

**MINUTES
OF THE COUNCIL ASSESSMENT PANEL MEETING OF THE CITY OF TEA TREE
GULLY HELD ON TUESDAY 16 JANUARY 2024 AT 10.00AM IN THE COUNCIL
CHAMBERS, 571 MONTAGUE ROAD, MODBURY**

1. Attendance Record:

1.1 Present

Mr M Adcock	<i>(Independent Member)-(Presiding Member)</i>
Mr A Mackenzie	<i>(Independent Member)</i>
Ms N Taylor	<i>(Independent Member)</i>
Mr G Hewitt	<i>(Independent Member)</i>
Cr K Foreman	<i>(Elected Member)</i>

Officers in Attendance

Mr M Pereira	General Manager Community Services
Mr N Grainger	Manager, City Development
Ms C Tully	Team Leader, Planning
Mr B O'Neil	Senior Planning Officer
Ms C Gustafson	Development Services Administration Officer

1.2 Apologies - Nil

1.3 Public Gallery – 1 attendee

1.4 Media - Nil

2. Minutes of Previous Meeting

Moved Mr Hewitt, Seconded Cr Foreman

That the Minutes of the Council Assessment Panel Meeting held on 19 December 2023 be confirmed as a true and accurate record of proceedings.

Motion Carried Unanimously (5)

3. Business Arising from Previous Minutes - Nil

4. Reports and Recommendations

4.1 CAP. 23031663 - Advertisement (Real Estate Billboard) to the corner of Smart Road and Australia Avenue Modbury

Moved Ms Taylor, Seconded Mr Mackenzie

That pursuant to the authority delegated to the Council Assessment Panel, the Council Assessment Panel:

- A. RESOLVES that the proposed development is not seriously at variance with the policies in the Tea Tree Gully (City) Development Plan.
- B. RESOLVES to GRANT Development Plan Consent to the application by Mr Karl Fielke to install an advertisement (Real Estate Billboard) Lot 2 Australia Av, Modbury as detailed in Development Application No.23031663 subject to the following conditions and advisory notes:

Conditions

Condition 1

Any type of graffiti which occurs on the subject land shall be removed within seven (7) days of its occurrence.

Reason: To preserve the amenity of the locality.

Condition 2

The signage, herein approved, must be maintained in good repair with all words and symbols being clearly visible at all times.

Reason: To ensure amenity of the site and locality.

Condition 3

The signage, herein approved, must not move, flash, blink or rotate in any manner.

Reason: To preserve and enhance the amenity of the locality and not to distract road users.

Advisory Notes

General Notes

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.
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.
3. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
 - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
 - b. if an appeal is commenced—
 - i. until the appeal is dismissed, struck out or withdrawn; or
 - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

Planning Consent Notes

Note 1

This consent does not obviate the need to obtain any other necessary approvals from any/all parties with an interest in the land.

Note 2

The cost of rectifying any damage or conflict with any existing services or infrastructure arising out of this development will be borne by the applicant.

Note 3

All earthworks must be confined to and contained entirely within the property boundaries and must not encroach on or over the roadside verge/reserve.

Note 4

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 5

This application involves development located on the boundary or within close proximity to the boundary of the allotment. To ensure that the proposed development is constructed within the allotment, it is recommended that a site survey be undertaken to confirm the location of the relevant boundaries.

Motion Carried Unanimously (6)

5. Other Business

5.1 E.R.D. Court Matters Pending - Nil

5.2 Planning Policy Considerations - Nil

6. Information Reports - Nil

7. Time and Date of Next Meeting

6.00pm, 28 February 2024

The Presiding Member declared the meeting closed at 10.07am.

Confirmed.....
Presiding Member 28 February 2024