

Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 10 December 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, Prof Mads Gaardboe

Confirmation of Minutes

Item No. 1 – Confirmation of Minutes – 19/11/2018 [CAP]

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

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 19 November 2018, be taken as read and be confirmed as an accurate record of proceedings, subject to the record of proceedings for Item No 5.1 on page 5 being amended by:

- *the deletion of the following -*
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
- *And inclusion of the following -*
The following applications were called in for consideration by the Panel:
 1. Record No. 14 – DA/887/2018 – 67-71 Melbourne Street, North Adelaide SA 5006 [Presiding Member, Mr John Hodgson]
 2. Record No. 18 – DA/891/2018 – 166-180 Hindley Street, Adelaide SA 5000 [Presiding Member, Mr John Hodgson]
 3. Record No. 27 – DA/904/2018 – 97-99 Angas Street, Adelaide SA 5000 [Presiding Member, Mr John Hodgson]

Non-Complying Application [One]

Item No. 2.1 – 87 Hill Street, North Adelaide SA 5006 (DA/556/2018 - EP) [CAP]

Councillor Anne Moran entered the Colonel Light Room at 5.32 pm

Decision [Mover Prof Mads Gaardboe/Seconder Mr Heath Edwards]

That the development, the subject of the application from Tilbrook Rasheed P/L to demolish the existing rear verandah and construct rear dwelling extension at ground floor at 87 Hill Street, North Adelaide SA 5006 as shown on plans designated DA/556/2018:

1. Is not seriously at variance with the provisions of the Development Plan and
2. Be GRANTED Development Plan Consent, subject to the concurrence of the State Commission Assessment Panel and 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:**

- **Job Number 2018 1809 Drawing Number DA02 Issue B**
- **Job Number 2018 1809 Drawing Number DA04 Issue B**
- **Job Number 2018 1809 Drawing Number DA05 Issue B**

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

Reason: *To ensure that the development is carried out in accordance with the approved plans and specifications.*

2. **The connection of any storm water discharge from the Land to any part of the Council's underground drainage system shall be undertaken in accordance with the Council Policy entitled 'Adelaide City Council Storm Water Requirements' which is attached to this consent to the reasonable satisfaction of the Council.**

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

Advices

1. Development Approval will not be granted until a Building Rules Consent has been obtained. This may be obtained through either Council or a Private Building Rules Certifier. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
2. Pursuant to the provisions of Regulation 48 of the Regulations under the Development Act 1993, this consent will lapse at the expiration of 12 months from the operative date of the consent unless the development has been lawfully commenced by substantial work on the site of the development within such period, in which case the approval will lapse within 3 years from the operative date of the consent subject to the proviso that if the development has been substantially or fully completed within those 3 years, the consent 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. The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.
5. The applicant is advised to seek installation of high-performance glazing to the ground level west-facing windows and doors that is designed to minimise heat-loading from sunlight exposure.

Application for consideration on Merit [Four]

Item No. 3.1 – 382 Gilles Street, Adelaide SA 5000 (DA/657/2018 - SG) [CAP]

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

That the development, the subject of the application from Mr T Quagliata and Ms J A Sansom to demolish the rear of existing dwelling and construct two storey addition and retaining walls at 382 Gilles Street, Adelaide SA 5000 as shown on plans designated DA/657/2018:

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:**

- Existing Plan and Elevations, DWG No. Q101, dated 5 September 2018
- Proposed Plans and Elevations, DWG No. Q102, dated 5 September 2018
- Email correspondence from Applicant outlining screening details, dated 23 November 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. **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.*

3. **The 1.6 metre high bronze or copper wire mesh screen with a maximum transparency of 25% as depicted on the plans granted consent described as Proposed Plans and Elevations, DWG No. Q102, dated 5 September 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.*

4. **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.*

5. 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. The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 8463 3555.
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

Item No. 3.2 – The North Adelaide Hotel, 165-169 Tynte Street & 177 -185 Tynte Street, North Adelaide SA 5006 (DA/337/2018 - MF) [CAP]

Representations Listed to be Heard

Representor:

Virginia Hill - Representative of North Adelaide Medical Centre [*Not Present*].

Applicant:

Phil Brunning – Planning Consultant [*Not Heard in the absence of the Representor*]

Decision [Mover Councillor Anne Moran/Seconder Prof Mads Gaardboe]

That the development, the subject of the application from Mr B L Griguol to undertake alterations and change the use of the hotel to a dwelling with access to rear garaging via 183 Tynte Street. at The North Adelaide Hotel, 165-169 Tynte Street & 177 -185 Tynte Street, North Adelaide SA 5006 as shown on plans designated DA/337/2018:

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

Condition

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:**

- Correspondence prepared by Phil Brunning and Associates
- Drawings prepared by Arbon Design numbered md01 and PJ17-14 and titled:
 - Proposed Alterations to the Ground Floor - Floor Plan.
 - Proposed Alterations to the Upper Floor - Floor Plan Option 2.
 - Proposed Alterations to the Ground Floor - Proposed Kitchen + Pantry Layout.
 - Proposed Alterations to the Ground Floor – Front Bar Plan.
 - Proposed Alterations to the Ground Floor – Kitchen + Pantry.
 - Proposed Alterations to the Ground Floor – proposed Laundry + Store Layout.
 - Proposed Alterations to the Upper Floor.

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.*

Advices

1. Development Approval will not be granted until Building Rules Consent and an Encroachment Consent have been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
2. Pursuant to the provisions of Regulation 48 of the Regulations under the Development Act 1993, this consent will lapse at the expiration of 12 months from the operative date of the consent unless the development has been lawfully commenced by substantial work on the site of the development within such period, in which case the approval will lapse within 3 years from the operative date of the consent subject to the proviso that if the development has been substantially or fully completed within those 3 years, the consent will not lapse.
3. 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.
4. This consent does not alleviate the owner's/applicant's obligation to obtain any other consents needed such as community/strata consent or negotiation of access arrangements to the property

Item No. 3.3 – 183-185 Halifax Street, Adelaide SA 5000 (DA/564/2018 - HD) [CAP]

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

That the development, the subject of the application from Colindale Property Developments P/L to construct two, three storey semi-detached dwellings with carports and vehicular access from rear at 183-185 Halifax Street, Adelaide SA 5000 as shown on plans designated DA/564/2018:

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:**
 - Plans drafted by Urban Habitats, Plan nos. PL01, PL02, PL06, PL07, PL08, PL09 all rev C, and PL03, PL04, PL05 all rev B**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 **External materials, surface finishes and colours of the Development shall be consistent with the description and sample 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.*

- 3 **The windows of the ensuite on the second-floor plan (third level) as depicted on the southern elevation of shall be windows which are permanently fixed and translucent to a minimum height of 1800mm above the finished floor level.**

Such windows shall be installed prior to the occupation or use of the Development and thereafter shall be maintained to the reasonable satisfaction of the Council.

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

- 4 The finished floor level of the ground floor level at the entry point to the development shall match the existing footpath unless otherwise agreed to by the Council in writing.**

Reason: *To ensure public footpaths remain level and as such pedestrian safety and amenity is not compromised.*

- 5 The connection of any storm water discharge from the Land to any part of the Council's underground drainage system shall be undertaken in accordance with the Council Policy to the reasonable satisfaction of the Council.**

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

- 6 Prior to Development Approval being granted to the Development, final details of the location air-conditioning plant and equipment located on the Land shall be submitted to the Council for Council's approval. Such details shall be to the reasonable satisfaction of the Council.**

Reason: *To protect the character and amenity of the locality.*

- 7. The windows of the living area on the first floor plan (second level) as depicted on the southern elevation shall be windows which are permanently fixed and shall be translucent glass to a minimum height of 1600mm above the finished floor level of the first floor. Such windows shall be installed prior to the occupation or use of the Development and thereafter shall be maintained to the reasonable satisfaction of the Council**

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

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. The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.
5. 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.

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

7. Pursuant to Regulation 74, the Council must be given one business days' notice of the commencement and the completion of the building work on the site. To notify Council, contact City Planning via d.planner@cityofadelaide.com.au or phone 8203 7185.
8. The applicant or the persons having the benefit of this consent are advised that the adjacent café/restaurant to the east is authorised to provide non-amplified live music until 10 pm.

Item No. 3.4 – Land, 22A Moger Lane, Adelaide SA 5000 (DA/812/2018 - MF) [CAP]

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

That the development, the subject of the application from Mr D Allegretto to construct three, four-storey townhouses on existing allotment (Lot 11) at Land, 22A Moger Lane, Adelaide SA 5000 as shown on plans designated DA/812/2018:

1. Is not seriously at variance with the provisions of the Development Plan and
2. Be REFUSED Development Plan Consent, for the following reasons:
 - The proposal is at odds with the Capital City Zone Desired Character which seeks development of a high quality and amenable design by creating natural light and ventilation to habitable spaces.

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- The proposal is at odds with Zone PDC 6 which seeks development of a high standard of architectural design and finish which is appropriate in the City's role and image as the capital of the State.
 - The proposal does not meet CW PDC 51, 56, 106 and 107 in relation to providing adequate access to natural light/ventilation.
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Other Applications

Nil

Other Business

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

The following application was called in for consideration by the Panel:

1. Record No. 47 – DA/998/2018 – 51-57 Hutt Street, Adelaide SA 5000 [Councillor Anne Moran]

The Panel noted that in response to a query in relation to Record No 5 - DA/1005/2018 – 241-247 South Terrace Adelaide SA 5000 further information would be circulated to Panel Members.

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

That the report be received.

Other Business raised at Panel Meeting

Nil

Closure

The meeting closed at 6.09 pm.

Mr John Hodgson
Presiding Member
City of Adelaide Council Assessment Panel

Documents attached for reference

Nil