of the building.

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 2022.6.
2. Application No. 22008071 by Philmac Pty Ltd to carry out additions and alterations to an existing industrial warehousing and storage facility, and removal of a significant tree at 53-57 & 59-63A Deeds Road, NORTH PLYMPTON (CT-5847/323, CT-5132/335) is GRANTED Planning Consent subject to the following reserved matter and conditions of consent:

Reserved Matter:

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. A comprehensive Landscape Plan to be provided for the rear of the site along the rear boundary, subject to the approval of Council Administration. Such planting shall include tall screening vegetation, shrubs and groundcovers that are complimentary to the desired character sought for this Zone and to assist in the softening of the built form and hard paved surfaces. More specifically, semi-mature tall screening vegetation is to be planted along, and for the entire length of, the rear boundary (eastern boundary).

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.

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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:
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4. 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.
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2. Crane operations associated with construction will be restricted to a maximum height of 36m Australian Height Datum and shall be the subject of separate application. Adelaide Airport Limited requires 48 days prior notice of any crane operations during the construction. Crane assessment may also have to be conducted by the Civil Aviation Safety Authority (CASA).
3. Restrictions may apply to lighting illumination. Any lighting proposed shall conform to airport lighting restrictions and shall be shielded from aircraft flight paths.
4. On completion of construction of the building. The proponent must provide Adelaide Airport with a written report from a certified surveyor on the finished height of the building.

7 REVIEW OF ASSESSMENT MANAGER DECISION

Nil

8 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

9 RELEVANT AUTHORITY ACTIVITIES REPORT**9.1 Activities Summary - August 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

10.2 Apology - Graham Nitschke

Mr Nitschke advised that he intended to submit an apology for the September Council Assessment Panel meeting.

10.3 Noise Assessment

The Panel discussed noise assessment methodologies and the advice sought to inform the Panel's decision.

11 MEETING CLOSE

The Presiding Member declared the meeting closed at 6.09pm.