MINUTES OF THE COUNCIL ASSESSMENT PANEL OF CITY OF PROSPECT, HELD VIA ELECTRONIC FORMAT (ZOOM) ON MONDAY 11 MAY 2020 AT 5:30PM

Public access to the meeting will be via https://www.youtube.com/channel/UCswnhLTs5E2qHS2jMDRB1oA

PRESENT:
Presiding Member: Mr D Donaldson
Members: Mr R Gagetti, Mr D Cooke, Mr R Perera and Mr R Pearce

IN ATTENDANCE:
Mr D Starr Assessment Manager
Mr S McLuskey Senior Development Officer, Planning
Ms S Giles Development Officer, Planning

WELCOME:
Acknowledgment of the Kaurna People as the Traditional Custodians of the Land

ON LEAVE: Nil

APOLOGIES: Nil

CONFIRMATION OF MINUTES:
Mr D Cooke moved Mr R Pearce seconded
That the minutes of the meeting of the Council Assessment Panel held on 20 April 2020 be taken as read and confirmed as a correct record.

Carried unanimously - CAP 26/20

DECLARATIONS OF INTEREST: Nil

DEVELOPMENT APPLICATIONS:

Item 6.1: 11 College Avenue, Prospect– Additions and Alterations to Detached Dwelling (including upper level), and Verandah and Alfresco

Application No: DA 050/24/2020

Recommendation

That with reference to the relevant provisions of the Prospect (City) Development Plan, the zoning of the land within which the proposed development is situated and the locality within which the land is situated, the Panel resolves that development application DA 050/24/2020 is not seriously at variance with the Development Plan and as such a decision shall be made on the merits of the application; and

That pursuant to the Development Act 1993, as amended, Development Plan Consent be granted to DA 050/24/2020 from Mr R Horner for additions and alterations to Detached Dwelling (including upper level), Verandah and Alfresco at 11 College Avenue, Prospect (CT 5064/695), subject to the
following conditions:

**Conditions:**

1. That the development shall take place in accordance with plans stamped by Council, relating to Development Application Number 050/24/2020, except as modified by any conditions listed below. All works detailed in the approved plans and required by conditions are to be completed prior to the occupation of the approved development.

2. The drainage system shall be designed, installed and maintained at all times thereafter to ensure that water from the site does not:
   a) Flow or discharge onto adjoining properties;
   b) Flow across the surface of footpaths or public ways;
   c) Affect the stability of any building; or
   d) Create unhealthy or dangerous conditions on the site or within any building.

3. The upper level windows facing east, west and south shall have:
   a) Minimum window sill heights of 1.7m above finished floor level; or
   b) Fixed and obscured glass to a minimum height of 1.7m above floor level; or
   c) An awning window with obscured glass to a minimum height of 1.7m above floor level, with an opening restricted to no more than 100mm; or
   d) Permanently fixed external screens that provide an effective screening height of 1.7m above the upper floor level and complement the external appearance of the dwelling.

The screening solution(s) shall be established prior to occupation of the dwelling and maintained to the reasonable satisfaction of Council at all times thereafter.

The Panel resolved that the application is granted consent by consensus – CAP 27/20

**Item 6.2:** 7 Farrant Street, Prospect – Single Storey Semi-Detached Dwellings and associated Carports

**Application No:** DA 050/109/2020

**Recommendation**

That with reference to the relevant provisions of the Prospect (City) Development Plan, the zoning of the land within which the proposed development is situated and the locality within which the land is situated, the Panel resolves that development application 050/109/2020 is not seriously at variance with the Development Plan and as such a decision shall be made on the merits of the application; and

That pursuant to the *Development Act 1993*, as amended, Development Plan Consent be granted to DA 050/109/2020 from Mr G Nakopoulos for Single Storey Semi-Detached Dwellings and Carports at 7 Farrant Street, Prospect (CT 5710/682), subject to the following and conditions:

**Conditions:**

1. The development shall take place in accordance with plans and details stamped by Council relating to Development Application Number 050/109/2020, except as modified by any conditions detailed herein. All works detailed in the approved plans and required by conditions are to be completed prior to the occupation or the commencement of use of the approved development.
2. The drainage system shall be designed, installed and maintained at all times thereafter to ensure that water from the site does not:
   a) Flow or discharge onto adjoining properties;
   b) Flow across the surface of footpaths or public ways;
   c) Affect the stability of any building; or
   d) Create unhealthy or dangerous conditions on the site or within any building.

Advisory Notes:

1. **Council Assets and Infrastructure**: Any works that are to be undertaken on Council land, including but not limited to the construction of driveways, crossovers, footpath reconstruction, laying of stormwater pipes, relocation of infrastructure, removal or relocation of street trees, and/or the temporary obstruction of the road or footpath, shall not be undertaken without the prior permission of Council.

   The cost of rectifying any conflict with or damage to existing Council infrastructure arising out of this development will be borne by either the developer or the owner of the subject land. Further information and/or specific details can be obtained by contacting Council’s Infrastructure and Environment Department on 8269 5355.

**Mr R Perera moved Mr D Cooke seconded**

The Panel resolved that the application is granted consent – CAP carried 28/20

**Item 6.3:**

22 Barker Road, Prospect – Two Storey Detached Dwelling with Garage, Alfresco, Swimming Pool and Safety Fence and Masonry Front Fence

**Application No:** DA 050/505/2019

**Alternate recommendation**

That with reference to the relevant provisions of the Prospect (City) Development Plan, the zoning of the land within which the proposed development is situated and the locality within which the land is situated, the Panel resolves that development application DA 050/505/2019 is not seriously at variance with the Development Plan and as such a decision shall be made on the merits of the application; and

That pursuant to the Development Act 1993, as amended, Development Plan Consent be refused to DA 050/505/2019 from Oxford Architects on behalf of Mr P Panagopoulos for a Two Storey Detached Dwelling with Garage, Alfresco, Swimming Pool and Safety Fence and Masonry Front Fence at 22 Barker Road, Prospect (CT 5797/687) due to:

- Inappropriate impact on the streetscape of Barker Road by the two storey design
- Dominance of the proposed upper storey located directly above the ground floor level and proximity of the upper storey to the front boundary and Barker Road streetscape
- Scale of the proposed development
- Dominance of the proposed double garage when viewed from Barker Road

**Mr R Perera moved Mr R Gagetti seconded**

The Panel resolved that the application is refused – CAP 29/20
Item 6.4: 375 Regency Road, Prospect – One, Two Storey Group Dwelling, and Two Storey Residential Flat Building comprising Two Dwellings

Application No: DA 050/36/2020

Recommendation

That with reference to the relevant provisions of the Prospect (City) Development Plan, the zoning of the land within which the proposed development is situated and the locality within which the land is situated, the Panel resolves that development application 050/36/2020 is not seriously at variance with the Development Plan and as such a decision shall be made on the merits of the application; and

That pursuant to the Development Act 1993, as amended, Development Plan Consent be approved to DA 050/36/2020 from Elvio Ferrara for Three, Two Storey Group Dwellings with associated Retaining Walls and Fencing, and Landscaping at 375 Regency Road, Prospect (CT 5687/900), subject to the following reserved matters and conditions:

Reserved Matters:

1. A detailed stormwater management plan shall be provided that, to the satisfaction of Council, provides evidence that all dwellings are suitably protected from 1 in 100 year ARI storm events and that post-development outflow rates from the site will match pre-development rates in 1 in 20 ARI storm events. The location and capacity of any on-site detention tanks shall be clearly described.

2. Information shall be provided that, to the reasonable satisfaction of Council, demonstrates that the dwelling located immediately adjacent to Regency Road would be insulated from traffic noise to the extent that the L10 (20 minute) noise level in the habitable rooms within the dwelling (with windows and doors closed), does not exceed 40 decibels A - weighted dB(A). All windows and doors should be openable unless adequate ventilation can be provided for habitable rooms within these dwellings.

Conditions:

1. The development shall take place in accordance with plans and details stamped by Council relating to Development Application Number 050/36/2020, except as modified by any conditions detailed herein. All works detailed in the approved plans and required by conditions are to be completed prior to the occupation or the commencement of use of the approved development.

2. All driveways, parking and manoeuvring areas must be formed, surfaced with concrete, bitumen or paving, and be properly drained. The surfacing of the driveway and drainage shall be maintained to the reasonable satisfaction of Council thereafter.

3. The drainage system shall be designed, installed and maintained at all times thereafter to ensure that water from the site does not:
   a) Flow or discharge onto adjoining properties;
   b) Flow across the surface of footpaths or public ways;
   c) Affect the stability of any building; or
   d) Create unhealthy or dangerous conditions on the site or within any building.

4. The upper level windows facing south, east and west, as well as the upper level north-facing windows of Residences 2 and 3, shall have:
   e) Minimum window sill heights of 1.7m above finished floor level; or
f) Fixed and obscured glass to a minimum height of 1.7m above floor level; or

g) An awning window with obscured glass to a minimum height of 1.7m above floor level, with an opening restricted to no more than 100mm; or

h) Permanently fixed external screens that provide an effective screening height of 1.7m above the upper floor level and complement the external appearance of the dwelling.

The screening solution(s) shall be established prior to occupation of the dwellings and maintained to the reasonable satisfaction of Council at all times thereafter.

5. The landscaping shall be planted in accordance with the approved plans prior to occupancy of the development. Mature trees shall be no less than 2.0m in height at time of planting. Appropriate species for understorey plantings shall be used to ensure sufficient coverage of the landscaping area. All planting must be of species which will not grow to cause damage to paved or sealed areas, building foundations or underground services. An automated drip irrigation or similar watering system shall be established and maintained to ensure that sufficient water is available to satisfy the needs of the landscaping species selected.

6. All landscaping areas shall be maintained at all times to the reasonable satisfaction of Council. The applicant or the persons for the time being making use of the subject land shall cultivate, tend and nurture the landscaping, and shall replace any landscaping that becomes diseased or dies.

7. A Construction Site Management Plan shall be prepared and submitted to Council for approval prior to the commencement of construction on the land. The plan shall comply with the requirements of Section 25 of the Environment Protection Act, which states “a person must not undertake an activity that pollutes, or might pollute the environment unless the person takes all reasonable and practicable measures to prevent or minimise any resulting environmental harm”. The Construction Site Management Plan shall include:

   a) Measures for the reduction of potential for mud and material drag out from the site by providing a hard surface at the entry/exit points to the site and a controlled washing zone prior to exiting the site; and

   b) Containment of water run-off within the site, which will be filtered and cleaned to the satisfaction of Council if being discharged into the stormwater system; and

   c) Reduction of the potential for dust and other airborne particles by the use of water sprinklers and/or other means of containment; and

   d) The establishment of a compound for the storage of waste materials and litter. The compound must be covered to prevent litter from being blown away from the compound; and

   e) Measures to minimise the potential for noise pollution through correct positioning of all mechanical equipment to ensure compliance with the requirements of the Environment Protection (Noise) Policy.

DPTI Conditions:

8. The access point shall be suitably flared to Regency Road to allow convenient ingress and egress movements in order to minimise disruption to the free flow of traffic. A 1.0-metre separation shall be achieved from the widened/flared access and the stobie pole located adjacent the eastern property boundary.

9. The shared access and vehicle manoeuvring area(s) shall be maintained clear of obstructions.

10. All off-street parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009. Additionally, clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for...
Pedestrian Safety’ in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.

11. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the adjacent roads. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant’s expense.

The Panel resolved that the application is granted consent by consensus – CAP 30/20

Item 6.5: 94 Main North Road, Prospect - Fixed LED Advertising Display

Application No: DA 050/68/2020

Recommendation

That with reference to the relevant provisions of the Prospect (City) Development Plan, the zoning of the land within which the proposed development is situated and the locality within which the land is situated, the Panel resolves that development application 050/68/2020 is not seriously at variance with the Development Plan and as such a decision shall be made on the merits of the application; and

That pursuant to the Development Act 1993, as amended, Development Plan Consent be granted to DA 050/68/2020 from Haynes Signs Pty Ltd for Fixed LED Advertising Display at 94 Main North Road, Prospect (CTs 6148/404 & 6148/405), subject to the following conditions:

1. The development shall take place in accordance with plans and details stamped by Council relating to Development Application Number 050/68/2020, except as modified by any conditions detailed herein. All works detailed in the approved plans and required by conditions are to be completed prior to the occupation or the commencement of use of the approved development.

2. The signs approved herein shall be maintained in good repair with all words and symbols being clearly visible at all times. The content of the sign shall relate at all times to the approved use(s) of the subject land.

3. The herein approved LED signs shall not flash, scroll or move. The time taken for consecutive displays to change shall be no longer than 0.1 seconds, with a 45 second static period per message or static period in accordance with DPTI policy documents as amended

4. The LED sign 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. The following luminance levels shall be incorporated into an automatic stepped dimming system:

<table>
<thead>
<tr>
<th>Ambient Conditions</th>
<th>Sign Illuminance Vertical Component (Lux)</th>
<th>Sign Luminance (Cd/m²) Max</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sunny Day</td>
<td>40000</td>
<td>6300</td>
</tr>
<tr>
<td>Cloudy Day</td>
<td>4000</td>
<td>1100</td>
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<tr>
<td>Twilight</td>
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<td>300</td>
</tr>
<tr>
<td>Dusk</td>
<td>40</td>
<td>150</td>
</tr>
<tr>
<td>Night</td>
<td>&lt;4</td>
<td>100</td>
</tr>
</tbody>
</table>
Panel resolved that the application is granted consent by consensus – CAP 31/20

Item 6.6: 35 Asquith Street, Prospect - Two Storey Detached Dwelling
Application No: DA 050/10/2020

Recommendation

That with reference to the relevant provisions of the Prospect (City) Development Plan, the zoning of the land within which the proposed development is situated and the locality within which the land is situated, the Panel resolves that development application 050/10/2020 is not seriously at variance with the Development Plan and as such a decision shall be made on the merits of the application; and

That pursuant to the Development Act 1993, as amended, Development Plan Consent be granted to DA 050/10/2020 from Regent Homes for a Two Storey Detached Dwelling (CT 5817/207), subject to the following conditions:

Conditions:

1. The development shall take place in accordance with plans and details stamped by Council relating to Development Application Number 050/10/2020, except as modified by any conditions detailed herein. All works detailed in the approved plans and required by conditions are to be completed prior to the occupation or the commencement of use of the approved development.

2. The upper level and stairwell windows facing East, South or West shall have:
   a) Minimum window sill heights of 1.7m above finished floor level; or
   b) Fixed and obscured glass to a minimum height of 1.7m above floor level; or
   c) An awning window with obscured glass to a minimum height of 1.7m above floor level, with an opening restricted to no more than 100mm; or
   d) Permanently fixed external screens that provide an effective screening height of 1.7m above the upper floor level and complement the external appearance of the dwelling.

   The screening solution(s) shall be established prior to occupation of the dwellings and maintained to the reasonable satisfaction of Council at all times thereafter.

Panel resolved that the Application is granted consent by consensus – CAP 32/20

INFORMATION REPORTS

Item 7.1: Summary of State Commission Assessment Panel (SCAP) Decisions and Proposals Greater than $3 Million called in by the Coordinator-General

Report received.

ANY OTHER BUSINESS:

Nil.

TIME AND PLACE OF NEXT MEETING:
The next meeting of the Council Assessment Panel will be held in Payinthi, 128 Prospect Road Prospect (subject to confirmation) on Monday 15 June 2020 at 5.30pm.

**CLOSURE:**
The meeting closed at **6.29pm**

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**Mr Don Donaldson**
(Presiding Member)
15 June 2020