

Council Assessment Panel Minutes

16 February 2026

Our Vision

*A City which values its heritage, cultural diversity,
sense of place and natural environment.*

*A progressive City which is prosperous, sustainable
and socially cohesive, with a strong community spirit.*

City of Norwood Payneham & St Peters
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City of
Norwood
Payneham
& St Peters

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VENUE Council Chambers, Norwood Town Hall

HOUR 6.30PM

PRESENT

Panel Members Mr Stephen Smith
Mr Mark Adcock
Mr Ross Bateup
Mr Julian Rutt
Cr Kester Moorhouse

Staff Geoff Parsons – Assessment Manager
Kieran Fairbrother – Senior Urban Planner
Ned Feary – Senior Urban Planner
Tala Aslat – Administration Officer

APOLOGIES

ABSENT

1. COMMENCEMENT AND WELCOME

2. APOLOGIES

**3. CONFIRMATION OF THE MINUTES OF THE MEETING OF THE COUNCIL ASSESSMENT
PANEL HELD ON 29 JANUARY 2026**

Moved by Mr Moorhouse and Seconded by Mr Rutt
CARRIED

4. DECLARATION OF INTERESTS

5. **DEVELOPMENT APPLICATIONS – PDI ACT**
6. **DEVELOPMENT APPLICATIONS – DEVELOPMENT ACT**

7. REVIEW OF ASSESSMENT MANAGER DECISIONS

**7.1 DEVELOPMENT NUMBER ID 25010920 – CREATIVE HOME RENOVATIONS
– 291 GLYNBURN ROAD ST MORRIS SA 5068**

DEVELOPMENT NO.:	25010920
APPLICANT:	Creative Home Renovations
ADDRESS:	291 Glynburn Road, St Morris
NATURE OF DEVELOPMENT:	Illuminated Signage Attached to Rooftop Telecommunications Tower
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Suburban Main Street <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Advertising Near Signalised Intersections • Future Road Widening • Hazards (Flooding – General) • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development • Urban Transport Routes <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	28 April 2025
RELEVANT AUTHORITY:	<p>Original Decision – Assessment Manager at City of Norwood Payneham & St Peters</p> <p>Review of AM Decision – Council Assessment Panel at City of Norwood Payneham & St Peters</p>
PLANNING & DESIGN CODE VERSION:	Version applicable at lodgement – (28 April 2025) – Version 2025.7 10/04/2025
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	No
RECOMMENDING OFFICER:	<p>Geoff Parsons</p> <p>Assessment Manager</p>
REFERRALS STATUTORY:	Commissioner of Highways
REFERRALS NON-STATUTORY:	None required

CONTENTS:

APPENDIX 1:	Relevant P&D Code Policies	ATTACHMENT 4:	Delegated Planning Assessment Report
ATTACHMENT 1:	Council Assessment Panel Review of Decisions of the Assessment Manager Policy	ATTACHMENT 5:	Application Documents
ATTACHMENT 2:	Application to Assessment Panel and accompanying correspondence		
ATTACHMENT 3:	Decision Notification Form		

INTRODUCTION

Section 202(1)(b)(i)(A) of the *Planning, Development & Infrastructure Act 2016* provides an applicant with a right to apply to the Council Assessment Panel for a review of the Assessment Manager's decision relating to a prescribed matter.

A prescribed matter is defined as follows:

Prescribed matter, in relation to an application for a development authorisation, means -

- (a) any assessment, request, decision, direction or act of a relevant authority under this Act that is relevant to any aspect of the determination of the application; or
- (b) A decision to refuse to grant the authorisation; or
- (c) The imposition of conditions in relation to the authorisation; or
- (d) Subject to any exclusion prescribed by the regulations, any other assessment, request, decision, direction or act of a relevant authority under this Act in relation to the authorisation.

To assist with undertaking a review under Sections 201-203 of the *Planning, Development & Infrastructure Act 2016*, the Council Assessment Panel adopted a procedure to guide the consideration of an application for such at its meeting held on 21 October 2024. A copy of that Policy is provided in **Attachment 1**.

The Panel should be aware that the South Australian Government made changes to the *Planning, Development & Infrastructure (General) Regulations 2017* on 25 May 2023. An amended regulation was introduced which states:

- (2) An applicant to an assessment panel for a review of a prescribed matter must be given an opportunity to provide the assessment panel with the applicant's submissions in relation to the review (and, if the assessment panel determines to hold a hearing, must be given written notice of the date of the hearing and an opportunity to appear and make submissions at the hearing in person)

Council (together with the rest of the local government sector) has received advice in relation to the new regulation and such advice confirms that an Applicant should be provided with the right to make submissions (both written and verbal). Accordingly, the Applicant's written submission has been provided in **Attachment 2** (together with the request for the review) and the Presiding Member and Assessment Manager have agreed it is reasonable for both the Applicant and Assessment Manager to address the Panel verbally for five (5) minutes each, as per the Panel's normal processes for a hearing of representations. This is now allowed for as per clause 6.3 and 6.4 of the adopted *Policy*.

DETAILED DESCRIPTION OF PROPOSAL

The Application to which the review relates is Development Application 25010920. The Application sought Planning Consent for:

Illuminated signage attached to rooftop telecommunications tower

Specifically, the development comprises:

- The placement of an advertisement on an existing advertising hoarding on a telecommunications tower (east facing façade);
- The advertisement would measure 2 metres by 2 metres;
- The advertisement will be illuminated via LED face illumination;
- The advertisement would display the logo of the business operating from the premises where it is to be placed (i.e. it is **not** third-party advertising).

Development Application 25010920 was refused Planning Consent under delegation from the Assessment Manager. It is that determination that is the subject of this review.

Clause 7 in the *Council Assessment Panel Review of Decisions of the Assessment Manager Policy* stipulates that the Panel may:

- Affirm the Assessment Manager's decision on the Prescribed Matter;
- Vary the Assessment Manager's decision on the Prescribed Matter; or
- Set aside the Assessment Manager's decision on the Prescribed Matter and substitute its own decision.

In addition, the Council Assessment Panel may defer its decision in accordance with clause 6.8 of the *Council Assessment Panel Review of the Assessment Manager Policy*.

Draft resolutions for each option have been included at the appropriate point within this report.

BACKGROUND

As outlined in the Delegated Planning Assessment Report, the advertisement forming part of this Application was originally proposed in DA 24035869 (together with other signage). The Assessment Manager raised concern regarding the "tower sign" as part of the assessment of DA 24035869 and accordingly that component of the Application was removed. The other signage proposed as part of DA 24035869 received approval.

The "tower sign" has now been proposed as part of DA 25010920.

SUBJECT LAND & LOCALITY:

Development Location(s)

291 Glynburn Road, St Morris SA 5068

Title and Parcel

Title Ref: CT 6129/308 **Plan Parcel:** F134513 AL62 **Council:** The City Of Norwood Payneham And St Peters

Subject Land

The subject land comprises two (2) allotments in an irregular shape, situated on the north-western corner of the Glynburn Road / Magill Road intersection.

The subject land forms part of a group of shops which stretch west along Magill Road (with other shops / land in different ownership). The groups of shops share a car parking area at the rear of the shops.

The two (2) allotments combined have an area of approximately 1,014 square metres. Built form on the allotments is essentially boundary-to-boundary, with the exception of the northern portion of the land which grants access to the rear car park.

The built form has recently been updated with revised façade treatments which reflect the business on the land. Some minor landscaping is present on the subject land adjacent the corner of the intersection. The land is relatively level, with a slope towards the west.

The telecommunications tower forms a notable visual element of the subject land given its height which, with the exception of the street lights, is much higher than other built form in the locality.

Locality

The locality is mixed in terms land uses, built form and zoning.

Along Magill Road to the west, land uses predominately comprise commercial and retails uses in both more recent and older built form. Land to the north-east and north-west is residential, as is land to the south east, with the exception of the service station on the south-eastern corner some further commercial development along Magill Road.

The land is also located at the intersection of three (3) separate Council areas being the City of Burnside, City of Campbelltown and City of Norwood Payneham & St Peters.

As mentioned previously, the telecommunications tower is a notable visual element in the locality.

The intersection is void of street trees (likely due to traffic manoeuvrability and flow being the primary concern) and the amenity of the locality is impacted by the heavy volumes of traffic and mixture of land uses.

PROCEDURAL MATTERS

The Application was performance assessed and did not require public notification (advertisement is an excluded form of development in Table 5 of the Suburban Main Street zone).

AGENCY REFERRALS

A referral to the Commissioner of Highways was required. They raised no objection to the development but did require a number of conditions and advisory notes to be attached to the Planning Consent, if so issued.

INTERNAL REFERRALS

No internal referrals were required.

DOCUMENTS FOR REVIEW

In accordance with clause 5 of the *Council Assessment Panel Review of Decisions of the Assessment Manager* a number of different materials have been included as attachments to this agenda, as follows:

- Appendix 1 – Applicable Planning & Design Code Policies
- Attachment 1 – Council Assessment Panel Review of Decisions of the Assessment Manager Policy
- Attachment 2 – Application to Assessment Panel and accompanying correspondence
- Attachment 3 – Decision Notification Form
- Attachment 4 – Delegated Assessment Report
- Attachment 5 – Application Documentation

REVIEW OF ASSESSMENT MANAGER DECISION

The reasons for refusal of the Application are set out in the Decision Notification Form (**Attachment 3**), as follows:

The proposed development fails to satisfy Performance Outcome 5.1 of the Suburban Main Street Zone in that the advertisement is sited above the shop building and fails to achieve an overall consistency of signage

along the Magill Road (Main Street) frontage. The proposed development fails to satisfy the following Performance Outcomes of the Advertisements module: Performance Outcome 1.1 – the positioning of the advertisement is not integrated with the shop building itself. Performance Outcome 2.3 – the advertisement represents a proliferation of advertisements associated with the shop use and as such contributes to visual clutter and untidiness.

For Members ease of the reference, the Performance Outcomes referenced in the above-mentioned reasons for refusal are reproduced below:

Suburban Main Street Zone

PO 5.1 – Advertisements are sited and designed to achieve an overall consistency of appearance along individual street frontages.

Advertisements Module

PO 1.1 – Advertisements are compatible and integrated with the design of the building and / or land they are located on.

PO 2.3 – Proliferation of advertisements attached to buildings is minimised to avoid visual clutter and untidiness.

The applicant, via the correspondence provided for in **Attachment 2**, has provided a valid and clear argument as to why the decision of the Assessment Manager (i.e. the refusal of DA 25010920) should be set aside, namely (my wording):

- Prior to the current owners of the land taking occupation of the site, the base of the telecommunications tower and the existing advertising hoardings were used for advertising, more extensive than that currently proposed.
- The sign faces to the east, not directly towards the Magill Road frontage (south).
- There are other examples of similar signage in the locality along Magill Road (such as the “ALDI” sign and “Shell” sign).
- There is no coherent streetscape pattern with respect to advertising to be consistent with.
- The advertisement is integrated with the building as it proposed on an advertising hoarding purpose built for that purpose.
- The advertisement and message displayed are consistent and integrated with the building.
- There is no proliferation of signage, DPF 2.3 is complied with, and if it is not, PO 2.3 is met given the extent of the proposal, locality, and minimal impact.

To assist the Panel in their consideration of this matter, and in accordance with clause 5.1.4 of the Council Assessment Panel Review of Decisions of the Assessment Manager Policy I have briefly set out the rationale for the Assessment Manager’s decision below.

The Delegated Planning Assessment Report (provided for in **Attachment 4**) sets out the rationale for the original decision of the Assessment Manager in detail. The report is balanced and notes that the proposed development displays merit in a number of respects, despite some exceedances to the relevant policy, such as:

- There are other examples of signage above buildings, although such examples are limited.
- The sign is associated with the land use (i.e. not third-party advertising) and it is complementary to the existing signage and “branding” on the building.

The Assessment Manager’s decision was ultimately based on the following considerations with respect to proliferation of signage, visual clutter and untidiness and inappropriate signage siting:

- The Suburban Main Street Zone is an activity centre where a main street character is desired – often comprised of active, fine-grain built form consisting of narrow building frontages and numerous pedestrian access points / pathways and both daytime and nighttime activation.

- While the advertisement will face east, the Assessment Manager considered it would be visible from a portion of Magill Road to the south. In addition, it is placed at the entrance to western end of Magill Road when travelling towards Glynburn Road.
- The intersection to which the sign is adjacent is a highly trafficked, visually prominent location.
- Examples of rooftop signage along the northern side of Magill Road are limited, and where such signage does exist, it is relatively low and narrow in design and specifically identifies the business name or services offered.
- When interpreting PO 1.1 of the Advertisements Module, the Assessment Manager took the view that the phrase *"and they are located on"* refers to freestanding signs and *"integrated with the design of the building"* refers to signs attached to a building. The Assessment Manager did not consider the sign to be integrated with the design of the building as it is proposed to sit above the building, in a prominent location (the associated DPF speaks about appropriate signage locations being below canopy / roof level).
- It is understood the Council did not approve the original Home Hardware signage above the building – that was approved by the ERD Court as part of a previous appeal. Those signs were also non-illuminated.
- Development assessment is not a "tick box" exercise and requires a careful weighing of the relevant policies within a specific context. The failure of a development to meet several Performance Outcomes may not be fatal dependent on the relevant policies and the extent and impact of a development when assessed on its own merits.

While signage is a common visual element in the locality, the proposed signage would sit in a prominent location, above the building, in a highly trafficked and visible location, at the entrance to a commercial / retail "strip" which has a somewhat unique character.

The sign would add to the visual clutter and untidiness of the immediate locality, contribute to a proliferation of signage, and would not be integrated with the building to which it relates.

It is evident from the Delegated Planning Assessment Report that a careful weighing of the applicable policies has been undertaken but unfortunately the nature of the signage and its siting and impact cannot be overlooked.

For these reasons the Assessment Manager concluded that Development Application 25010920 could not be supported and was refused Planning Consent.

As the Council Assessment Panel now has before it the rationale for the review as provided by the Applicant, and justification for the decision as provided by the Assessment Manager, the Panel must now consider this matter afresh taking into consideration all relevant factors.

CONCLUSION

This report outlines the rationale for the decision of the Assessment Manager, as required by clause 5.1.4 of the *Council Assessment Panel Review of Decisions of the Assessment Manager Policy*. The attachments provide all of the other relevant information and details as required by clause 5.1.

The Council Assessment Panel must determine whether to affirm the decision of the Assessment Manager, vary it, set it aside and substitute its own decision, or defer consideration of the matter for more information.

Relevant options for the consideration of the Panel are outlined below.

RESOLUTION OPTIONS

Resolution to affirm the decision of the Assessment Manager

The Council Assessment Panel resolves to affirm the decision of the Assessment Manager that Development Application 25010920 is not seriously at variance with the Planning and Design Code, but that it does not warrant Planning Consent for the following reason:

1. *The proposed development fails to satisfy Performance Outcome 5.1 of the Suburban Main Street Zone in that the advertisement is sited above the shop building and fails to achieve an overall consistency of signage along the Magill Road (Main Street) frontage. The proposed development fails to satisfy the following Performance Outcomes of the Advertisements module: Performance Outcome 1.1 – the positioning of the advertisement is not integrated with the shop building itself. Performance Outcome 2.3 – the advertisement represents a proliferation of advertisements associated with the shop use and as such contributes to visual clutter and untidiness.*

Resolution to vary a decision of the Assessment Manager

The Council Assessment Panel resolves to vary the decision of the Assessment Manager in relation to Development Application 25010920 by including the following reasons for refusal:

- *[insert additional / alternate reasons]*

Resolution to set aside a decision of the Assessment Manager

The Council Assessment Panel resolves to set aside the decision of the Assessment Manager to refuse Planning Consent to Development Application 25010920 and substitute the following decision:

- *Development Application 25010920 is not seriously at variance with the Planning and Design Code and Planning Consent is granted to the application subject to the following conditions and notes:*

CONDITIONS

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 (if any).

CONDITIONS AS IMPOSED BY THE COMMISSONER OF HIGHWAYS

Condition 2

The illuminated sign shall be installed as shown on plans uploaded on the portal on 14/04/2025.

Condition 3

The illuminated signage shall be permitted to use LED lighting for internal illumination of a light box only.

Condition 4

The illuminated signage shall be limited to a low level of illumination to minimise distraction to motorists ($\leq 150\text{cd/m}^2$).

Condition 5

The signage shall not contain any element that flashes, scrolls, moves or changes, or imitates a traffic control device.

ADVISORY NOTES

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.

Note 2

The Council has not surveyed the subject land and has, for the purpose of its assessment, assumed that all dimensions and other details provided by the Applicant are correct and accurate.

Note 3

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.

Note 4

The granting of this consent does not remove the need for the beneficiary to obtain all other consents which may be required by any other legislation.

Note 5

The Applicant is reminded of its responsibilities under the Environment Protection Act 1993, to not harm the environment. Specifically, paint, plaster, concrete, brick wastes and wash waters should not be discharged into the stormwater system, litter should be appropriately stored on site pending removal, excavation and site disturbance should be limited, entry/exit points to the site should be managed to prevent soil being carried off site by vehicles, sediment barriers should be used (particularly on sloping sites), and material stockpiles should all be placed on site and not on the footpath or public roads or reserves. Further information is available by contacting the EPA.

Note 6

The Applicant is advised that construction noise is not allowed:

- 1. on any Sunday or public holiday; or*
- 2. after 7pm or before 7am on any other day*

Note 7

The Applicant is advised that the condition of the footpath, kerbing, vehicular crossing point, street tree(s) and any other Council infrastructure located adjacent to the subject land will be inspected by the Council prior to the commencement of building work and at the completion of building work. Any damage to Council infrastructure that occurs during construction must be rectified as soon as practicable and in any event, no later than four (4) weeks after substantial completion of the building work. The Council reserves its right to recover all costs associated with remedying any damage that has not been repaired in a timely manner from the appropriate person.

Note 8

The Applicant is advised that any works undertaken on Council owned land (including but not limited to works relating to crossovers, driveways, footpaths, street trees and stormwater connections), or works that require the closure of the footpath and / or road to undertake works on the development site, will require the approval of the Council pursuant to the Local Government Act 1999 prior to any works being undertaken. Further information may be obtained by contacting Council's Public Realm Compliance Officer on 8366 4513.

Note 9

Consents issued for this Development Application will remain valid for the following periods of time:

- 1. Planning Consent is valid for 24 months following the date of issue, within which time Development Approval must be obtained;*
- 2. Development Approval is valid for 24 months following the date of issue, within which time works must have substantially commenced on site;*
- 3. Works must be substantially completed within 3 years of the date on which Development Approval is issued.*

If an extension is required to any of the above-mentioned timeframes a request can be made for an extension of time by emailing the Planning Department at townhall@npsp.sa.gov.au. Whether or not an extension of time will be granted will be at the discretion of the relevant authority.

Note 10

If excavating, it is recommended you contact Before You Dig Australia (BYDA) (www.byda.com.au) to keep people safe and help protect underground infrastructure.

ADVISORY NOTES AS IMPOSED BY THE COMMISSIONER OF HIGHWAYS

Note 11

The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 4.5 metres in width from the Magill Road and Glynburn Road frontage of this site for future upgrading of the Glynburn Road / Magill Road intersection. The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act is required to all building works on or within 6.0 metres of the possible requirement. As the signage does not result in an additional encroachment into the above areas, consent is not required in this instance.

Resolution to defer review hearing

The Council Assessment Panel resolves to defer its decision in relation to its review of the decision of the Assessment Manager to refuse Planning Consent to Development Application 25010920 until:

- *The next ordinary meeting of the Panel;*
- *The next ordinary meeting of the Panel after [insert additional information which has been requested by the Panel] is provided;*
- *Until the next ordinary meeting of the Panel after [insert date (i.e. giving an applicant 2 months to provide information)].*

Ms Dillon addressed the Council Assessment Panel from 6.31pm until 6.40pm.

Moved by Mr Rutt

The Council Assessment Panel resolves to set aside the decision of the Assessment Manager to refuse Planning Consent to Development Application 25010920 and substitute the following decision:

- *Development Application 25010920 is not seriously at variance with the Planning and Design Code and Planning Consent is granted to the application subject to the following conditions and notes:*

CONDITIONS

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 (if any).

Condition 2

The sign shall not be illuminated between the hours of 1.00am to 6.00am.

CONDITIONS AS IMPOSED BY THE COMMISSIONER OF HIGHWAYS

Condition 3

The illuminated sign shall be installed as shown on plans uploaded on the portal on 14/04/2025.

Condition 4

The illuminated signage shall be permitted to use LED lighting for internal illumination of a light box only.

Condition 5

The illuminated signage shall be limited to a low level of illumination to minimise distraction to motorists ($\leq 150\text{cd/m}^2$).

Condition 6

The signage shall not contain any element that flashes, scrolls, moves or changes, or imitates a traffic control device.

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**Seconded by Mr Bateup
CARRIED**

8. ERD COURT APPEALS

**8.1 CONFIDENTIAL MATTER – ENVIRONMENT RESOURCES AND DEVELOPMENT
COURT APPEAL – DEVELOPMENT APPLICATION ID 25007549**

Moved by Mr Adcock

That pursuant to Regulation 13(2)(a)(ix) and Regulation 13(2)(b) of the Planning Development & Infrastructure (General) Regulations 2017, together with Clause 8.9 of the Council Assessment Panel Meeting Procedures, the Council Assessment Panel orders that the public, with the exception of Council staff, be excluded from the meeting.

Seconded by Mr Moorhouse
CARRIED

Moved by Mr Bateup

That the public be allowed to return to the meeting and that pursuant to Regulation 14(4) of the Planning, Development & Infrastructure (General) Regulations 2017 and Clause 8.9 of the Council Assessment Panel Meeting Procedures, the discussion shall remain confidential, but the Assessment Manager and delegates are authorised to communicate the decision of the Panel and any associated advice to relevant parties in the course of managing the Appeal in the Environment Resources and Development Court.

Seconded by Mr Rutt
CARRIED

9. OTHER BUSINESS

- *The Assessment Manager noted a meeting will likely be held in March*
- *The Panel noted the complexity involved in determinations being made in confidence and requested the Assessment Manager raise it in other forums as may be appropriate.*

10. CONFIDENTIAL REPORTS

11. CLOSURE

The Presiding Member declared the meeting closed at 7.57pm

Stephen Smith
PRESIDING MEMBER

Geoff Parsons
ASSESSMENT MANAGER