

# Special Council Assessment Panel Minutes

**4 November 2021**

## **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** Council Chambers, Norwood Town Hall

**HOUR** 7:00 pm

**PRESENT**

**PANEL MEMBERS** Mr Terry Mosel  
Mr John Minney  
Mr Phil Smith  
Ms Fleur Bowden  
Ms Jenny Newman

**STAFF** Mark Thomson Manager Development Assessment  
Nenad Milasinovic Senior Urban Planner  
Adam Bowey Senior Urban Planner  
Tala Aslat Planning Assistant

**APOLOGIES**

**ABSENT**

1. **CONFIRMATION OF THE MINUTES OF THE MEETING OF THE COUNCIL ASSESSMENT PANEL HELD ON 18 OCTOBER 2021**

**Seconded and Carried**

2. STAFF REPORTS

2.1 DEVELOPMENT NUMBER 21008794 – BUNNINGS GROUP LIMITED

<b>DEVELOPMENT NO.:</b>	21008794
<b>APPLICANT:</b>	Bunnings Group Limited
<b>ADDRESS:</b>	3-5 PENNA AV GLYNDE SA 5070 37 PROVIDENT AV GLYNDE SA 5070 37 GLYNBURN RD GLYNDE SA 5070 39 GLYNBURN RD GLYNDE SA 5070 41 GLYNBURN RD GLYNDE SA 5070 41 GLYNBURN RD GLYNDE SA 5070 41 GLYNBURN RD GLYNDE SA 5070 35 BARNETT AV GLYNDE SA 5070
<b>NATURE OF DEVELOPMENT:</b>	Bulky Goods Outlet (Shop) with advertising displays and earthworks
<b>ZONING INFORMATION:</b>	<b>Zones:</b> • Employment <b>Overlays:</b> • Airport Building Heights (Regulated) • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development <b>Technical Numeric Variations (TNVs):</b> • Maximum Building Height (2 Levels)
<b>LODGEMENT DATE:</b>	25 May 2021
<b>RELEVANT AUTHORITY:</b>	Assessment panel at City of Norwood, Payneham and St. Peters
<b>PLANNING &amp; DESIGN CODE VERSION:</b>	25 May 2021
<b>CATEGORY OF DEVELOPMENT:</b>	Code Assessed - Performance Assessed
<b>NOTIFICATION:</b>	Yes
<b>REFERRALS STATUTORY:</b>	Commissioner of Highways
<b>REFERRALS NON-STATUTORY:</b>	Manager, Traffic & Integrated Transport

**CONTENTS:**

<b>APPENDIX 1:</b>	Relevant P&D Code Policies	<b>ATTACHMENT 4:</b>	Representations
<b>ATTACHMENT 1:</b>	Application Documents	<b>ATTACHMENT 5:</b>	Response to Representations
<b>ATTACHMENT 2:</b>	Subject Land Map	<b>ATTACHMENT 6:</b>	Commissioner of Highways Response
<b>ATTACHMENT 3:</b>	Zoning Map	<b>ATTACHMENT 7:</b>	Manager, Traffic & Integrated Transport Response

## DETAILED DESCRIPTION OF PROPOSAL:

The Applicant seeks consent to construct a bulky goods retail outlet, together with associated earthworks, signage, car parking, 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. 170m<sup>2</sup> 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 292 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 two (2) locations; one on Penna Avenue and the other on Provident Avenue. Trade sales are 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 sales 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 20.6m. The first floor is approximately 8726m<sup>2</sup> in area. A second 'mezzanine' floor has a floor area of 4193m<sup>2</sup>.

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.

A copy of the Development Application documents is contained in **Attachment 1**.

## 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.

## **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

**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

**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

**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

**Location reference:** 41 GLYNBURN RD GLYNDE SA 5070

**Title ref.:** CT 6129/954      **Plan Parcel:** F137955 AL52      **Council:** THE CITY OF NORWOOD PAYNEHAM AND ST PETERS

**Location reference:** 41 GLYNBURN RD GLYNDE SA 5070

**Title ref.:** CT 6129/954      **Plan Parcel:** F137955 AL51      **Council:** THE CITY OF NORWOOD PAYNEHAM AND ST PETERS

**Location reference:** 41 GLYNBURN RD GLYNDE SA 5070

**Title ref.:** CT 5487/69      **Plan Parcel:** F135593 AL42      **Council:** THE CITY OF NORWOOD PAYNEHAM AND ST PETERS

**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

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.

A plan showing the location of the subject land is contained in **Attachment 2**.

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

GivenName	FamilyName	Address	Position	Wishes To Be Heard	Represented By
Phil	Bronzin	31 Provident Avenue, Glynde 5070	Opposed	YES	Carol Bronzin
Capaldo Properties No. 1 Pty Ltd	Capaldo	20 Glynburn Road, Glynde 5070	Opposed	YES	Amanda Price-McGregor
La Bella	Carlo	10 Rawson Penfold Drive ,Rosslyn Park 5072	Support with concerns	NO	N/A

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<b>Pasquale</b>	Clemente	30 Sunbean Road, GLYNDE 5070	Opposed	YES	Amanda Price- McGregor
<b>ELSA</b>	D'ERCOLI	8 Wakelin Street, Glynde 5070	Opposed	NO	N/A
<b>Giovanni</b>	DeSciscio	12 Florence St, Glynde 5070	Opposed	NO	N/A
<b>La Bella</b>	Franca	32 - 34 Provident Avenue, Glynde 5070	Support with concerns	NO	N/A
<b>Rachel</b>	Krebbekx	64 Lewis Road, Glynde 5070	Opposed	NO	N/A
<b>La Bella</b>	Lucia	32-34 Provident Avenue ,Glynde 5070	Support with concerns	NO	N/A
<b>Russell and Margaret</b>	PATERSON	12a Barnes Road, GLYNDE 5070	Opposed	NO	N/A
<b>Rosalba</b>	Pizzino	16 Watson Street, Hectorville 5073	Support with concerns	NO	N/A
<b>Rosa</b>	Radogna	10 Florence Street, Glynde 5070	Opposed	NO	N/A
<b>La Bella</b>	Rocco Anthony	32-34 Provident Avenue, Glynde 5070	Support with concerns	NO	N/A
<b>PETER MOTORS GLYNDE PTY LTD</b>	Russo	27 BARNETT AVENUE, GLYNDE 5070	Opposed	YES	Jack Scalzi
<b>Jessica</b>	Sibai	97 Lewis road, Glynde 5070	Opposed	YES	Jessica Sibai
<b>Michael</b>	Sturrock	31/44 Glynburn road, Hectorville 5073	Opposed	NO	N/A
<b>Tony</b>	Telegramma	29 Glynburn Road, Glynde 5070	Opposed	NO	N/A
<b>MARIA</b>	TREMONTE	4B SUNBEAM ROAD, GLYNDE 5070	Opposed	NO	N/A
<b>Nathan</b>	Warburton	GPO Box 77, Adelaide 5001	Support with concerns	NO	N/A
<b>Hon Vincent</b>	Tarzia	25a Montacute Rd, Campbelltown	Opposed	NO	N/A

• **SUMMARY**

A total of twenty (20) valid representations were received. Of the twenty (20) valid representations, fourteen (14) were opposed to the development application and six (6) were 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;
- Increased litter;
- Security between the subject land and adjacent SA Power Networks site;
- 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;

A copy of the representations received is contained in **Attachment 4**. A copy of the Applicant's response is contained in **Attachment 5**.

## AGENCY REFERRALS

- Commissioner of Highways

In summary, the Manager, Transport Assessment for the Commissioner of Highways has advised:

- The department concurs with the assessment by MFY that the traffic impacts associated with the development are able to be appropriately managed, despite an increase in traffic volume;
- The department is supportive of the signalised intersection subject to detailed design;
- The proposed delivery vehicle access on Glynburn Road is supported, and it will require the relocation of the existing bus stop (18A) to the satisfaction of the department; and
- The proposed signage is supported subject to measures to control glare.
- A number of conditions of consent have been requested by the Manager, Transport Assessment.

A copy of the referral response from the Commissioner of Highways is contained in **Attachment 6**.

## INTERNAL REFERRALS

- Manager, Traffic & Integrated Transport

The development application was referred to the Council's Manager, Traffic & Integrated Transport for advice on the traffic impacts associated with the proposal, taking into account the concerns expressed by the representors.

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

- The off-street car parking provision is sufficient.
- There is no staff or visitor bicycle parking shown on the drawings.
- The proposed traffic signals would facilitate safe and convenient access to the subject site as well as other commercial premises in the Employment Zone. However, given the improvements to turning right out to Glynburn Road, the proposed traffic signals may attract some additional non-local traffic through the residential streets.
- The concept design of the traffic signals does not include a pedestrian crosswalk across south leg of Glynburn Road. If this was included it would provide a higher level of amenity and safety for pedestrians and cyclists.
- Major modifications to the intersection are required to facilitate the traffic signals which includes road widening, footpath realignment and tree removal on Glynburn Road and removal of approximately 20 on-street car parks in Penna Avenue.
- The access arrangements ensure that large delivery vehicles only enter from Glynburn Road and therefore will not use the local street network to enter. Clarification is required with regard to whether these vehicles will be forced to turn right onto Penna Avenue to prevent them filtering through the residential streets.
- Approximately 31 on-street car parks would be removed on the surrounding streets. There is a high demand for on-street car parking. Consideration could be given to whether staff and visitors of the nearby businesses could utilise the proposed off-street parking spaces in Bunnings. It is likely that the peak parking demand for Bunnings is outside of the adjacent premises business hours and a sharing arrangement may be acceptable to both parties.
- The weekday peak hour rate nominated in the Report is 2.7 vehicles per 100m<sup>2</sup> and the source is quoted as RMS. However, the 2013 RMS Technical Direction Update suggests that the weekday peak hour rate for a Major Hardware and Building supply store is 4.2 vehicles per 100m<sup>2</sup>. This rate would equate to 55 vehicles (10% of total) using the local street network, 19 vehicles per hour more than suggested in The Traffic Report.

- The Traffic Report does not discuss 'daily' traffic generation rates. The 2013 RMS Technical Direction Update provides the following daily rates Major Hardware and Building supply store:
  - Weekday daily rate = 33 vehicles per 100m<sup>2</sup>
  - Weekend daily rate = 35 vehicles per 100m<sup>2</sup>Using these rates, the traffic generated to the subject site would be:
  - 4358 vehicles on a week day. 436 of these (10%) filtering through the residential street network; and
  - 4622 vehicles on a weekend day. 462 (10%) of these filtering through the residential street network.
- Using the assumptions of traffic distribution in the Traffic Report, the 10% of traffic filtering through the residential streets would accumulate at the junction of Lewis Road and Barnett Avenue. Traffic data on Lewis Road near this location is approximately 1546 vehicles per day (2020 data). The additional forecast traffic would increase the daily traffic volume to around 2,000 vehicles. This changes the function of the road from a Local Road to a Collector Road and results in adverse impacts to residential amenity.
- The concerns regarding traffic generated by the subject site filtering through the residential streets is predominantly a result of the zoning interface between the 'residential' and 'employment zone' situated in one precinct. Any development that would be approved on this site would result in similar traffic issues and it is therefore the Council's role to address this issue in the broader, long-term context.
- The Council has allocated some funding to commence a traffic study of the streets bound by Glynburn Road, Portrush Road, Payneham Road and Magill Road in the 2021-22 financial year 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.

A copy of the referral response from the Manager, Traffic & Integrated Transport is contained in **Attachment 7**.

## 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 100m<sup>2</sup>*

- 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 large bulky goods outlets are envisaged within the Employment Zone, despite being located outside of an Activity Centre. In this respect, it is typical for large 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.

Ms Amanda Price-McGregor has opined on behalf of her client, that the proposal is inconsistent with Desired Outcome 1 for the Employment Zone, because the proposal is not 'low impact'. In this respect, the term 'low impact' needs to be considered in the context of the overall desired outcome for 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*" (my underlining). Whilst the term significant could be interpreted in a number of ways, it is considered most logical that in this context that the term significant is intended to relate, at least in part, to the scale of those three activities (ie. industrial, shopping and business).

Therefore, the Employment Zone seeks to accommodate low impact, significant (large scale) light industries, shops (in the form of bulky goods outlets) and other businesses. When envisaging the range of possible large scale light industries, bulky goods outlets and other businesses, a hierarchy of impact can start to be established. Bulky goods outlets are considered to be at the lower end of the impact spectrum, compared to some large scale industries (even those meeting the definition of Light Industry) and businesses. Unlike industries which often have impacts associated with noise, odour and traffic, the impacts associated with a bulky goods outlet are largely confined to traffic impacts. Accordingly, it is considered that the proposed bulky goods outlet is reasonably low impact, in the context of the Desired Outcome statement.

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 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 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 Barnet 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.

#### Car parking/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 100m<sup>2</sup> of floor area for shops in the form of a bulky goods outlet.

It is proposed that 292 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 2.2 spaces per 100m<sup>2</sup> 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 100m<sup>2</sup> at Woodville to 2.14 spaces per 100m<sup>2</sup> at Mile End.

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 100m<sup>2</sup>) was applied to the proposal, there would be a surplus of approximately 10 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.

As highlighted by the Manager, Traffic & Integrated Transport, approximately 30 on street car parking spaces would be displaced by the proposed development. The loss of on street car parking spaces is attributed 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.

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. This coupled with the significant provision of car parking on the subject land are considered to outweigh the negative aspects of the loss of 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 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.

#### 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 local streets as a result of the proposed development.

In the response to representations MFY states:

*“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, it is important to recognise that the subject land will not remain undeveloped. It is far 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.*

*Of note is that 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 355 vehicle movements per hour in the weekday afternoon commuter peak period and 730 per hour in the Saturday peak period. Based primarily on a number plate survey, MFY forecast that an average of less than 10 percent of drivers will use the residential street network to avoid Glynburn Road. Therefore, MFY forecast that 36 vehicles per hour would use the local road network during the weekday peak.

The Council's Manager, Traffic & Integrated Transport estimates this rate would equate to 55 vehicles per hour (10% of total) using the local street network and queried why MFY used a rate of 2.7 vehicles per 100m<sup>2</sup> to arrive at 36 vehicles per hour. In response, MFY have acknowledged that the rate of 2.7 per 100m<sup>2</sup> is outdated and re-issued Figures from their report comparing the previously forecast pm peak increase with a forecast pm peak increase based on the higher rate. MFY have suggested that there will not be significant additional traffic in each street resulting from this alternative rate and noted that traffic volumes associated with previous development on the subject land has not been discounted from the forecast traffic volumes. They have suggested that these volumes would very likely be equal or higher to the additional 19 volumes which would be considered with the alternative rate assessment and hence it is highly probable that these extra volumes will be off-set by the reduction associated with the removal of existing land uses on the site.

In addition to the peak hour volumes, the Council's Manager, Traffic & Integrated Transport has also considered the additional daily vehicle volumes within the local streets. Based on known existing traffic volumes on Lewis Road near the subject land, it is estimated that the proposal will increase volumes from 1546 vehicles per day to around 2,000 vehicles per day, changing the function of the road from a Local Road to a Collector Road, with associated impacts to residential amenity.

These concerns were discussed with the Applicant and MFY. Two amendments to the application were suggested in response. The first was to remove the access to the site from Barnett Avenue. This change is supported by the Council's Manager, Traffic & Integrated Transport and is included in the latest version of the proposal plans. The second suggested change involved a traffic control treatment at the intersection of Penna Avenue and Barnett Avenue, which would enforce priority movements along the southern portion of Barnett Avenue and Penna Avenue and therefore require drivers on the northern section of Barnett Avenue to give-way. Whilst this treatment was supported by the Council's Manager, Traffic & Integrated Transport, it was not supported by the Local Ward Elected Members and as such has not been included in the Development Application.

Despite the concerns held by the Manager, Traffic & Integrated Transport that the proposal will increase traffic in local streets, she 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. In addition, the Manager, Traffic & Integrated Transport has advised that a traffic study of the streets bound by Glynburn Road, Portrush Road, Payneham Road and Magill Road is due to take place in the 2021-22 financial year 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.

#### Signalised Intersection

The Manager, Traffic & Integrated Transport has suggested it would be preferable to have a pedestrian crossing incorporated with the new traffic lights. MFY have responded advising that DIT had already requested a pedestrian crossing during initial liaison regarding the project and a modified plan has been prepared incorporating the pedestrian crossing.

#### Bicycle Parking

The Manager, Traffic & Integrated Transport has raised concern that there is no bicycle parking proposed.

The Planning & Design Code prescribes bicycle parking requirements for Designated Areas only. The Employment Zone is not a Designated Area. As such, bicycle parking is not a requirement of the proposal.

#### 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 8m<sup>2</sup>.”*

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 35m<sup>2</sup> (4.8m wide x 7.2m high). A changeable promotional banner with an area of 5m<sup>2</sup> 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 1m<sup>2</sup> 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 4.5m<sup>2</sup> 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.

## **CONCLUSION**

Large scale (significant) 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 to 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 the Employment Zone.

The building has 2 levels consistent with the TNV for the Employment Zone. Whilst large, the scale of the building 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.

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 several 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 21008794, by Bunnings Group Limited is **granted** Planning Consent subject to the following conditions:

## 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.

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

10. 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.
11. 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

12. 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.
13. 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
14. The existing bus stop on Glynburn Road shall be relocated to the satisfaction of DIT. All costs shall be borne by the applicant.
15. All vehicles shall enter and exit the site in a forward direction.
16. 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.
17. 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.
18. 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.

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*Ms Bronzin addressed the Council Assessment Panel Members from 7:06pm until 7:09pm*  
*Ms Sibai addressed the Council Assessment Panel Members via teleconference from 7:10pm until 7:15pm*  
*Mr Kelly addressed the Council Assessment Panel Members from 7:16pm until 7:18pm*  
*Ms Price-McGregor addressed the Council Assessment Panel Members from 7:19pm until 7:23pm*  
*Mr Scalzi addressed the Council Assessment Panel Members from 7:23pm until 7:30pm*  
*Mr Clemente addressed the Council Assessment Panel Members from 7:31pm until 7:36pm*  
*Mr Levinson addressed the Council Assessment Panel Members from 7:37pm until 7:42pm*  
*Ms Mellen addressed the Council Assessment Panel Members from 7:51pm until 7:53pm*  
*Ms Eden addressed the Council Assessment Panel Members from 8:03pm until 8:04pm*

## **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 21008794, 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, Desired Outcome 2 and Performance Outcome 2.1.*

*Seconded and Carried*

**3. OTHER BUSINESS**

Nil

**4. CONFIDENTIAL REPORTS**

Nil

**5. CLOSURE**

*The Presiding Member declared the meeting closed at 9:14 pm*

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**Terry Mosel**  
**PRESIDING MEMBER**

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**Mark Thomson**  
**MANAGER DEVELOPMENT ASSESSMENT**