



Port Augusta
CITY COUNCIL



Port Pirie
Regional Council



AGENDA

UPPER SPENCER GULF REGIONAL ASSESSMENT PANEL

**Thursday 23 September 2021, Port Augusta Council Chamber,
4 Mackay Street, Port Augusta, commencing at 5pm.**

Limited attendance due to Covid restrictions - Zoom options available to Panel Members, Representators and the Applicant.

Council is live streaming its USGRAP meeting due to covid restrictions and public demand for attendance.

The meeting will be accessible via the Council YouTube Home Page. The stream will appear as the first video on the page and will have the title "Upper Spencer Gulf Regional Assessment Panel Meeting dated 23 September 2021". The live stream will commence on Council's YouTube page at 5.00pm.

The stream is live and only available while the meeting is running; no recording of it is available once the meeting concludes.

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AGENDA

UPPER SPENCER GULF REGIONAL ASSESSMENT PANEL

Notice is hereby given that a meeting of the Upper Spencer Gulf Regional Assessment Panel will be held in the Port Augusta Council Chamber, 4 Mackay Street, Port Augusta, on Thursday 23 September 2021, commencing at 5pm.

Limited attendance due to Covid restrictions - Zoom options available to Panel Members, Representators and the Applicant.

David Altmann
ASSESSMENT MANAGER
8 September 2021

1. **Welcome – Stewart Payne, Presiding Member**

2. **Present**

3. **Apologies**

4. **Confirmation of Minutes**

That the minutes of meeting held on 24 March 2021 be received and adopted.

5. **Business Arising from the Previous Minutes**

6. **Conflict of Interest Declarations**

7. **Hearing of Representations – Development Act applications**

Nil.

8. **Hearing of Representations – Planning, Development and Infrastructure Act applications**

Yes – Representors and the Applicant - refer Item 10.

9. **Officer Reports - Development Act applications**

Nil

10. **Officer Reports - Planning, Development and Infrastructure Act applications**

21010773 – Augusta Collective Pty Ltd

11. **Close**

ATTACHMENTS

- ATTACHMENT 1: Final Plans
 - ATTACHMENT 2: Future Urban Planning Report
 - ATTACHMENT 3: Representations
 - ATTACHMENT 4: Applicant's response to Representations
 - ATTACHMENT 5: Applicant's responses to requests for information
 - ATTACHMENT 6: Sonus Acoustic Report
 - APPENDIX 1: Relevant Planning and Design Policies
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DEVELOPMENT NO.:	21010773
APPLICANT:	Augusta Collective Pty Ltd
ADDRESS:	1 DAW ST PORT AUGUSTA WEST SA 5700
NATURE OF DEVELOPMENT:	Bulky Goods Outlet (Shop) for Bunnings with ancillary acoustic fence and advertising
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Employment <p>Overlays:</p> <ul style="list-style-type: none"> • Building Near Airfields • Hazards (Bushfire - Regional) • Hazards (Flooding - Evidence Required) • Native Vegetation • Urban Transport Routes
LODGEMENT DATE:	23 Jun 2021
RELEVANT AUTHORITY:	Regional Assessment Panel
PLANNING & DESIGN CODE VERSION:	3 June 2021 2021.7
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Rebecca Rutschack Delegate
REFERRALS STATUTORY:	Commissioner of Highways
REFERRALS NON-STATUTORY:	Infrastructure Parks and Gardens

CONTENTS:

ATTACHMENT 1:	Final Plans
ATTACHMENT 2:	Future Urban Planning Report
ATTACHMENT 3:	Representations
ATTACHMENT 4:	Applicant's response to Representations
ATTACHMENT 5:	Applicant's responses to requests for information
ATTACHMENT 6:	Sonus Acoustic Report
APPENDIX 1:	Relevant P&D Code Policies

1.0 DETAILED DESCRIPTION OF PROPOSAL:

The development proposes a bulky goods outlet with associated car parking, landscaping, advertising and acoustic fencing.

1.1 Bulky Goods Outlet

A bulky goods outlet is proposed and will be occupied by Bunnings. This will be similar to other Bunnings stores with a trade centre, retail section and an outdoor retail nursery. Overall, the built form will have a floor area of 5132 square metres and will be sited in the south-west corner of the site with the outdoor nursery in the western corner.

A bulky goods outlet falls under the broader definition of a shop and is defined as follows:

Means premises used primarily for the sale, rental, display or offer by retail of goods, other than foodstuffs, clothing, footwear or personal effects goods, unless the sale, rental, display or offer by retail of the foodstuffs, clothing, footwear or personal effects goods is incidental to the sale, rental, display or offer by retail of other goods. Examples— The following are examples of goods that may be available or on display at bulky goods outlets or retail showrooms:

- a) automotive parts and accessories;*
- b) furniture;*
- c) floor coverings;*
- d) window coverings;*
- e) appliances or electronic equipment;*
- f) home entertainment goods;*
- g) lighting and electric light fittings;*
- h) curtains and fabric;*
- i) bedding and manchester;*
- j) party supplies;*
- k) animal and pet supplies;*
- l) camping and outdoor recreation supplies;*
- m) hardware;*
- n) garden plants (primarily in an indoor setting);*
- o) office equipment and stationery supplies;*
- p) baby equipment and accessories;*
- q) sporting, fitness and recreational equipment and accessories;*
- r) homewares;*
- s) children's play equipment.*

A shop that is a bulky goods outlet is not a Restricted form of development. It is included as an exclusion in Table 4 of the Employment Zone and as such, it is to be Performance Assessed.

The hours of operation (including ancillary activities) proposed are as follows:

- Trading Hours: 6am to 9pm, 7 days a week
- Deliveries 7am to 9pm, 7 days a week
- Waste Collection 7am to 7pm, Monday to Friday 9am to 7pm Sunday and public holidays.

10. Report – 21010773 (cont'd):

1.2 Access and Car parking

A total of 142 car parking spaces are proposed and includes parking for larger vehicles. As detailed below, other works are required outside the boundaries of the subject land to ensure that safe and convenient access to the land is provided. Such works are detailed in the next section of this report.

There will be three access points:

- One with access off the Stuart Highway that will provide the entry point for delivery vehicles.
- One off Daw Street providing entry/exit for customers and
- One in the southern corner of the site providing the exit point for delivery vehicles.

1.3 Fencing

Acoustic fencing is proposed along the northern and western boundaries to a height of 2.4 metres for most of the length of these boundaries. It will increase in height to 4.5 metres adjacent the loading dock. Other mesh and wire fencing is proposed around the outdoor section of the nursery as well as to the Daw Street frontage adjacent the loading dock.

1.4 Advertising signage

Signage will be painted to the facades of the building. These will be externally illuminated. A number of freestanding signs will be placed within the car parking areas. These will mainly be at the entrances for traffic directional purposes as well as for trolley bay signage.

2.0 BACKGROUND:

A land division application has been approved by Port Augusta City Council. This land division created two allotments. At the time of the assessment of this application, the plan of division had not been lodged with the Lands Title Office.

Works are proposed off site to facilitate the proposed development as follows:

1. The applicant has proposed upgrade works to Eyre Highway, Stuart Highway and Daw Street to accommodate safe access and egress to and from the proposed development.
2. Eyre Highway and Stuart Highway are dedicated to the Commissioner of Highways under the Highways Act. Daw Street remains under the care and control of the Council.
3. In order to ensure that the upgrade works will occur to the Council's requirements and at the applicant's expense, an Infrastructure Agreement and a Land Management Agreement have been entered into. The purpose of these documents is explained below:
 - A. the Infrastructure Agreement ensures that the upgrade works to Daw Street occur appropriately. The IA requires that final engineering plans and details and appropriate security be provided to the Council after the grant of planning consent (should the USGRAP grant planning consent to the application) but before development approval is granted. Should planning consent not be granted, the IA terminates;
 - B. the LMA ensures that the IA will be honoured in the event that the owner of the subject land changes and/or the proposed development is undertaken by a person other than Augusta Collective. In the event that either of these events occurs, the proposed development cannot proceed unless the IA is honoured or that a new IA is entered into to replace the current IA.

10. Report – 21010773 (cont'd):

During the assessment of the application, a number of the reports, plans and documents have been amended. In the instance when they were included in the body of the Future Urban Planning Report, and have since been updated, the updated documents have been attached e.g. updated Stormwater Management Report, architectural plans and landscaping plan.

3.0 SUBJECT LAND & LOCALITY:

3.1 Subject Land

The subject land is comprised of one allotment with a site area of 1.841 hectares, Certificate of Title 5974/381. The site has a frontage to Stuart Highway (63.42 metres in length) and frontages to Daw Street, (122.62 metres in length) a council managed road.

There is an easement that runs along the length of the northern length of the site and is 3 metres in width. The Certificate of Title does not specify the body to which the easement belongs however the applicant's planning consultant indicated that this is likely to be for wastewater infrastructure.

The land is relatively flat although there is a slight fall from Daw Street into the site. The site is undeveloped (with no current land use) and consists of sparse vegetation and gravel.

3.2 Locality

The locality contains a variety of land uses as follows:

- To the north is the newly developed Bentleys Cabin Park.
- To the west, sharing a boundary with the subject land is the Standpipe Golf Motor Inn
- Further to the west is the Port Augusta Golf Club
- To the east are dwellings.

The Eyre Highway is to the south of the subject land. The Stuart Highway connects to the Eyre Highway to the south-east of the subject land and traverses to the north. There are no heritage listed properties in the locality.

Image 1 – Subject land and locality



Legend

- Subject Land - - - - - R - Representor in the locality
- Locality —————

10. Report – 21010773 (cont'd):

Image 2 – Subject land looking north- east



Image 3 – Subject land looking west



10. Report – 21010773 (cont'd):

Image 4 – Subject land looking north towards the Bentley Cabin Park



10. Report – 21010773 (cont'd):

Image 5 - Looking north towards the Standpipe Golf Motor Inn



Image 6 - Looking north- west towards the Standpipe Golf Motor Inn



3.3 Zoning

The subject land is located within part of the Employment Zone shown in lilac below. This extends to the west and east of the subject land.

The Recreation Zone is to the west of the subject land and the Standpipe Golf Motor Inn as identified in green. The Suburban Neighbourhood Zone to the north and south is shown in pink.



4.0 PROCEDURAL MATTERS

4.1 Relevant Authority

The Upper Spencer Gulf Regional Assessment Panel is the relevant authority for this planning application under the *Planning, Development and Infrastructure Act 2016*. This is because the application was subject to a Performance Assessment process under the Planning and Design Code with notification and representations were received.

4.2 Consent required

Planning Consent

4.3 Category of Development:

- **PER ELEMENT:**
Shop: Code Assessed - Performance Assessed
Advertisement: Code Assessed - Performance Assessed
Fence: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Performance Assessed
- **REASON**
P&D Code; Pursuant to Sec 107 of the PDI Act 2016.

5.0 PUBLIC NOTIFICATION

Table 8 of the Planning and Design Code defines building height as the maximum vertical distance between the lower of the natural or finished ground level at any point of any part of a building and the finished roof height at its highest point. When taking into account the natural ground level at its lowest point, the building height was 9.63m. This means the development exceeds the maximum building height of 9 metres as required by DTS/DPF 3.5 of the Zone.

Table 5 of the Employment Zone details notification requirements. The proposal required notification given the building height breaches designated Performance Feature 3.5.

The application was therefore notified in accordance with the requirements the Planning and Design Code and the *Planning, Development and Infrastructure Act 2016*, with notification to adjoining owners (as defined) and with a Notice on the land.

5.1 Representations

456 representations were received during the notification period.

Due to the significant number of representations received they have not all been included in the agenda.

There was a mix of responses including:

- Supportive and wish to be heard
- Supportive with concerns
- Opposed

The vast majority expressed support for the development however (439 of the 456).

Support

439 representations were in support of the development. The majority did not provide reasons for support however of those that did, the general themes are as follows:

- Accessible location at junction of two highways
- Positive to see development within the town
- Increased employment opportunities
- Substantial economic benefit to the town
- Accessible location at junction of two highways
- Increased employment opportunities
- Attract consumers from surrounding towns who will spend money at other businesses and stimulate the local economy
- Reduce need to travel to Adelaide
- Positive to see this piece of land developed
- Competition with other stores
- Extended operating hours positive
- Do not need more service stations

10. Report – 21010773 (cont'd):

Support with concerns

Eleven of the representations supported the development with their concerns expressed as follows:

- Support Bunnings but do not support another fuel station number
- Proposal is good but in the wrong location. Highway is busy especially on the corner especially at school pick up time.
- High vehicle movements at proposed location.

Opposed

Six of the representations are opposed to the development.

No of Representation	Name	Address	Matters raised	Request to be heard
304	Leigh Kotz	Pt Augusta	<ul style="list-style-type: none"> • Local businesses will suffer 	No
307	Leigh John	Leigh John 307 Pt Augusta	<ul style="list-style-type: none"> • Small shops will suffer and will not be able to compete with pricing 	No
329	Natalie Brown	9 Kealley Street, Pt Augusta	<ul style="list-style-type: none"> • Do not need another service station 	No
452	Peter Noll	14 Caroon Road, Pt Augusta	<ul style="list-style-type: none"> • Does not qualify under current zoning laws • Have three hardware and building supply businesses in town that employ staff that have completed trade apprenticeships • Cannot see what bunnings has to offer the youth of Pt Augusta. 	No
454	Lorenzo Duregon (Mitre 10) represented by Green Light Planning	22 Woodcock Street, Pt Augusta	<ul style="list-style-type: none"> • Legal Opinion – Minter Ellison Lawyers (not included in the representation) • Independent traffic review of WAG report undertaken by Stantec, which 	Yes

10. Report – 21010773 (cont'd):

			<p>outlines issues with calculations and carpark layout and highway access.</p> <ul style="list-style-type: none"> • Outlined that the proposal does not warrant approval because:- <ul style="list-style-type: none"> ○ Land use not envisaged ○ Not small scale ○ Size and bulk not envisaged ○ Not low impact ○ Devoid of architectural merit ○ Increase traffic volumes ○ Interface with intent of other zones ○ Does not complement role of other zones ○ Contrary to Employment Zone as it seeks to locate a large format shop in an 'out of activity' location 	
455	Hayden Bentley represented by Masterplan		<ul style="list-style-type: none"> • Not opposed to the proposed land use as recognise the Employment Zone contemplates this type of land use. • Interface between the Suburban Neighbourhood Zone and the design and Zone and development site • Acoustic fencing 	Yes

10. Report – 21010773 (cont'd):

			<ul style="list-style-type: none">• Delivery times• Design siting – interface along northern boundary• Seeks the sourcing of an independent acoustic report through the USGRAP.	
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Applicant’s response:

A summary of the applicant’s response can be viewed in the attachments. The response to representations includes a response to traffic matters from MFY.

6.0 REFERRALS

6.1 Agency Referrals - Commissioner of Highways:

The Commissioner of Highways requested further information from the applicant during the assessment of the application. Further discussions were held between Council, the applicant’s traffic engineer and the Commissioner of Highways delegates to ensure that a satisfactory outcome was reached.

Amended plans were submitted and the Commissioner has responded that they have no objections to the proposal with comments.

Six conditions are required to be placed on the consent should approval be granted. They have been included as part of the recommendation. In addition, four advisory notes have been recommended.

6.2 Internal Referrals

Two internal referrals were undertaken to the Council’s Infrastructure and Parks and Open Space Departments.

A number of issues were raised as part of the initial review of the proposal regarding stormwater, traffic and inappropriate planting species. The applicant provided revised documentation. All traffic and stormwater issues have been resolved with the Council comments as follows:

6.2.1 Traffic:

- Access Point E - Eyre Highway New Entrance/Exit has now been amended to allow two-way movement without crossing over centreline.
- Conflict points in Bunnings carpark aisle between truck entry from refuelling depot and bulky goods delivery to rear of store has now been rectified
- All other concerns have been addressed as detailed in MFY report “Traffic-Mfy21-014428July21-918536”, “Traffic-Mfy_21-0144_01_04_sk01b-918537” and “AmendedPlans-918531”
- All new driveways and inverts across verge require Section 221 approval

10. Report – 21010773 (cont'd):

6.2.2 Stormwater:

- Issue with stormwater running in what was thought as a “right of way” easement along northern boundary has been clarified within “LetterResponseToResponseForInformation-918530”
- Civil Storm Water Calculations provided in “Mlei9478StormwaterManagementReport_20210708-918534(1) – Appendix C Stormwater Calculations” still using ARI 10 yr for pre and post, but report specifies use of ARI 20 yr as per Council directive. Clarification required to confirm correct ARI used in stormwater calculations.

Note: An amended stormwater report dated 24 August 2021 was submitted along with amended plans. The amended documents were reviewed by Council’s Infrastructure Department and the stormwater concerns are resolved.

6.2.3 Parks and Open Space:

- The addition of a small rural fence (post and wire) presents to be a positive addition to support protection of existing Daw Street verge vegetation. Care should be taken during installation of the fence to ensure existing tree roots are protected from potential effects of compaction during site works);
- Upon review of plant schedule, it is recommended that the listing of Goodenia ovata be replaced with the arid (heat) tolerant species Sticky Goodenia (Goodenia varia). As a suggestion it would be more visually appealing for add variety by alternating the Myoporum parvifolium (MP) ‘purpurea’ with the green variety of MP;
- For irrigation, the landscape plans state ‘provide an automatic in-line drip irrigation system to all planting beds and trees’. Confirmation is required that there will there be irrigation in the verge restoration areas. Verge maintenance would need to be subject to an Infrastructure Management Agreement;
- The ‘verge restoration’ species mix is an agreeable selection for providing habit to support local wildlife. It is observed that the specified planting quantities sound very high. Would it be reasonable for this to be halved, which would enable space for these plantings to reach mature size and effect of form, rather than be over crowded? Also, if these plantings are to rely on natural rainfall events to establishment they will need to be planted during favourable seasonal conditions;
- It is great to note the use of ten large boulders on the landscape plans. Can a minimum boulder diameter size be specified of least 1000mm plus. In regards to placement of each boulder, it is desirable they be stabilised by slightly embedding into the earth for natural effect and safety so cannot be moved.

Note:

A condition relating to landscaping is proposed as part for the recommendation. In addition, a condition of consent is proposed to resolve the concerns with one of the species identified to be used in the landscaping plan.

In addition, the requirement for the ongoing maintenance of the landscaping on Council land will need to be subject to a condition and also covered in the section 221 authorisation that allows the works to occur as well as the continued existence of the landscaping.

7.0 PLANNING ASSESSMENT

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

7.1 Overlays

Overlay	Desired Outcome	Performance Outcomes	Assessment
Building Near Airfields	1 Maintain operational and safety requirements of airfields	PO 1.1 PO 1.2 PO 1.3	No impact on airfield safety.
Hazards (Bushfire Regional)	1 Development responds to relevant level of bushfire risk and is sited to minimise impact of bushfire threat.	PO 1.1 PO 1.2 PO 1.3 PO 5.1 PO 5.2 PO 5.3	There is no unacceptable risk to buildings. Road access has been designed with all weather surfaces.
Native Vegetation	1 Minimises loss of native vegetation.	PO 1.1 PO 1.2 PO 1.4	The applicant has signed a declaration stating that no native vegetation is to be removed. Trees to be removed along the western boundary of the site were planted and are not native vegetation.
Urban Transport Routes	1 Safe and efficient transport routes for all road users and safe and efficient access to and urban transport routes.	PO 1.1 PO 2.1 PO 3.1 PO 4.1 PO 5.1 PO 6.1 PO 7.1 PO 8.1 PO 9.1 PO 10.1	The Commissioner of Highways and Council have provided support of the proposal.

7.2 Land Use

The Employment Zone's Desired Outcomes seek a range of land uses including 'low impact light industrial, commercial and business activities'.

The intent is that the zone will complement the role of other zones that are focussed around providing for significant industrial, shopping and business activities.

Performance Outcomes of the Employment Zone are as follows:

PO 1.1

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.

PO 1.2

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

PO 1.4

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

The proposal is considered acceptable from a land use perspective because:

- Bulky goods uses are specifically envisaged in the Zone per DPF 1.4 where they occur on State Maintained Roads. The site is adjacent to both the Eyre and Stuart Highways making the site a suitable location for a bulky goods outlet therefore satisfies this expectation.
- The Zone seeks compatible business that service the local community including shops and bulky good uses provided they do not negatively affect local amenity nor detract from the economic viability of any Activity Centres. These tests are also met because:
 - There is evidence provided in the following parts of this report which demonstrates that there is no negative impact on the amenity of the locality/properties within it. Specific advice has been sought by Council from Sonus to deal with acoustic impacts.
 - The applicant has provided evidence that there is demand for the proposal in Pt Augusta thus supporting the needs of the local residents. The proposed development requires a large site and is ideally located in proximity to major transport routes. Further, given its use, it will not detract from the economic base of these centres which are principally based on the demand associated with a supermarket. Such a use will complement and not detract from the nearby activity centre to the south.

7.3 Building Height and setbacks

The built form is oriented so that the front of the building faces east. It will face the car park with the main entrance on this elevation. The Daw Street elevation will be a secondary frontage providing a blank façade.

10. Report – 21010773 (cont'd):

The development is proposed in a locality where there is little built form other than the Standpipe Golf Motor Inn to the west and the Cabin Park to the north. The southern elevation will be roughly in line with the adjacent building to the west with a 1.998m setback provided from the southern boundary. The setback to the western boundary is 2.032 metres. Whilst the setback to the southern and western boundaries are minimal and will obscure views of the Standpipe Golf Motor Inn, that building, while having historic character is not a listed building. There are no specific policies that require a greater setback than that proposed particularly as the land to the west is in the same Zone as the subject land.

Performance Outcomes of the Employment Zone in relation to building heights and setbacks seek the following:

PO 3.1

Buildings are set back from the primary street boundary to contribute to the existing/emerging pattern of street setbacks in the streetscape.

PO 3.2

Buildings are set back from a secondary street boundary to accommodate the provision of landscaping between buildings and the street to enhance the appearance of land and buildings when viewed from the street.

PO 3.3

Buildings are set back from rear access ways to provide adequate manoeuvrability for vehicles to enter and exit the site.

PO 3.4

Buildings are sited to accommodate vehicle access to the rear of a site for deliveries, maintenance and emergency purposes.

The siting enables for adequate manoeuvrability around the perimeter of the site for on-site deliveries.

The portion of the building facing the boundary of a Zone intended to be used for residential purposes is to the north and south. The separation of the building to the Suburban Neighbourhood Zone to the north is approximately 30.145 metres. The outdoor nursery is located between the built form and the northern boundary of the site thus providing a good separation to the Cabin Park to the north. The built form between the building and the boundary is related to shade sails that have a height of 6.693m above finished ground level and are light weight in appearance.

There is a separation of 52 metres between the subject land and the Suburban Neighbourhood land to the south on the other side of Daw Street and the Eyre Highway. The separation between the proposed structures and the adjacent neighbourhood type zones are considered adequate.

It is acknowledged that the access to the loading dock traverses along the northern boundary of the site adjacent the Suburban Neighbourhood Zone. Interface issues from noise therefore need to be examined and are detailed below in section 7.8. The site layout enables vehicles to enter and exit in a forward position with landscaping on the site. It is noted that there is landscaping on council land that will mitigate scale and soften the built form.

The Employment Zone envisages buildings with a height of up to two building levels of 9m in height.

10. Report – 21010773 (cont'd):

As detailed above, it was determined that the development exceeded the maximum building height as sought by DPF 3.5. Whilst it exceeds 9 metres, it will present as a lower building for most of its extent (the following figures are as depicted on the architectural plans relating to finished ground levels and do not take into account natural ground levels)

- The timber trade section at the southern portion of the site (with the entrance facing east) has a height of 4.75m to Daw Street. The top of the pitched roof is 7.379 metres.
- The front of the store facing east is 8.64 metres to the top of the parapet.
- The majority of the building is 6.993 metres in height.

The setback of the built form from boundaries with the Suburban Neighbourhood Zone means that visual impacts are mitigated and there are no overshadowing impacts meeting PO 3.6 and 3.7.

Whilst the built form is higher than some other developments in the locality, the height proposed is acceptable.

7.4 Design & Appearance

Desired Outcome 2 seeks for distinctive buildings that provide high visual amenity.

In addition, the Employment Zone seeks the following:

PO 2.1

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.

PO 2.2

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.*

The design of the proposal has minimal architectural merit and replicates a standard Bunnings style 'warehouse' with a large green building constructed in Colorbond green steel. In this context, it is considered that the building is not particularly distinctive nor provides a high level of amenity necessarily from a pure design perspective.

That being said, the site is currently vacant and the development will be completed in a neat and orderly manner improving its current condition. In addition, various design features ensure the building appearance is overall acceptable. Such features are listed below:

- the building has varied roof heights therefore breaking up the overall mass
- the roof over the main retail area and timber trade sale area are pitched. The roof over the Bagged Goods Canopy and office is flat.
- portion of the base of the building is in white Colorbond as is the roof. This assists in reducing the mass of the built form.
- the roof is broken up with skylights.

10. Report – 21010773 (cont'd):

- the materials are non-reflective.
- whilst there are large expanses of unarticulated walls, they are broken up by the proposed advertising on the walls.
- There will be significant landscaping of the site as detailed below in section 7.5.

The Desired Outcome of the Design General Policies also seek that the development be contextual, durable, inclusive and sustainable. In this regard:

- The site is adjacent two arterial roads where there is no readily defined built form character. As such, a neat and orderly commercial development such as a Bunnings, will not be out of place in this context.
- The proposed building materials are durable and will need minimal ongoing maintenance.
- The development has not demonstrated any specific sustainable techniques of note however there are opportunities for solar voltaic cells to be established on the roof. The use of stormwater retention/detention tanks also provides for water re-use.

Finally, the proposal is considered to adequately meet PO 1.5 with respect to minimising the negative visual impacts or outdoor storage, waste management, loading and unloading. This is because all waste and loading areas are sufficiently screened from public view.

7.5 Landscaping

Landscaping both on and off the subject land is proposed. Council has reviewed the proposed species and sought amendments to the original landscaping plan.

The applicant has made amendments however council has concerns regarding the choice of one particular species proposed. Therefore, a condition is proposed that *Goodenia ovata* be replaced with the arid (heat) tolerant species Sticky *Goodenia* (*Goodenia varia*).

Landscaping that is proposed on council land will be covered by a condition and section 221 Authorisation. This will mean that Council is not responsible for the maintenance of the landscaping and that Bunning's will maintain the landscaping in perpetuity.

The relevant Code provisions are as follows:

PO 5.1

Landscaping is provided to enhance the visual appearance of development when viewed from public roads and thoroughfares.

PO 5.2

Development incorporates areas for landscaping to enhance the overall amenity of the site and locality.

PO 7.2

Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced and the like.

10. Report – 21010773 (cont'd):

PO 7.4

Street level vehicle parking areas incorporate tree planting to provide shade and reduce solar heat absorption and reflection.

PO 7.5

Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.

The landscaping plan undertaken by Oxygen proposes the following:

- Landscaping along the Daw Street frontage *Eucalyptus porosa*
- Landscaping along the western boundary with *Eucalyptus porosa*
- Landscaping with the car parking areas with *Jacaranda minosifolia*
- Landscaping on council land with large rock/boulders with various tree species planted
- Undergrowth areas will be planted with a variety of shrubs and grasses

Overall 68 trees and 480 understory plants are proposed to be planted and irrigated. The landscaping is considered to be acceptable and a positive addition to the proposal assisting to reduce the overall building mass. The relevant Performance Outcomes as detailed above are satisfied.

7.6 Traffic Impact, Access and Parking

As detailed above, the proposed development has involved considerable input with respect to traffic matters from the Commissioner of Highways and Council. A collaborative approach has resulted in all traffic issues being resolved with support provided for the proposal.

The development relies on access off the Stuart Highway. This will provide an entry point for the delivery vehicles. A previous development proposal for a service station was to facilitate access to the subject land via a Right of Way. This development has not proceeded but in the event that it does access to the subject land will occur via a Right of Way. This will facilitate movement over the Right of Way to the northern boundary of the adjacent land. Vehicles would then continue along the northern boundary turning at the western corner adjacent the outdoor plant centre. They would then proceed along the western boundary to the loading dock.

In addition, the access off the Eyre Highway requires alterations to the Daws Road alignment. This is subject to an Infrastructure Agreement to ensure that the works are undertaken in a timely and co-ordinated manner to council's specifications. This access will be used for vehicles leaving the loading dock as well as a potential exit/entry point for vehicles accessing the customer access point of Daw Street.

A number of issues were originally raised by Council's traffic engineer regarding on site manoeuvrability. Amended plans were submitted and now all concerns have been resolved. The proposal is considered to provide safe, legible access between parking areas and the development.

There will be adequate levels of landscaping in the car park as required by Performance Outcomes 7.4, 7.5 and 7.6.

The Planning and Design Code requires sufficient off-street parking to be provided on site.

Table 1 provides the rate for a bulky goods outlet being 2.5 spaces pre 100m² of gross leasable floor area. The development proposes 142 car parking spaces therefore exceeding the minimum number required of 128 spaces.

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Both Council and DIT are satisfied that the traffic generation for the Eyre and Stuart Highways and Daw Street are acceptable.

In summary, safe and convenient access will be provided. Off-site alteration to the road network to will be undertaken and are covered by an Infrastructure Agreement and conditions of consent.

7.7 External illumination

Details of lighting were not provided as part of the application however this was confirmed as part of further information provided. PO 6.1 in relation to light spill seeks that external lighting is positioned and designed to not cause unreasonable light spill impact on sensitive receivers.

The applicant has advised that lighting will operate on a 24-hour basis during night time hours to deter crime in the area. They have advised that lighting will meet Australian Standards. Due to the proximity of other buildings in the locality and the potential for disturbance, a condition is recommended that a light spill plan be provided prior to the issue of Development Approval that demonstrates it meets AS 1158.

7.8 Noise Emissions

Interface between land uses Desired Outcome 1 states the following:

Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.

PO 2.1

Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:

- a) the nature of the development*
- b) measures to mitigate off-site impacts*
- c) the extent to which the development is desired in the zone*
- d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.*

The operating hours outlined as being appropriate in DPF 2.1 for shops are as follows:

- 7am to 9pm, Monday to Friday
- 8am to 5pm, Saturday and Sunday

Trading hours are proposed to be 6am to 9pm 7 days a week. Whilst the hours exceed those envisaged as suitable in DPF 2.1, potential noise impacts have been mitigated through attenuation measures.

The applicant originally proposed deliveries 6am to 9pm, 7 days a week. The response to representations details that all deliveries are to occur between the hours of 7am and 9pm. A condition of consent restricting delivery hours is recommended.

The Planning and Design Code seeks to mitigate unreasonable noise emissions as follows:

PO 4.2

Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones

10. Report – 21010773 (cont'd):

primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:

- a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers*
- b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers*
- c) housing plant and equipment within an enclosed structure or acoustic enclosure*
- d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.*

The applicant engaged an acoustic consultant to ascertain the impact of the development upon noise sensitive uses. The noise impacts considered the following:

- Noise from mechanical plant
- Noise from vehicle movements
- Noise from waste collection
- Noise from deliveries

The applicant's acoustic report by Resonate details that the closest noise sensitive receivers are the Standpipe to the west, Bentleys Cabin Park to the north and the dwellings to the east.

The relevant Performance Outcomes of the Planning Design Code include PO 4.1 and 4.2 as well as the Environment Protection (Noise) Policy 2007 were considered as part of the assessment. In order to mitigate noise to appropriate levels adjacent the Standpipe Motor Inn and Bentley's Cabin Park, a 2.4m high noise barrier was recommended along the northern and western boundaries of the site. The acoustic report specifies the construction requirement of the acoustic wall.

The report details that waste collection should be restricted to 9am to 7pm on a Sunday or public holiday and 7am to 7pm on any other day.

Mechanical plant had not been selected when the acoustic consultant reviewed the proposal. They recommend that the plant meets the requirement of the Noise EPP. A condition is recommended requiring further details to be submitted to the Council prior to the issue of Development Approval.

Representors have raised concern with respect to potential noise from the proposal. Council engaged an acoustic consultant to undertake a peer review of the Resonate report. It should be noted that the acoustic assessment is based on this proposal only and not a proposal for a petrol filling station. At the time of writing this report, there was no valid approval for any development for service station development therefore both acoustic assessments consider the subject development only.

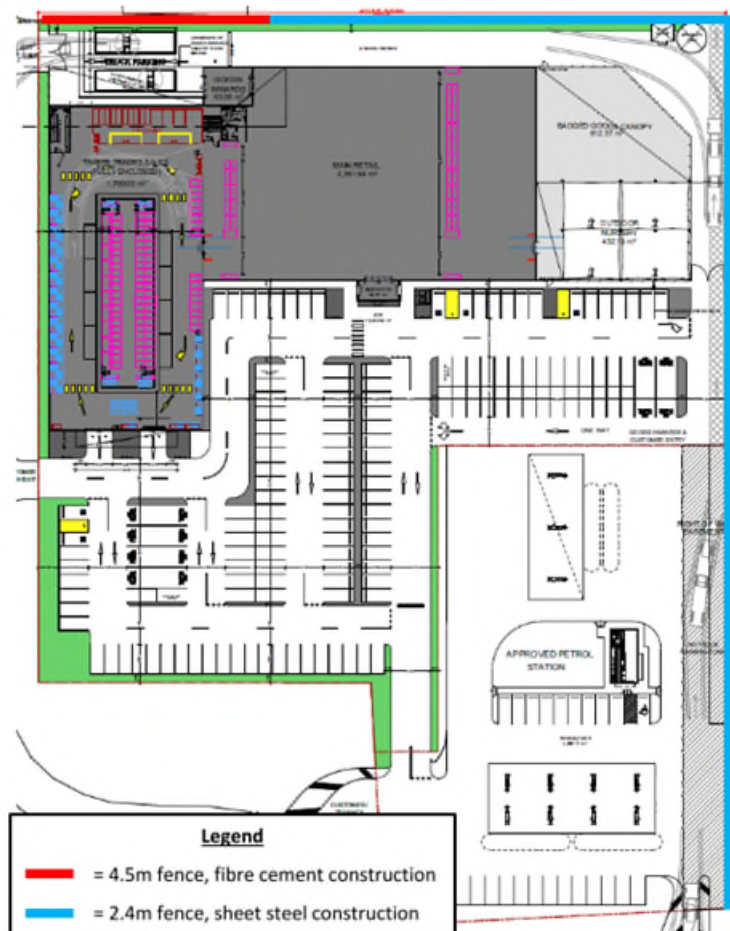
The independent assessment concurred with that of the Resonate report that mitigation measures were appropriate to ensure that there are no detrimental impacts on noise sensitive receivers. It however identified that the noise impacts from the wood cutting use had not been considered.

The review provided two options to meet the relevant noise criteria. Option 1 proposed a higher fence adjacent portion of the Standpipe with fewer operational restrictions. Option 2 proposed a 2.4-metre-high fence along the northern and western boundaries (as proposed by the application) with additional operation requirements.

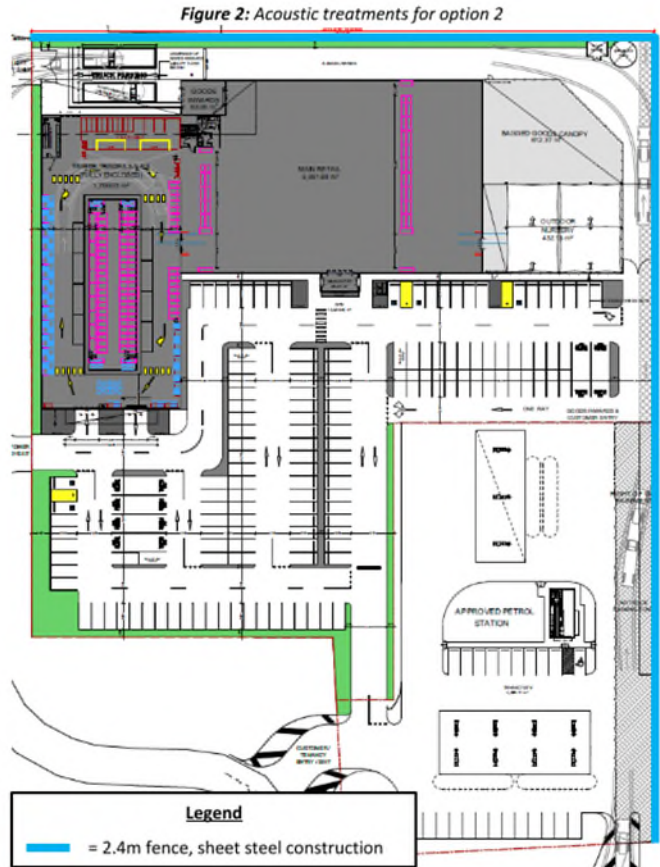
10. Report – 21010773 (cont'd):

Option 1	Option 2
2.4m high fence constructed for the extend shown in red below and 4.5m high shown for the extent shown in blue below.	2.4m high fence as shown on the plan below.
Condition as per Option 2 not required.	Trucks shall not idle while being unloaded i.e. they are switched off on arrival
Restrict deliveries and associated truck movements to the operating hours after 7.00 am.	Restrict deliveries and associated truck movements to the operating hours after 7.00 am.
Condition as per Option 2 not required.	Roller door adjacent the cut shop shall be closed when in use and at all times prior to 7.00am.
Select and locate mechanical plan, such that the total noise from the site before 7.00am is no greater than 44dB(A) at the adjacent Cabin Park and 48dB(A) at the adjacent Standpipe Motor Inn.	Select and locate mechanical plan, such that the total noise from the site before 7.00am is no greater than 44dB(A) at the adjacent Cabin Park and 48dB(A) at the adjacent Standpipe Motor Inn.
Condition as per Option 2 not required.	Electric forklifts used for the loading and unloading of trucks.
Restrict rubbish collection to the hours between 9.00am and 7.00pm on a Sunday or public holiday and 7.00am and 7.00pm on any other day.	Restrict rubbish collection to the hours between 9.00am and 7.00pm on a Sunday or public holiday and 7.00am and 7.00pm on any other day.

Figure 1: Acoustic treatments for option 1



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The applicant was advised of these options and considered that Option 1 was favourable. It relies on less management conditions potentially requiring less ongoing enforcement by council. As the negotiation regarding the height of the acoustic fencing occurred after the notification period, the applicant sought confirmation from the adjoining land owner to the west that they had no objections to the increased fence height. This has been confirmed in writing and is included in the attachments.

The restrictions proposed in Option 1 have been adopted and necessary conditions are proposed as part of the recommendation. The applicant has agreed to these.

Comments made by a representor in relation to acoustic treatment proposed as part of a separate application are not relevant. At the time of writing this report another development application had been lodged for a petrol filling station. That application will need to take into consideration acoustic measures required for this application.

7.9 Signage

A number of freestanding signs and façade signs are proposed. Façade signs include the Bunnings 'hammer' logo and Bunnings name. Performance Outcome 6.1 states the following:

Freestanding advertisements are not visually dominant within the locality.

The need for the signage on the wall of the proposed building facing the Standpipe was queried with the applicant as it was considered unnecessary and an over-proliferation. The applicant declined to remove this signage. Although it is considered unnecessary, as the Standpipe is in the same Zone and will somewhat be obscured from views outside the subject land, on balance it is considered acceptable.

10. Report – 21010773 (cont'd):

The signs do not meet Designated Performance Feature 6.1 as they exceed 8m². Whilst the facade signs are large, in context of the building scale proposed they are acceptable. The advertising signs are acceptable.

7.10 Stormwater and water supply

A comprehensive stormwater management plan has been provided by the applicant. As detailed in section 6.2.3 above, Council has reviewed the report and required amendments. All concerns have now been resolved.

Various retention and detention tanks are proposed as follows:

- 30,000 litre rainwater retention system for use to irrigate the landscaping
- 40,000 litre and 63,000 litres below ground detention storage capturing surface flows

CONCLUSION:

The application proposes a bulky goods outlet for Bunnings. The appropriateness of a bulky goods outlet in the Employment Zone has been raised as being at odds with the Planning and Design Code by representors. It is however considered that this land use is entirely appropriate because:

- Such a use is contemplated in the Zone, per PO 1.4 with weight and support given to the location of these adjacent State Maintained Roads.
- The proposal will not impact on the amenity of the locality in a negative way.
- The proposal will complement the range of goods on offer in the nearby Activity Centre.

From a design perspective, the proposed built form is not particularly distinctive however it is typical of this type of use, and sufficiently broken up with varying roof heights that assist in reducing the overall building mass.

The building is sufficiently set back to minimise any visual and overshadowing impacts on the adjacent Suburban Neighbourhood Zone. Noise impacts have also been managed albeit this aspect of the proposal has required careful review. In order to verify that the acoustic attenuation measures proposed by the applicant are sufficient, an independent peer review was undertaken by Sonus. They identified that noise impacts from the cut shop had not been assessed. Two options were presented back to the applicant. One option required less ongoing management conditions therefore this option was adopted. A number of conditions are recommended to ensure ongoing compliance with the management measures proposed.

Several traffic issues were identified during the course of the assessment. Amended plans have been provided and reviewed by Council and the Department for Infrastructure and Transport (DIT). DIT recommend a number of conditions. Overall, these aspects have been resolved.

A significant amount of landscaping is proposed. This has been reviewed by Council to ensure that the species are appropriate to the harsh environment. The landscaping is considered a positive element of the proposal.

Overall, this development is well considered and satisfies the relevant planning tests at play. As such, I hold the view that such a proposal satisfies the policies of the Planning and Design Code and therefore Planning Consent is recommended, subject to various conditions set out below.

RECOMMENDATION:

It is recommended that the Upper Spencer Gulf Regional Assessment Panel 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 21010773, by Augusta Collective Pty Ltd is granted Planning Consent subject to the following conditions and advisory notes:

CONDITIONS:

Conditions imposed by the planning Authority:

Condition 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.

Condition 2

The proposed landscaping must be established on site and on council land in accordance with the approved Landscaping Plans prior to the occupation of the development and must always be maintained in good condition to the reasonable satisfaction of Council. Any dead or diseased plants or trees shall be replaced forthwith to the reasonable satisfaction of Council.

Condition 3

Goodenia ovata species shall be replaced with species Sticky Goodenia (*Goodenia varia*) to the reasonable satisfaction of Council.

Condition 4

A fence shall be constructed along the extent of the northern boundary to a height of 2.4m and along the western boundary to a height of 2.4m, other than for the section to be 4.5m as depicted on plan ES0_02 Rev C. The fence shall be constructed in accordance with the following:

- The 4.5m high fence shall be constructed from a material such as 6mm thick fibre cement sheeting.
- The 2.4m high extent shall be constructed from a material such as 0.42 BMT sheet ("Colorbond" or similar).
- The fence shall be sealed airtight at all junctions including at the ground and other fences.

The fencing shall be installed prior to the occupation of the development herein approved and maintained in good condition to the reasonable satisfaction of Council.

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Condition 5

Waste collection and deliveries shall be restricted to the hours of:

- 7am to 7pm, Monday to Friday and
- 9am to 7pm Sunday and public holidays

to the reasonable satisfaction of Council.

Condition 6

Details of the location and noise output of mechanical plant shall be provided to council prior to the issue of Development Approval. Noise output from the site prior to 7.00am shall be no greater than 44 dB(A) at the adjacent Cabin Park and 48dB(A) at the Standpipe Motor Inn to the reasonable satisfaction of Council.

Condition 7

A light spill plan be provided prior to the issue of Development Approval that demonstrates lighting from the site meets AS 1158.

Condition 8

All on-site car parking spaces are to be designed, line marked and constructed in accordance with AS/NZ 2890.1-2004 "Parking Facilities part 1: Off-street car parking" and to the reasonable satisfaction of Council.

Condition 9

All on-site car parking spaces for People with Disabilities are to be designed, line marked and constructed in accordance with AS/NZ 2890.1-2004 "Parking Facilities part 6: Off-street car parking for People with disabilities" and to the reasonable satisfaction of Council.

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

Condition 1

All access to the subject development shall be gained as shown on MFY Consolidated Access Plan – Entire Site, Project No. 21-0144, Drawing No. mfy_21-0144_01_04_SK01, Revision B dated 28 July 2021 and the MFY response letter dated 28 July 2021 (ref MLM/21-0144). The new Stuart Highway access (at the right of way adjacent the northern neighbouring property) shall be provided with an auxiliary left turn lane and a solid median shall be installed on Stuart Highway to ensure that the access operates on a left turn in and left turn out basis only. The relocated Eyre Highway/Daw Street connection shall cater for left in and left out movements only.

Condition 2

All road works shall be designed and constructed in accordance with Austroads Guidelines, Australian Standards and DIT's Master Specification. All associated costs including but not limited to project management and any necessary road lighting and drainage upgrades shall be borne by the applicant. The applicant must contact Mr Bonaventure Tan, Senior Asset Engineer, DIT on ph 8648 5243, mobile 0417 767 452, or email: bonaventure.tan@sa.gov.au to discuss the department's requirements for the proposed works. All road works shall be completed prior to commencement of operation of the development.

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Condition 3

The existing Eyre Highway/Daws Street connection shall be decommissioned to the satisfaction of DIT and Council. All costs shall be borne by the applicant.

Condition 4

All vehicles shall enter and exit the site in a forward direction.

Condition 5

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.

Condition 6

Stormwater run-off shall be collected on-site and discharged without impacting the adjacent roads. There shall be no net increase of discharge/run off from the development site into the existing stormwater infrastructure.

ADVISORY NOTES:

Advisory Note 1

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Advisory Note 2

Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Advisory Note 3

Authorisation under section 221 of the *Local Government Act 1999* is required for all works on Council land including alterations to the road and establishment and continued maintenance of landscaping.

Advisory Note 4

You are advised that removal of any native vegetation is covered under the *Native Vegetation Act 1991*. Separate approval is required.

Advisory Notes imposed by Commissioner of Highways under Section 122 of the Act

Advisory Note 1

A Deed of Agreement will be required with the Commissioner of Highways of the required road/Infrastructure works. All road works and related infrastructure upgrades should be coordinated

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with City of Port Augusta to ensure the provision of public infrastructure is integrated and undertaken in a timely manner.

Advisory Note 2

Eyre Highway was proclaimed as controlled access road on 30 September 1976 pursuant to Part 2A of the Highways Act 1926. Departmental records show that there is a proclaimed means of access to Daws Street from Eyre Highway. As the proposed road works alter this access departmental records will be amended to reflect the relocated Daws Street connection.

Advisory Note 3

It is recommended that measures such as either kerbing, fencing or parking controls, be considered to prevent potential overflow parking on the southern area of Daws Road and between Eyre and Stuart Highways.

Advisory Note 4

Daw Street is not gazetted for use by vehicles larger than General Access Vehicles. The applicant will need to apply to the National Heavy Vehicle Regulator via www.nhvr.gov.au for permits to utilise these roads for access by Restricted Access Vehicles.

OFFICER MAKING RECOMMENDATION:

Name: Rebecca Rutschack

Title: Delegate

Date: 3 September 2021