

Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 11 February 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 – 21/1/2019 [CAP]

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

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 21 January 2019, be taken as read and be confirmed as an accurate record of proceedings.

Non-Complying Application

Nil

Applications for consideration on Merit [Four]

Item No. 3.1 – 182-184 Melbourne Street, North Adelaide SA 5006 (DA/666/2018 - MF) [CAP]

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

That the development, the subject of the application from Mr A Stapleton for the demolition of existing buildings and construction of a four storey mixed use building with basement parking, comprising offices on ground and first floor and apartments on second and third floor and roof top garden at 182-184 Melbourne Street, North Adelaide as shown on plans designated DA/666/2018:

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

Reserve Matters

Pursuant to Section 33(3) of the Development Act, 1993, a decision on the following matters are reserved for further assessment pending the provision of additional information (and must be resolved prior to granting of Development Approval:

1. The applicant or the person(s) having the benefit of this consent is requested to provide a report confirming that the development incorporates the necessary acoustic treatments and noise attenuation measure so as to achieve the minimum requirements as outlined in Council Wide Principle 97 and 98. The Council reserves the right to impose further conditions in relation to this reserved matter following receipt of the said acoustic report.
2. Details of the proposed landscaping and treatment of the ground floor setbacks from Melbourne and Frederick Street be provided including consideration of:
 - Improved visibility and accessibility to the residential foyer/concourse from Frederick Street;

- Disabled access to the main entrance of the ground floor tenancy direct from Melbourne Street;
- Relocating the basement staircase to within the ground floor footprint of the building;
- Design, location and depth of planter boxes and the incorporation of integrated seating;
- Details of paving and finished floor levels relative to adjoining footpath;
- Details of plants to be used and confirmation of their suitability; and
- Adaptability to allow potential future use of the plaza area and adjoining footpath for outdoor dining.

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:**

- Drawings prepared by Progetto Designs numbered 1705-031-1000(A), 1705-031-2000(C), 1705-031-2001(B), 1705-031-3000(C), 1705-031-3001(C), 1705-031-4000(C), 1705-031-4001(B).
- Development Plan Assessment Report prepared by Masterplan Town + Country Planners dated November 2018.
- Correspondence prepared by Masterplan Town + Country Planners dated 18 January 2018.
- Traffic and Parking Report prepared by CIRQA

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. The privacy screening, on the northern balconies, as depicted on the plans granted consent, shall be installed prior to occupation of the building and thereafter shall be maintained to the satisfaction of the Council.**

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

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

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

- 4. The finished floor level of the ground floor level at the entry points to the development including the car park entry and exit points shall match the existing footpath unless otherwise agreed to by the Council in writing.**

Reason: The Corporation of the City of Adelaide WILL NOT adjust footpath levels to suit finished building levels. The existing footpath levels are to be retained and entrance levels of the development must meet the existing back of footpath.

- 5. Clear sight lines for users of the car park entry shall be provided to ensure pedestrian safety along the Frederick Street footpath and shall be provided at all times in accordance with in accordance with AS/NZS 2890.1:2004 Off-street Car Parking.**

Reason: *To ensure that the Development meets the requirements of the relevant Australian Standards.*

6. **All line marking for car park spaces and traffic signs on the Land shall conform to AS/NZS 2890.1:2004 Off-street Car Parking.**

Reason: *To ensure that the Development meets the requirements of the relevant Australian Standards.*

7. **Where stormwater disposal is required, the following requirements shall be complied with:**

- **All car parks, driveways and vehicle manoeuvring areas shall be graded to ensure that no surface water or rubble from within the property is transported across the footpath.**
- **The applicant must ensure that storm water run-off is contained within the property boundaries, collected and discharged to either the Melbourne or Frederick street road reserve.**
- **The applicant must ensure that storm water run-off from the proposed arbour structure is contained within the canopy perimeter, collected and discharged to the building storm water system. All down pipes required to discharge the verandah storm water run-off must be installed within the property boundary.**
- **Collected drainage water from any landscaped areas, planter boxes, seepage collection systems, water features, swimming pools and/or air conditioning units shall be discharged to the sewer.**

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

8. **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' to the reasonable satisfaction of the Council.**

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

9. **Lighting shall be provided to the building entries and shall be operational during the hours of darkness at all times and / or fitted with motion detectors to the reasonable satisfaction of Council.**

Reason: *To ensure the development does not create areas with insufficient lighting.*

10. **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 55dB(A) during daytime (7 am to 10 pm) and 45dB(A) during night time (10 pm to 7 am) when measured and adjusted in accordance with the relevant environmental noise legislation in operation and applicable to the Land except where it can be demonstrated by the applicant or the person(s) having the benefit of this consent 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.*

11. **The final details of the ongoing waste management practices to be adopted by the applicant or the person(s) having the benefit of this consent, shall be submitted to and**

approved by the Council prior to the granting of development approval to the Development.

The applicant or the person(s) having the benefit of this consent shall ensure that such waste management practices are adopted on the Land at all times to the reasonable satisfaction of Council.

Reason: *To ensure that adequate waste management practices are adopted during the use of the Development.*

12. Ancillary activities such as deliveries, collection, movement of private waste bins, goods, empty bottles and the like shall not occur:

- I. after 10.00pm; and**
- II. before 7.00am Monday to Saturday or before 9.00am on a Sunday or Public Holiday.**

Reason: *To ensure minimal disturbance to residents.*

Advices

1. Residential parking permits to allow parking on-street, adjacent the proposed development will not be considered as an appropriate means of providing parking for residents or those staying in the apartments.
2. A Building Site Management Plan is required prior to or at the time of application for Development Approval. The Building Site Management Plan should include details of such items as:
 - Work in the Public Realm
 - Street Occupation
 - Hoarding
 - Site Amenities
 - Traffic Requirements
 - Servicing Site
 - Adjoining Buildings
 - Reinstatement of Infrastructure
3. 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.
4. 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.
5. 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.
6. 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.

7. 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.
8. There is no objection to the proposed vehicle crossing place however, due to the presence of stone kerbing, the work shall be undertaken by Council and the cost of the work will be charged to the applicant. A separate application for the crossing place(s) is required and the applicant can obtain a form from Customer Service, 25 Pirie Street, Adelaide, telephone 8203 7236. A quotation for the work will be provided by Council prior to the work being undertaken.
9. 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.adelaidecitycouncil.com

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 received by Council via the following:

Email: cityworks@adelaidecitycouncil.com

Fax: 8203 7674

In Person: 25 Pirie Street, Adelaide

10. It is recommended that the applicant investigates the removal or relocation of the existing power pole within Frederick Street to allow for the widening of the existing crossover to six (6) metres in width in accordance with Council standards.
11. Given the proposed change to two-way movement along the ROW, it is recommended that the applicant considers expanding the existing rights of way enjoyed by neighbouring properties over the rear laneway to incorporate and include the area hatched in white on the approved site plan and indicated as driveway along the rear of the subject land.
12. Council owned assets.

There are no objections to this development, subject to the following matter/s being addressed:

Roads / Footpaths

- Any damage caused to CoA's road, footpath and kerbing infrastructure during development will be the responsibility of the developer to rectify to a standard that equals or improves the pre-development condition.
- CoA will inspect the works after completion for standards and specification compliance.
- Any disused driveway inverts resulting from the development are to be reinstated to equivalent footpath levels to CoA standards and specifications.
- Existing crossovers and new crossovers highlighted on Frederick Street under this development. All new or alterations to existing crossovers firstly require CoA approval outside of the DA process. These need to be to CoA's standards and specifications via the City Works Guidelines.

- Existing boundary (back of path) levels must not be modified. Finished floor levels should be based around retaining the existing back of path levels subject to the following:
 - If the level difference between top of kerb and back of path is less than 50 mm
 - If the existing cross fall(s) exceed 4% (1:25)
- If any of the above conditions exist for any footpath infrastructure that services, the perimeter of the site boundary then please contact the Lead Asset Consultant Streets prior to setting finished floor levels.
- Footpath reinstatements associated with works will need to match surrounding materials and pavement composition
- No encroachment into the footpath related to the installation of the façade will be acceptable

Lighting / Electrical / CCTV

- The proposed development works may impact on the public lighting within the proximity of the development site. There is an existing CoA street light installed with associated underground ducting and pits on Melbourne Street out the front of the project. The street lighting in Frederick Street is owned and maintained by SAPN and consists of stobie poles, overhead cabling and street lights.
- All modifications requiring temporary removal/relocation/provision of temporary lighting/reinstatement of existing Council and/or SA Power Network's public lighting (including associated infrastructure such as cabling etc) shall meet Councils' requirements. The works shall be carried out to meet Councils' requirements and all costs borne directly by the developer.
- If temporary hoarding or site works require modification of existing Council and/or SA Power Network's public lighting (including associated infrastructure such as cabling etc.) shall meet Councils' requirements. The works shall be carried out to meet Councils' requirements and all costs borne directly by the developer.
- Obtrusive Lighting – Lighting design and installation to be fully compliant with Australian Standard - AS 4282 – 1997 Control of the obtrusive effects of outdoor lighting. Sign off by consultant required to confirm compliance. In addition, provide relevant lighting calculation grid detailing property boundary lines for Councils review and records.
- All damage to CoA's infrastructure, including damage to public lighting and u/g ducting etc caused by projects works or loading of site crane onto pathways will be repaired to meet Councils requirements and the cost of the developer.

Street Tree(s) / Landscaping

- All works around street trees is done in accordance with AS 4970-2009 Protection of Trees on Development Sites
- Any requirement to prune CoA trees is to be done ONLY by CoA staff once permission is granted.
- Tree removal will only be allowed when all alternative development options have been exhausted.
- Tree removals will activate the application of the CoA Amenity Tree Valuation Formula. The resultant valuation will be added to all other tree removal/replacement costs to be borne by the developer.

Item No. 3.2 – Adelaide Zoo, Frome Road, Adelaide SA 5000 (DA/934/2018 - SG) [CAP]

Representation from Applicant Heard

At the request of the Presiding Member, Kieran Power [Urban Planner WAX Design] who was present in the Public Gallery, joined the meeting to respond to questions from Panel Members.

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

That the development, the subject of the application from Adelaide Zoological Gardens for removal of two (2) buildings, construction of two (2) new buildings and associated structures, refurbishment of four (4) buildings, minor structures (canopies) and landscaping (within the relocated Children's Zoo precinct) at Adelaide Zoo, Frome Road, Adelaide SA 5000 as shown on plans designated DA/934/2018:

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 Development Assessment Commission 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:**

Plans prepared by Wax Design Pty Ltd as follows:

- Site Plan, DWG No. DA1.02, Rev A, dated 25.10.18
- Animal Barn Enclosures Site Plan, DWG No. DA2.01, dated 25.10.18
- Barns Ground Floor Plan, DWG No. DA2.02, dated 25.10.18
- Barn Mezzanine Floor Plan, DWG No. DA2.03, dated 25.10.18
- Nursery Ground Floor Plan, DWG No. DA2.04, dated 25.10.18
- Toilet Alterations Floor Plan, DWG No. DA2.05, dated 25.10.18
- Roof Plan, DWG No. DA2.06, dated 25.10.18
- Elevations, DWG No. DA3.01, dated 25.10.15
- Frome Road Sections, DWG No. DA4.01, dated 25.10.18
- Goats & Pram Area Sections, DWG No. DA4.02, dated 25.10.18
- Materials, DWG No. DA7.01, dated 25.10.18

Other documents:

- Landscaping Plan, stamped received 19 December 2018
- Perspectives of proposed development, stamped received 19 December 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 landscaping depicted on the plans shall be maintained in good health and condition at all times to the reasonable satisfaction of the Council. Any dead or diseased plants or trees shall be replaced forthwith to the reasonable satisfaction of the Council.**

Reason: *To provide amenity for the occupants of building and those of adjacent buildings through the provision of landscaping as part of the Development.*

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. 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. 3.3 – Seventh-Day Adventist Church, 82 Angas Street, Adelaide SA 5000 (DA/1070/2018 - MF) [CAP]

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

That the development, the subject of the application from Metro Signs to replace existing freestanding sign with freestanding illuminated pillar sign at Seventh-Day Adventist Church, 82 Angas Street, Adelaide SA 5000 as shown on plans designated DA/1070/2018:

1. Is not seriously at variance with the provisions of the Development Plan and
2. Be REFUSED Development Plan Consent, for the following reason:

- The proposed sign does not meet CW PDC217 as it results in limited sight lines of pedestrians and causes a potentially hazardous feature.

Item No. 3.4 – Adjacent, 157 Grote Street, Adelaide SA 5000 (DA/521/2018 - HD) [CAP]

Representation from Applicant Heard

At the request of the Presiding Member, Pete Manwaring [TON / Payphone Product Principal, Growth and New Business, Media, Product and Technology, Telstra] who was present in the Public Gallery, joined the meeting to respond to questions from Panel Members.

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

That the development, the subject of the application from JCDECAUX to change in content of the advertising display on a payphone adjacent, 157 Grote Street, Adelaide SA 5000 as shown on plans designated DA/521/2018:

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:
 - Location plan drafted by JCDecaux Australia Pty Ltd, survey no. SS-ADE-COA-012-B, date 6 July 2018
 - General Telstra Smart Hub payphone specification
 - Planning report from Ekistics titled “Telstra’s Smart Media Network: Smart City Payphones – Site: 157 Grote Street”

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. Luminance levels for the sign shall be set prior to the operation of the LED sign and shall be set so as not to cause glare or discomfort to the road user and, at minimum, shall comply with Australian Standard AS 4282-1997 to the reasonable satisfaction of Council.

Reason: *To ensure that the Development does not create a hazard and endanger public safety.*

Advices

1. Pursuant to the provisions of Regulation 48 of the Regulations under the Development Act 1993, this approval will lapse at the expiration of 12 months from the operative date of the approval 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.
2. 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 received by Council via the following:

Email: cityworks@cityofadelaide.com.au

Fax: 8203 7674

In Person: 25 Pirie Street, Adelaide

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. 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. Non-Telstra related 3rd party advertising on the payphones will require a permit to be issued by the City of Adelaide, under S222 of the Local Government Act, prior to its installation.

Other Applications

Nil

Other Business

Item No. 5.1 – List of Recent Lodgements for Planning Consent (2017/02505) [CAP]

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

1. Record No. 1 – DA/18/2019 – 124-132 Waymouth Street, Adelaide SA 5000 [Presiding Member, Mr John Hodgson]

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

That the report be received.

Other Business raised at Panel Meeting

Nil

Council Assessment Panel – Meeting Minutes



Closure

The meeting closed at 6.14 pm.

Mr John Hodgson
Presiding Member
City of Adelaide Council Assessment Panel

Documents attached for reference

Nil