

CITY OF WEST TORRENS



MINUTES
of the
COUNCIL ASSESSMENT PANEL

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

on

TUESDAY, 14 MAY 2019
at 5.00pm

Donna Ferretti
Assessment Manager

Index

1	Meeting Opened	1
	1.1 Evacuation Procedure	
2	Present	1
3	Apologies	1
4	Confirmation of Minutes	2
5	Disclosure Statements	2
6	Reports of the Assessment Manager	2
	6.1 17 Daly Street, KURRALTA PARK.....	2
	6.2 369 South Road, MILE END SOUTH	4
	6.3 19 Tennyson Street, KURRALTA PARK.....	5
	6.4 2 Warramunga Street, FULHAM	8
	6.5 225 Sir Donald Bradman Drive, COWANDILLA.....	10
	6.6 34 Old Drive, NOVAR GARDENS	11
	6.7 3 Willoughby Avenue, NOVAR GARDENS.....	12
	6.8 123 Richmond Road, RICHMOND	13
7	Confidential Reports of the Assessment Manager	14
	Nil	
8	Summary of Court Appeals	14
	8.1 Summary of ERD Court matters, items determined by SCAP/Minister/Governor and deferred CAP items - May 2019.....	14
9	Other Business	14
10	Meeting Close	14

1 MEETING OPENED

The Assessment Manager declared the meeting open at 5.02pm, given the absence of the Presiding Member.

Nominations were called for the Presiding Member role and Mr B Russ was nominated as Acting Presiding Member for this meeting only.

MOTION

Moved: J Wood
Seconded: M Arman

That Mr B Russ be nominated as Acting Presiding Member for this meeting only.

CARRIED

1.1 Evacuation Procedure

The evacuation procedures were read out to the gallery by the Assessment Manager.

2 PRESENT

Panel Members:

Mr B Russ (Presiding Member)
Council Member: Ms J Wood
Independent Members: Mr M Arman, Ms M Lewis

Officers:

Dr Donna Ferretti	(Assessment Manager)
Ms Hannah Bateman	(Manager City Development)
Ms Rachel Knuckey	(Team Leader Planning)
Mr Jordan Leverington	(Senior Development Officer - Planning)
Mr Josh Banks	(Senior Development Officer - Planning)
Ms Sonia Gallarello	(Development Officer - Planning)
Ms Amelia DeRuvo	(Development Officer - Planning)
Ms Ebony Cetinich	(Development Officer - Planning)

3 APOLOGIES

Panel Members:

Ms Colleen Dunn
Ms J Strange

Officers:

Mr Terry Buss	(Chief Executive Officer)
Mr Angelo Catinari	(General Manager Urban Services)

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 9 April 2019 be confirmed as a true and correct record.

COUNCIL ASSESSMENT PANEL DECISION

Moved: J Wood

Seconded: M Lewis

That the recommendation be adopted.

CARRIED

5 DISCLOSURE STATEMENTS

Nil

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 17 Daly Street, KURRALTA PARK

Application No 211/1264/2018 (SCAP 211/C154/18)

Appearing before the Panel were:

Representor: **Mr Paul Irwin** of 2/22 Daly St, Kurralta Park did not appear in support of the representation.

Applicant: **Mr Phil Harnett** from URPS, on behalf of the applicant, appeared to address questions of the Panel.

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/1264/2018 by Mansfield Projects Pty Ltd to undertake a combined application: Land division - Community Title; SCAP No. 211/C154/18, Creating four additional allotments; and construction of a residential flat building comprising five, two storey dwellings and retaining wall and fence exceeding 2.1m in height at 17 Daly Street, Kurralta Park (CT 5718/607) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development shall be undertaken, completed and maintained in accordance with the following plans and information detailed in this application except where varied by any condition listed below:
 - a) Plan of division by Cavallo Forrest licensed surveyors, dated 26/02/19, Dated 26/02/19;
 - b) Site Plan by Imperium Constructions, sheet 1, Revision no. E, Dated 4-3-2019;
 - c) Ground Floor Plan by Imperium Constructions, sheet 2, Revision no. E, Dated 4-3-2019;

- d) Upper Floor Plan by Imperium Constructions, sheet 3, Revision no. E, Dated 4-3-2019;
- e) Elevations by Imperium Constructions, sheet 4, Revision no. E, Dated 4-3-2019.
- f) Coloured elevations by Imperium Constructions, sheet 5, Revision no. E, Dated 4-3-2019;
- g) Elevations by Imperium Constructions, sheet 6, Revision no. E, Dated 4-3-2019;
- h) Elevations by Imperium Constructions, sheet 7, Revision no. E, Dated 4-3-2019;
and
- i) Civil Plan by Intrax Engineering Confidence, Drawing no. C02 & C03, Date Oct'18.

Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.

2. Prior to the occupation or use of the development, the upper storey windows on the northern and southern facades of the residential flat building shall be fitted with fixed obscure glass or raised sills to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties. The glazing in these windows shall be maintained in good condition at all times to the satisfaction of Council.

Reason: To minimise the impact on privacy to residents of adjoining dwellings.

3. Prior to the occupation or use of the development, all driveways, parking and vehicle manoeuvring areas shall be constructed and surfaced with concrete, bitumen or paving, and shall be drained and maintained in a good condition at all times to the satisfaction of Council.

Reason: To provide safe and convenient parking and manoeuvring areas for users of the development.

4. All landscaping shown on the plans forming part of this application shall be established prior to the occupation or operation of the development and shall be maintained in good health at all times to the satisfaction of Council. Any plants that become diseased or die shall be replaced with a suitable species.

Reason: To enhance the amenity of the site and locality and mitigate against heat loading.

5. A watering system shall be installed at the time landscaping is established and operated so that all plants receive sufficient water to ensure their survival and growth.

Reason: To enhance the amenity of the site and locality and mitigate against heat loading.

Land Division Consent Conditions

Council Requirements

Nil

SCAP Requirements

6. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0079374).

SA Water Corporation further advise that an investigation will be carried out to determine if the water and/or sewer connection/s to your development will be costed as standard or non-standard.

The developer must inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

Reason: To satisfy the requirements of the South Australian Water Corporation.

7. Payment of \$29,012.00 into the Planning and Development Fund (4 allotments @ \$7253.00 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.

Reason: To satisfy the requirements of the State Commission Assessment Panel.

8. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

Reason: To satisfy the requirements of the State Commission Assessment Panel.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.2 369 South Road, MILE END SOUTH

Application No 211/134/2018

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/134/2018 by M A Marinelli to undertake the replacement of north and south signage panels with two digital display signs (12m x 3m north face and 8m x 2m south face on cladding) at 369 South Road, Mile End South (CT 5830/500) subject to the concurrence of the State Commission Assessment Panel and the following conditions of consent:

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below:
 - a) Plans by One Eighty Architecture. Project No. 19-06, Date 12/2/19, pages 1-4: New digital sign.

Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with the Council.

2. The sign approved herein shall be maintained in good repair at all times to the satisfaction of Council.
Reason: To ensure the proposal is developed and maintained in accordance with the plans and documents lodged with the Council.
3. The sign approved herein shall not move, flash, blink, scroll, or rotate in any manner.
Reason: To ensure the proposed signage does not cause undue disturbance, annoyance or inconvenience to the general public and motorists.
4. The lux levels of the sign shall comply with AS 4852.1 Variable message signs - fixed signs.
Reason: To ensure the proposed signage does not cause undue disturbance, annoyance or inconvenience to the general public and motorists.
5. The dwell time of both signs shall be no faster than 30 seconds.
Reason: To ensure the proposed signage does not cause undue disturbance, annoyance or inconvenience to the general public and motorists.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.3 19 Tennyson Street, KURRALTA PARK

Application No 211/142/2018 (SCAP 211/C015/18)

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/142/2018 by Pascale Construction Pty Ltd to undertake a Combined Land division - Community title; SCAP No. 211/C015/18 to create four (4) additional allotments and construction of a residential flat building comprising five (5) dwellings, partially enclosed carports, balconies, front masonry wall (1.8 metres high) and retaining wall and fencing to a maximum height of 2.2 metres at 19 Tennyson Street, Kurralta Park (CT 5312/667) subject to the following conditions of consent:

Development Plan Consent Conditions

1. The development shall be undertaken, completed and maintained in accordance with the following plans and information detailed in this application except where varied by any condition listed below:
 - a) Survey Plan (Amended 26/4/2019) by Alexander Symonds Surveying consultant, Ref A131217.00CT, Drawing No. A131217PROP1(G), Revision G;
 - b) Site ground/floor plan and elevations by D'Andrea and Associates, Sheets 1 & 2 (Revision H - 15-4-2019), Sheet 2 of 2 (Revision H - 15-4-2019);
 - c) Swept path assessment by GTA Consultants, Sheets 1-4 of 04; and
 - d) Civil details - 1, 2 by SCA Engineers, Drawing No. 171010-C1/G & 171010-C2/C.

Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.

2. Prior to the occupation or use of the development, the following overlooking treatments shall be applied:
 - upper storey windows on elevation 3 (rear elevation) shall be fitted with raised sill heights to a minimum height of 1.7 metres;
 - upper storey windows on elevation 2 (western elevation) and elevation 4 (eastern elevation) nominated with 'FOG' on the elevations plan Sheet 02 of 02 by D'Andrea and Associates, Revision H - 15-4-2019 shall be fitted with fixed obscure glass; and
 - upper storey window for the 'activities room' for Dwelling 1 on elevation 4 shall be fitted with a raised sill height to a minimum of 1.7 metres.

The glazing in all windows shall be maintained in good condition at all times to the satisfaction of Council.

Reason: To minimise the impact on privacy to residents of adjoining dwellings.

3. Prior to the occupation or use of the development, all driveways, parking and vehicle manoeuvring areas shall be constructed and surfaced with concrete, bitumen or paving, and shall be drained and maintained in a good condition at all times to the satisfaction of Council.

Reason: To provide safe and convenient parking and manoeuvring areas for users of the development.

4. All landscaping shown on the plans forming part of this application shall be established prior to the occupation or operation of the development and shall be maintained in good health at all times to the satisfaction of Council. Any plants that become diseased or die shall be replaced with a suitable species.

A watering system shall be installed at the time landscaping is established and operated so that all plants receive sufficient water to ensure their survival and growth.

Reason: To enhance the amenity of the site and locality and mitigate against heat loading.

5. All external materials, surface finishes and colours shall be consistent with the information detailed in this application and shall be maintained in a good condition at all times to the satisfaction of Council.

Reason: To ensure a high standard of materials and finishes are used in the final presentation of the building.

6. Prior to the occupation or use of the development, all stormwater design and construction shall be to the satisfaction of Council to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage shall not at any time:

- a) Result in the entry of water into a building; or
- b) Affect the stability of a building; or
- c) Create insanitary or dangerous conditions on the site or within the building; or
- d) Flow or discharge onto the land of an adjoining owner; or
- e) Flow across footpaths or public ways.

Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.

7. During construction, stormwater from the site shall be managed to ensure that it does not cause nuisance to any adjoining property until the site is stabilised. Temporary drainage measures shall be installed as soon as the roof is constructed to ensure debris, litter, sediment, fuels and oil products from the construction site do not enter Council's stormwater system, neighbouring properties or the road network.

Reason: To provide adequate protection against the possibility of stormwater inundation to neighbouring properties.

8. Waste collection from the site shall be by a private contractor and not from a Council based waste collection service. All costs shall be borne by the property owners or body corporate that relates to the dwellings.

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

- 7am - 7pm - Monday to Friday
- 9am - 5pm - Saturday

Reason: To ensure the amenity of surrounding uses is maintained.

9. The service vehicle for the waste collection shall be restricted to reversing into the site and exiting in a forward direction.

Reason: To ensure the ongoing safety of the street for travellers.

10. All stormwater management measures for the dwellings, including harvest tanks and supply mechanisms, must be installed and operational prior to occupancy of that dwelling.

Reason: To ensure that stormwater management is carried out prior to occupation of the dwelling.

Land Division Consent Conditions

Council Requirements

Nil

SCAP Requirements

11. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0069104)

SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

The developer must inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

Reason: To satisfy the requirements of the South Australian Water Corporation.

12. Payment of \$27,320.00 into the Planning and Development Fund (4 allotments @ \$7253.00 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.

Reason: To satisfy the requirements of the State Commission Assessment Panel.

13. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

Reason: To satisfy the requirements of the State Commission Assessment Panel.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.4 2 Warramunga Street, FULHAM

Application No 211/224/2019 & 211/185/2019

RECOMMENDATION 1

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/224/2019 by Michael Calabrese to undertake Land division - Torrens Title; SCAP No. 211/D024/19; Create one (1) additional allotment at 2 Warramunga Street, Fulham (CT 5602/623) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. Development is to take place in accordance with the Plan of Proposed Division prepared by Cavallo Forest Licenced Surveyors relating to Development Application No. 211/224/2019 (SCAP 211/D024/19).

Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.

Land Division Consent Conditions

SCAP Requirements

2. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.

On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

On approval of the application, it is the developers/owners responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

Reason: To satisfy the requirements of the South Australian Water Corporation.

3. Payment of \$7253 into the Planning and Development Fund (1 allotment @ \$7253/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.

Reason: To satisfy the requirements of the State Commission Assessment Panel.

4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate Purposes.

Reason: To satisfy the requirements of the State Commission Assessment Panel.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

RECOMMENDATION 2

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/185 /2019 by Tony Lippis to undertake the demolition of existing dwelling and ancillary structures and construction of two (2) two storey detached dwellings, masonry fence 1.8m maximum height and external masonry fireplace 3.9m maximum height at 2 Warramunga Street, Fulham (CT 5602/623) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development shall be undertaken and completed in accordance with the following plans contained within this application except where varied by any condition(s) listed below.
 - a) Architectural Plans by Architects Ink (Drawing Numbers: 18-1177SK01 to 18-1177SK08);
 - b) 'Planting Plan' by Lee Gray Landscape Design (Issue: 01 Date: 06/04/2019); and
 - c) 'Drainage Plan' by TNK Consulting Engineers (Drawing No: CRD/PC, Date: 15.04.19).

Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.

2. All stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage will not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; or
 - e) Flow across footpaths or public ways.

Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.

3. All driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to occupation of the dwellings approved herein, and shall be maintained in good condition at all times to the reasonable satisfaction of Council.

Reason: To ensure that dust nuisance is minimised.

4. All landscaping shown on the approved 'Planting Plan' by Lee Gray Landscape Design (Issue: 01 Date: 06/04/2019), shall be planted within three (3) months of the occupation of the dwellings approved herein.

Reason: To enhance the amenity of the site and locality and to mitigate against heat loading.

5. All landscaping shall be maintained in good health and condition at all times and any dead or diseased plants shall be replaced immediately to the reasonable satisfaction of the Council.

Reason: To enhance the amenity of the site and locality and to mitigate against heat loading.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.5 225 Sir Donald Bradman Drive, COWANDILLA

Application No 211/110/2019 (SCAP 211/D008/19)

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/110/2019 by State Surveys to undertake the combined application: Land division - Torrens Title; SCAP No. 211/D008/19; Creating one (1) additional allotment; Demolition of the existing outbuilding and carport and construction of a carport at 225 Sir Donald Bradman Drive, Cowandilla (CT 5832/537) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below:
 - a) Plan of Proposed Division by State Surveys, Reference No. 18566;
 - b) Elevation Plan(s) by Stratco, Drawing No. 6015D;
 - c) Acoustic Report by Marshall Day Acoustics, dated 16 April 2019, Report No. Rp 001 20190314;

Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.
2. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage shall not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and
 - e) Flow across footpaths or public ways.

Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.
3. That the carport approved herein shall not be enclosed and therefore kept as an open structure at all times. For this purpose, any works to enclose the sides or rear (excluding the front) shall require a separate application to Council.

Reason: To ensure that adequate provision of on-site car parking is maintained and visitor space achieved.
4. That the external materials and finishes of the carport shall be the same as or complementary to those of the associated dwelling. Construction of the carport shall be completed within three (3) months of the issue of Development Approval.

Reason: To ensure a reasonable standard of appearance of the carport and the provision of on-site car parking is achieved.

Land Division Consent Conditions**Council Requirements**

Nil

State Commission Assessment Panel Requirements

5. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0081585)

SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

On approval of the application, it is the developer's/owner's responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developer's/owner's cost to ensure that the pipework relating to each allotment is contained within its boundaries.

Reason: To satisfy the requirements of the South Australian Water Corporation.

6. Payment of \$7253.00 into the Planning and Development Fund (1 allotment @ \$7253.00 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.

Reason: To satisfy the requirements of the State Commission Assessment Panel.

7. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

Reason: To satisfy the requirements of the State Commission Assessment Panel.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.6 34 Old Drive, NOVAR GARDENS

Application No 211/292/2019

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent and Development Approval for Application No. 211/292/2019 by Mr Goulding to construct a carport forward of the dwelling at 34 Old Drive, Novar Gardens (CT 5281/579) as the proposed development is contrary to the following provisions of the West Torrens Council Development Plan Consolidated 12 July 2018:

- General Section, Design and Appearance Objective 1
Reason: The proposal is not of a high design standard and does not respond to or reinforce the positive aspects of built form in the locality.
- General Section, Design and Appearance Principles of Development Control 20 and 21
Reason: The proposal is not setback so as to contribute positively to the Desired Character of the locality or the average of adjacent buildings.
- Residential Zone Principle of Development Control 8
Reason: The proposal is not setback the average of adjacent buildings.

- Novar Gardens Character Policy Area 26 Objective 1 & Principle of Development Control 2
Reason: The proposal is at odds with the Desired Character of the Policy Area.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.7 3 Willoughby Avenue, NOVAR GARDENS

Application No 211/225/2019

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent for Application No. 211/225/2019 by J & S Pergolas Installation to construct a carport forward of the dwelling at 3 Willoughby Avenue, Novar Gardens (CT 6066/486) as the proposed development is contrary to the following provisions of the West Torrens Council Development Plan Consolidated 12 July 2018:

- General Section, Design and Appearance Objective 1
Reason: The proposal is not of a high design standard and does not respond to or reinforce the positive aspects of built form in the locality.
- General Section, Design and Appearance Principles of Development Control 20 and 21
Reason: The proposal is not setback so as to contribute positively to the desired character of the locality or the average of adjacent buildings.
- General Section, Residential Development Principle of Development Control 16
Reason: The proposal is sited closer to the primary road frontage than its associated dwelling and dominates the streetscape.
- General Section, Residential Zone Principle of Development Control 8
Reason: The proposal is not setback the average of adjacent buildings.
- Low Density Policy Area 21 Principle of Development Control 2
Reason: The proposal is inconsistent with the Desired Character Statement of the Policy Area.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.8 123 Richmond Road, RICHMOND

Application No 211/71/2019

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/71/2019 by Future Urban Group to construct alterations to existing building and installation of advertising including LED screen at 123 Richmond Road, Richmond (CT 5097/234) subject to the concurrence of the State Commission Assessment Panel and the following conditions of consent:

Development Plan Consent Conditions

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below.
Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.
2. The content of the signage approved herein shall relate to the legitimate use of the land at all times and shall not be used for third party advertising.
Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.
3. Lighting associated with the signs shall be of an intensity not to cause a light over spill nuisance to adjacent occupiers, or cause a distraction to drivers on adjacent public roads.
Reason: To ensure the proposed signage does not cause undue disturbance, annoyance or inconvenience to adjoining land users and motorists.

Department of Planning, Transport and Infrastructure Conditions

4. The LED sign shall be permitted to display on self-contained message every 45 seconds. The time taken for consecutive displays to change shall be no more than 0.1 seconds. The sign shall not flash, scroll or move, and shall not be permitted to display or imitate a traffic control device.
Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.
5. Illuminated signage shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. Subsequently, the LED components of the sign shall be limited to the following stepped luminance levels:

Ambient Conditions	Sign Illuminance Vertical Component (Lux)	Sign Luminance (Cd/m ²) Max
Sunny Day	40 000	6 300
Cloudy Day	4 000	1 100
Twilight	400	300
Dusk	40	200
Night	<4	150

Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.

6. The operational system for the LED sign shall incorporate an automatic error detection system that will turn the display off or to a blank/black screen should the screen or system malfunction.

Reason: To satisfy the requirements of the Department of Planning, Transport and Infrastructure.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

8 SUMMARY OF COURT APPEALS

8.1 Summary of ERD Court matters, items determined by SCAP/Minister/Governor and deferred CAP items - May 2019

This report presents information in relation to:

1. any planning appeals before the Environment, Resources and Development (ERD) Court;
2. any matters being determined by the State Commission Assessment Panel (SCAP);
3. any matters determined by the Minister of Planning (Section 49);
4. any matters determined by the Governor of South Australia (Section 46); and
5. any deferred items previously considered by the Council Assessment Panel.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

9 OTHER BUSINESS

The Assessment Manager thanked Mr Ben Russ for agreeing to act as Presiding Member for the meeting.

The Assessment Manager also thanked Ms Branka Dzalto for agreeing to record the minutes of the meeting at short notice.

10 MEETING CLOSE

The Presiding Member declared the meeting closed at 5.53pm.