

Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 21 January 2019, 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 – 10/12/2018 [CAP]

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

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 10 December 2018, be taken as read and be confirmed as an accurate record of proceedings.

Non-Complying Application

Nil

Application for consideration on Merit [One]

Item No. 3.1 – 28 St John Street, Adelaide SA 5000 (DA/616/2018 - EP) [CAP]

Representations Heard

Representors:

Ms Ann Elizabeth Young and Mr R. K. Young - 24 St John Street, Adelaide

Councillor Anne Moran entered the Colonel Light Room at 5.34 pm

Mr T C Trimbell – 420 Gilles Street, Adelaide

Applicant:

Mr Anton Johnson, Architect on behalf of Mr C. L. Nairn and Ms F. H. English

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

That the development, the subject of the application from Anton Johnson Architect to demolish the existing dwelling and remove a regulated tree and construct a two storey dwelling and swimming pool at 28 St John Street, Adelaide SA 5000 as shown on plans designated DA/616/2018:

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:**
 - **Ground Floor plan - Drawing No WD01/03 Revision A**

- Upper Floor Plan - Drawing No WD02 Revision B
 - Roof Plan - Drawing No WD04 Revision A
 - Elevations (South and West) - Drawing No WD07 Revision A
 - Elevations (North and East) Drawing No WD08 Revision B
 - Sections 2-2 - Drawing No WD10 Revision A
 - Front Fence Elevation - Drg No 2018/306/SK13 Revision A
 - Tree Report by Dean Nicolle dated 26 February 2018
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 Upper Floor Plan DWG No. WD07 Revision A and Elevations DWG No WD08 Revision B 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 timber privacy screens as depicted on the plans granted consent shall be installed prior to occupation and thereafter shall be maintained to the reasonable satisfaction of Council at all times. The maximum slat gap of the timber screens to the balcony shall not exceed 25% of the total surface area of the screens.**
- Reason: To ensure that the Development does not unreasonably diminish the privacy of residents in adjoining properties.*
6. **The cantilevered privacy screen located along the upper level windows on the northern elevation as depicted on the plans granted consent shall be installed prior to occupation and thereafter shall be maintained to the reasonable satisfaction of Council at all times. The maximum visually permeable gap of the screen shall not exceed 25% of the total surface area of the screen.**
- Reason: To ensure that the visual privacy of the adjacent land is protected from overlooking.*
7. **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.*

8. **The noise level of any pool pump machinery 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 mechanical pool pump noise.

9. **A climbing plant of a species that is to the reasonable satisfaction of Council shall be established prior to occupation of the building and shall be maintained in such a manner as to adhere to the full expanse of the trellis screen on the southern elevation of the building and shall be maintained in good health.**

Reason: To visually soften the appearance of the rendered masonry wall.

10. **The maintenance walkway located between the northern privacy screen and the casual living room and bedroom 1 shall be used only for maintenance purposes and shall not be used as a balcony for recreation purposes.**

Reason: To ensure that the privacy of the adjacent land is preserved.

11. **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.

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).
5. Please contact Customer Centre on 8203 7203 for further information.
6. 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.
7. 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

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. 39 – DA/1070/2018 – Seventh-Day Adventist Church, 82 Angas Street, Adelaide SA 5000 [Prof Mads Gaardboe]
2. Record No. 62 – S49/1/2019 – 50-62 Sussex Street, North Adelaide SA 5006 [Presiding Member, Mr John Hodgson]
3. Record No. 55 - DA/7/2019 – Howland Court, 157-159 Childers Street, North Adelaide SA 5006 [Mr Ross Bateup]

The Panel noted in relation to Record No. 52 – DA/54/2018/A – That further information would be circulated to Panel Members by the Assessment Manager [Mr Heath Edwards].

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

That the report be received.

Other Business raised at Panel Meeting

Nil

Exclusion of the Public from the Panel Meeting

Item No. 6.1 – Exclusion of the Public from attendance at the meeting to Consider Item 7.1 on a Confidential basis (2018/04291) [CAP]

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

That the public be excluded from this part of the meeting of the City of Adelaide Council Assessment Panel dated 21/1/2019, (with the exception of members of Corporation staff and any person permitted to remain) to enable the Panel to consider Item 7.1 on a confidential basis.

[Section 13(2) (viii) (Legal Advice) - *Planning, Development and Infrastructure (General) Regulations 2017 (SA)*]

There were no members of the public or members of Corporation staff not directly involved with the matter to leave the Colonel Light Room at 6.03 pm.

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The Colonel Light Room re-opened to the public at 6.42 pm

Matter Considered in Confidence to remain Confidential (except for the resolution)

Confidential Item No. 7.1 – Various locations throughout Adelaide and North Adelaide [CAP]

Decision

That:

1. The City of Adelaide Council Assessment Panel does not delegate determination of the applications for the change in content of advertising displays on Telstra payphones to the Assessment Manager, Planning Assessment.
2. Item No 6.1 having been dealt with on a confidential basis (legal advice), with the exception of the resolution, remains confidential until the matter has been finalised.
3. The matter, except for the resolution, be excluded from the Minutes.
[Regulation 14(4) *Planning, Development and Infrastructure (General) Regulations 2017 (SA)*]

Closure

The meeting closed at 6.42 pm.

**Mr John Hodgson
Presiding Member
City of Adelaide Council Assessment Panel**

Documents attached for reference

Nil