

Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 19 November 2018, at 5.30 pm, Colonel Light Room, Town Hall, Adelaide

Present – Presiding Member – Mr John Hodgson
Acting Presiding Member – Councillor Anne Moran
Specialist Members – Mr Ross Bateup, Mr Heath Edwards

Apology – Specialist Member – Prof Mads Gaardboe

Confirmation of Minutes

Item No. 1 – Confirmation of Minutes – 29/10/2018 [CAP]

Decision [Mover Mr Heath Edwards/Seconder Councillor Anne Moran]

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 29 October 2018, be taken as read and be confirmed as an accurate record of proceedings.

Non-Complying Applications

Nil

Application for consideration on Merit [Two]

Item No. 3.1 – 43-45 Stanley Street, North Adelaide, SA 5006 (DA/565/2018 – SG) [CAP]

DA/565/2018 - Disclosure of Conflict of Interest

Councillor Anne Moran disclosed a direct personal interest in DA/565/2018 – 43-45 Stanley Street, North Adelaide, as the matter before the Panel relates to a development to which her son and daughter-in-law who live in 22 Sussex Street are representors, left the meeting held in the Colonel Light Room at 5.31 pm and did not take part in any hearings, deliberations or decision of the Panel on the matter.

Representations Listed to be Heard and Heard

Representors:

Mr Andrew Alston – 47 Stanley Street, North Adelaide.

Ms Chantelle Balagengadaran – 22 Sussex Street, North Adelaide *[Not Present]*.

Mr Simon Tonkin, MasterPlan on behalf of Ms Helen Chalmers – 41 Stanley Street, North Adelaide.

Applicant:

Mr Matthew King (Urban and Regional Planning Solutions) on behalf of Mr Mario Civitarese.

Decision [Mover Mr Heath Edwards/Seconder Mr Ross Bateup]

That the development, the subject of the application from Mr M Civitarese for the demolition of the existing dwelling and construction of a two storey residential flat building comprising two dwellings with basement car parking at 43-45 Stanley Street, North Adelaide SA 5006 as shown on plans designated DA/565/2018:

1. Is not seriously at variance with the provisions of the Development Plan and
2. Be GRANTED Development Plan Consent, subject to the following conditions and advices:

Conditions

1. **The Development shall be undertaken in accordance with the plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent as listed below:**
 - Floor Plans, prepared by In Design Works, DWG No. A1-PD02, dated 19 July 2018
 - Elevations, prepared by In Design Works, DWG No. A1-PD03, dated 19 July 2018
 - Streetscape/Section, prepared by In Design Works DWG No. A1-PD04, dated 19 July 2018
 - Landscaping Plan, prepared by LCS Landscapes, DWG No LS.050.18, dated 29 June 2018

to the reasonable satisfaction of the Council except where varied by conditions below (if any).

Reason: *To ensure that the Development is undertaken in accordance with the plans and details submitted.*

2. **A dilapidation survey recording the condition of neighbouring dwellings adjacent the subject site boundary shall be provided to Council prior to the commencement of works, to the satisfaction of Council. As well as recording fabric in good condition, the survey shall also record the location, type and dimensional extent of any existing physical damage to the dwellings that might be affected by the proposed works.**

Reason: *To provide a record prior to the commencement of the proposed works, as reference for the assessment of any potential subsequent damage.*

3. **External materials, surface finishes and colours of the Development shall be consistent with the descriptions hereby granted consent and shall be to the reasonable satisfaction of the Council.**

Reason: *To ensure a high standard of materials and finishes used in the finished presentation of the Development.*

4. **The obscured glazing as depicted on the plans granted consent described as Elevations DWG No. A1-PD03, dated 19 July 2018 shall be installed prior to the occupation or use of the Development and thereafter shall be maintained to the reasonable satisfaction of the Council at all times.**

Reason: *To ensure that the Development does not unreasonably diminish the privacy of residents in adjoining properties.*

5. **The applicant or the person having the benefit of this consent shall ensure that all storm water run off from the development herein approved is collected and then discharged to the storm water discharge system. All down pipes affixed to the Development which are required to discharge the storm water run off shall be installed within the property boundaries of the Land to the reasonable satisfaction of the Council.**

Reason: *To ensure that stormwater runoff does not have an adverse impact upon the public realm.*

6. **The noise level of any air conditioning units located on the Land when assessed at the nearest existing or envisaged future noise sensitive location in or adjacent to the Land shall not exceed 50dB(A) during daytime (7am to 10pm) and 40dB(A) during night time (10pm to 7am) when measured and adjusted in accordance with the relevant environmental noise legislation in operation and that is applicable to the Land except where it can be demonstrated that a high background noise exists in which case such noise levels shall be to the reasonable satisfaction of the Council at all times.**

Reason: *To ensure that the acoustic amenity of the locality is not unduly affected by air-conditioning noise.*

Advices

1. Development Approval will not be granted until Building Rules Consent has been obtained. A separate application must be submitted for such consent. No building work or change of classification is permitted until the Development Approval has been obtained.
2. Pursuant to the provisions of Regulation 48 under the Development Act 1993, this consent / approval will lapse at the expiration of 12 months from the operative date of the consent / approval unless the relevant development has been lawfully commenced by substantial work on the site of the development within 12 months, in which case the approval will lapse within 3 years from the operative date of the approval subject to the proviso that if the development has been substantially or fully completed within those 3 years, the approval will not lapse.
3. It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.
4. No on-street residential parking permits will be issued for use by occupants of, or visitors to, the development herein approved (unless the subject site meets the relevant criteria).
Please contact Customer Centre on 8203 7203 for further information.
5. Section 779 of the Local Government Act provides that where damage to Council footpath / kerbing / road pavement / verge occurs as a result of the development, the owner / applicant shall be responsible for the cost of Council repairing the damage.
6. Any activity in the public realm, whether it be on the road or footpath, requires a City Works Permit. 48 hours' notice is required before commencement of any activity.

The City Works Guidelines detailing the requirements for various activities, a complete list of fees and charges and an application form can all be found on Council's website at www.cityofadelaide.com.au

When applying for a City Works Permit you will be required to supply the following information with the completed application form:

- A Traffic Management Plan (a map which details the location of the works, street, property line, hoarding/mesh, lighting, pedestrian signs, spotters, distances etc.);
- Description of equipment to be used;
- A copy of your Public Liability Insurance Certificate (minimum cover of \$20 Million required);
- Copies of consultation with any affected stakeholders including businesses or residents.

Please note: Upfront payment is required for all city works applications.

Applications can be lodged via the following:

Email: cityworks@cityofadelaide.com.au
 Fax: 8203 7674
 In Person: 25 Pirie Street, Adelaide

Councillor Anne Moran re-entered the Colonel Light Room at 6.01 pm

Item No. 3.2 – 200 Hutt Street & 290 Halifax Street, Adelaide SA 5000 (DA/3/2018 – HD) [CAP]

Representations Listed to be Heard and Heard

Representor:

Mr Danny Milky – 200 Hutt Street, Adelaide [*Not Present*].

Mr Alex Hyde on behalf of himself - 198A Hutt Street, Adelaide and on behalf of Ms Suzanne Barber and Mr Anthony Barber – 294-296 Halifax Street, Adelaide.

Applicant:

Mr Richard Abbott – owner.

Decision [Mover Mr Ross Bateup/Seconder Councillor Anne Moran]

That the development, the subject of the application from Survab Nominees P/L and Mr R P Abbott to construct four storey dwelling with roof top terrace, pergola structure over Halifax Street footpath and garaging at ground level accessed via Corryton Street at 200 Hutt Street & 290 Halifax Street, Adelaide SA 5000 as shown on plans designated DA/3/2018, is not seriously at variance with the provisions of the Development Plan but is REFUSED Development Plan Consent for the following reasons:

- The proposal is not consistent with the desired character for the Main Street (Hutt) Zone which seeks the design of building to reinforce the continuity of street facades, parapet lines and verandahs derived from the solid masonry character of the existing traditional buildings;
- It does not attain Objective 2 of the Main Street (Hutt) Zone which requires development to provide a visually interesting streetscape displaying a high level of fenestration and detail;
- The proposal is inconsistent with Zone Principle of Development Control 10 which seeks development to protect and enhance the traditional nineteenth and early twentieth century retail and residential townscape character of Hutt Street;
- The proposal is not consistent with Zone Principle of Development Control 12 which states that blank elevations unrelieved by architectural detail should be avoided;
- It does not incorporate a setback from the street frontage or incorporate design treatments to reduce the visual presence of the building to achieve an orderly visual transition as sought by Zone Principle of Development Control 17;
- The proposal is inconsistent with Council Wide Principle of Development Control 140 as it does not incorporate design elements that utilise materials, finishes, and other built form qualities that complement the adjacent heritage place;
- The proposal does not achieve Council Wide Principle of Development Control 170 in that the height, scale and massing of the building does not reinforce the desired character, built form public environment and scale of the streetscape as contemplated within the Zone;
- Is not considered to achieve Council Wide Principle of Development Control 180 which requires development to respect the composition and proportion of architectural elements of

building facades that form an important pattern which contributes to the streetscape's distinctive character in a manner consistent with the desired character of a locality;

- Is not considered to achieve Council Wide Principle of Development Control 182 which seeks building facades fronting street frontages, access ways, driveways or public spaces to be composed with an appropriate scale, rhythm and proportion which responds to the use of the building, the desired character of the locality and the modelling and proportions of adjacent buildings;
- Does not achieve safe and convenient access as sought by Council Wide Principle of Development Control 241 and 251.

Other Applications

Nil

Other Business

Item No. 5.1 – List of Recent Lodgements for Planning Consent (2002/03378) [CAP]

The following applications were called in for consideration by the Panel:

1. Record No. 14 – DA/793/2018 – My Physio SA, Ground 274 Melbourne Street, North Adelaide SA 5006 [Presiding Member, Mr John Hodgson]
2. Record No. 18 – DA/800/2018 – 84-86 Melbourne Street, North Adelaide SA 5006 [Presiding Member, Mr John Hodgson]
3. Record No. 27 – DA/812/2018 – 22A Moger Lane, Adelaide SA 5000

Decision [Mover Councillor Anne Moran/Seconder Mr Heath Edwards]

That the report be received.

Other Business raised at Panel Meeting

Item No. 5.2 – Other Business – 2018 Awards for Planning Excellence [CAP]

The Assessment Manager, advised the Panel that the City of Adelaide had been awarded an Award for Planning Excellence in the Category of Improving Planning Processes and Practices for the Project Using 3D Models as a Planning Assessment Tool.

The Presiding Member, Mr John Hodgson congratulated the Assessment Manager, Ms Rebecca Rutschack and staff and on behalf of the Panel requested that congratulations be conveyed to staff.

Closure

The meeting closed at 6.27 pm.

Mr John Hodgson
Presiding Member
City of Adelaide Council Assessment Panel

Documents attached for reference

Item No. 5.2 – Other Business – 2018 Awards for Planning Excellence - Photograph of receipt of Awards viewed during meeting.

