

Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 25 March 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 – 4/3/2019 [CAP]

Decision [Mover Councillor Anne Moran/Prof Mads Gaardboe]

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 4 March 2019, be taken as read and be confirmed as an accurate record of proceedings.

Non-Complying Applications

Nil

Applications for consideration on Merit [Six]

Item No. 3.1 – 13 Curtis Street, North Adelaide SA 5006 (DA/1060/2018 – PC) [CAP]

Representations Heard

Representors:

Mr Michael Kalleske on behalf of Patricia Kalleske – 80 Archer Street, North Adelaide

Applicant:

David Hutchinson from Access Planning on behalf of the applicant Susan Campbell – 13 Curtis Street, North Adelaide

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

That the development, the subject of the application from Pajato Developments No.2 for single storey rear extension and two storey rear garage with upper level studio at 13 Curtis Street, North Adelaide SA 5006 as shown on plans designated DA/1060/2018:

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:**
 - **Dimension Design Studio – Project No, 1199.18 – Sheet 1 of 6, 2 of 6, 3 of 6, 4 of 6, 5 of 6 and 6 of 6 – Received 5 March 2019**

- **Dimension Design Studio – Project No, 1199.18 – Shadow Plan – Received 5 March 2019**

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 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.*

4. **The applicant or the person having the benefit of this consent shall ensure that all storm water runoff 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 runoff 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.*

6. **The windows of the upper level studio as depicted on the Sheet 4 of 6 – Elevations shall be windows which are permanently fixed. Such windows shall be translucent 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. Street Numbering

Any street numbering which may have been indicated on this application has neither been approved nor denied. To avoid any potential confusion regarding the addressing of your development, it is recommended that you contact the Rates and Valuation Section to confirm the correct address prior to the commencement of marketing. The Rates and Valuation Section can be contacted on 8203 7128 or 8203 7129.

2. Commencement and Completion

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.

3. Expiration Time of Approval

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.

4. Building Consent for Approval

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.

5. Boundaries

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. Building Site Management Plan

A Building Site Management Plan is required prior to construction work beginning on site. 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

7. Site Theft

Unsecured building sites have been identified as a soft target for vandalism and theft of general building materials. The Adelaide Local Service Area Police and the Adelaide City Council are working together to help improve security at building sites. Items most commonly stolen or damaged are tools, water heaters and white goods. To minimise the risk of theft and damage, consider co-ordinating the delivery and installation of the goods on the same day. Work with your builder to secure the site with a fence and lockable gate. Securing the site is essential to prevent unauthorised vehicle access and establishes clear ownership. If you have any further enquiries about ways to reduce building site theft, please do not hesitate to contact the Adelaide Local Service Area Community Programs Section on 8463 7024. Alternatively, you can contact Adelaide City Council for further assistance and information by calling Nick Nash on 8203 7562.

8. **Damage to Council's Footpath / Kerbing / Road Pavement / Verge**

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.

9. **City Works Permit**

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

10. **Studio in association with dwelling**

The upper level studio herein approved is to be used in association with the main dwelling. If the land is used for other purposes, a change in land use may be required.

Item No. 3.2 – 2-8 Wellington Square, North Adelaide SA 5006 (DA/187/2019 – HD) [CAP]

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

That the development, the subject of the application from Fare & Square to change hours of operation of existing cafe to Sunday to Thursday 7am – 10pm and Friday and Saturday 7am – 11pm at 2-8 Wellington Square, North Adelaide SA 5006 as shown on plans designated DA/187/2019:

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:**
 - **Planning report compiled by Planning Chambers Pty Ltd, ref. 18-005 let02, dated 19 March 2019****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 hours of operation for the café on the Land on shall be limited to the following:

- **Sunday to Thursday 7am – 10pm**
- **Friday and Saturday 7am – 11pm (kitchen closed at 10pm)**

Reason: To ensure the Development does not unduly diminish the enjoyment of other land in the vicinity of the Development.

3. Noise from the premises such as music and patron noise, when assessed at the nearest existing or envisaged future noise sensitive location, shall be less than 8dB(A) above the level of background noise in any octave band of the sound spectrum. Such noise levels shall be to the reasonable satisfaction of the Council at all times.

Reason: To ensure that the Development does not unduly impair or impinge upon the enjoyment of residents or users of adjoining properties.

4. Only background music is permitted and shall be played at a level where patrons can comfortably hold a conversation without having to raise voices, to the reasonable satisfaction of Council.

Reason: To ensure the proposal does not unduly diminish the enjoyment of other land in the vicinity of the Development.

5. Ancillary activities such as deliveries, collection, movement of private waste bins, goods, empty bottles and the like shall occur before 8.00 pm and after 7.00 am Monday to Saturday or after 9.00 am on a Sunday or Public Holiday.

Reason: To ensure that the Development does not unduly diminish the enjoyment of other land in the locality.

Advices

1. Expiration Time of Approval

Pursuant to the provisions of Regulation 48 under the Development Act 1993, this approval will lapse at the expiration of 12 months from the operative date of the 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.

Item No. 3.3 – 13-19 Frederick Place, North Adelaide SA 5006 (DA/966/2018 - SG) [CAP]

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

That the development, the subject of the application from Genworth Homes P/L to demolish existing dwelling and the construct two (2) x two (2) storey detached dwellings at 13-19 Frederick Place, North Adelaide, North Adelaide SA 5006 as shown on plans designated DA/966/2018:

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 prepared by Oxford Architects as follows:

- **Demolition Plan, DWG No. SK02, Rev A, stamped received 6 March 2019**

- **Site Plan, DWG No. SK03, Rev C, stamped received 6 March 2019**
- **Ground Floor Plan, SK04, Rev C, stamped received 6 March 2019**
- **First Floor Plan, SK05, Rev C, stamped received 6 March 2019**
- **Elevations 1, DWG No. SK06, Rev C, stamped received 6 March 2019**
- **Elevations 2, DWG No. SK07, Rev C, stamped received 6 March 2019**
- **Elevations 3, DWG No. SK08, Rev C, stamped received 6 March 2019**

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 timber privacy screening for the balcony associated with Residence 2 as depicted on the plans granted consent described as First Floor Plan DWG No. SK05, Rev C, and Elevations 2 DWG No. SK07, Rev C (both stamped received 6 March 2019), as well as the opaque glazing for the upper levels of both Residence 1 and 2 as depicted on Elevations 1 DWG SK06, Rev C and Elevations 2 DWG No. SK07, Rev C (both stamped received 6 March 2019) shall be installed prior to the occupation or use of the Development and thereafter shall be maintained to the reasonable satisfaction of 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.

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. 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. 3.4 – 14-16 Hallett Street, Adelaide SA 5000 (DA/773/2018 - SG) [CAP

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

That the development, the subject of the application from Mr. M. J. Schramm to construct a two (2) storey dwelling at 14-16 Hallett Street, Adelaide SA 5000 as shown on plans designated DA/773/2018:

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 prepared by Ply Architects as follows:

- **Site Plan, DWG No. 05, stamped received 27 February 2019**
- **Floor Plans, DWG No. 10, stamped received 27 February 2019**
- **Elevations, DWG No. 40, stamped received 27 February 2019**
- **Design Response, DWG No. 03, stamped received 27 February 2019**
- **Environmental Sustainability, DWG No. 04, stamped received 27 February 2019**

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 obscure glass privacy screening for the balcony as depicted on the plans granted consent described as Elevations DWG No. 40, stamped received 27 February 2019, 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 recommendations outlined in Section 7.0 of the Preliminary Site Investigation Report prepared by Agon Environmental, dated 8 March 2019, shall be undertaken, both during and post construction, to the satisfaction of Council, as follows:**

During Construction

An Unexpected Find Protocol (UFP) be prepared and implemented during redevelopment works. Materials showing any indication of contamination should be segregated and stockpiled for assessment of management options, including onsite reuse or offsite disposal.

Post Construction

Any landscaped areas on the site should utilise imported garden soils and shallow rooted plants. If site soils are proposed to be use in landscaping, these should be assessed for suitability prior to their use.

Reason: To ensure potential site contamination is addressed in a safe manner and the site is suitable for the proposed use.

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. 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

6. Should access not be available from the adjacent right of way to the south for construction purposes, then the materials and construction methodology may need to be amended. This may necessitate the submission of a variation development application.

Item No. 3.5 – 17-21 Selby Street, Adelaide SA 5000 (DA/901/2018 - MF) [CAP]

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

That the development, the subject of the application from NNT Lantern P/L to change the use of a portion of land to be used as an ancillary staff car park in association with restaurant located at 12 - 14 Selby Street at 17-21 Selby Street, Adelaide SA 5000 as shown on plans designated DA/901/2018:

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:**

- **Site and proposed plan dated 22 April 2018.**
- **Photograph and annotated aerial image**
- **Copy of Car Parking License prepared by Commercial & Legal.**

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 temporary car park, herein approved, shall only operate as an ancillary car park to the Lantern by Nu restaurant located at 12 - 14 Selby Street. The use shall cease within 24 months from the date of development approval.**

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

- 3. All car parks, driveway and vehicle manoeuvring areas on the Land shall be, drained, paved and sealed prior to the operation of the carpark to the reasonable satisfaction of the Council to ensure that no surface water or rubble on the Land is transported across the adjacent public footpath.**

Reason: *To ensure that water/rubble is not transported onto a public footpath and as such does not compromise pedestrian safety.*

- 4. The finished floor level of the car park entry and exit points on the Land shall match the adjacent road level 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. All storm water drainage shall discharge so that it does not flow or discharge onto land of adjoining owners or, in the opinion of Council, detrimentally affect structures on this site or any adjoining land.**

Reason: *To ensure storm water is disposed of in a controlled manner.*

- 6. The car park shall always be secured to the reasonable satisfaction of council.**

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

Advices

1. The car park layout, as shown in the plans, does not conform with the relevant Australian Standards. Thus, the car park shall only be for the use of employees i.e. no public parking is permissible.
2. 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.
3. 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.
4. 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:
 0. Work in the Public Realm
 1. Street Occupation

2. Hoarding
3. Site Amenities
4. Traffic Requirements
5. Servicing Site
6. Adjoining Buildings
7. Reinstatement of Infrastructure

Unsecure building sites have been identified as a soft target for vandalism and theft of general building materials. The Adelaide Local Service Area Police and the Adelaide City Council are working together to help improve security at building sites. Items most commonly stolen or damaged are tools, water heaters and white goods. To minimise the risk of theft and damage, consider co-ordinating the delivery and installation of the goods on the same day. Work with your builder to secure the site with a fence and lockable gate. Securing the site is essential to prevent unauthorised vehicle access and establishes clear ownership. If you have any further enquiries about ways to reduce building site theft, please do not hesitate to contact the Adelaide Local Service Area Community Programs Section on 8463 7024. Alternatively, you can contact Adelaide City Council for further assistance and information by calling Nick Nash on 8203 7562.

5. 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

6. 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.
7. 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.
8. 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.

Item No. 3.6 – Quality Hotel Rockford Adelaide, 164-180 Hindley Street, Adelaide SA 5000 (DA/343/2018/A - HD) [CAP]

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

That the development, the subject of the application from Mr V Horbetl and Rockford Hotels Group P/L to vary previous authorisation demolish and replace the existing cladding, balustrading and parapet to the existing hotel building - VARIATION - Install a LED sign on east facing wall at Quality Hotel Rockford Adelaide, 164-180 Hindley Street, Adelaide SA 5000 as shown on plans designated DA/343/2018/A

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:**
 - **Plan drafted by Black Rabbit Architecture and Interiors, Job no. 0258, sheet 01, rev. A**
 - **Planning statement prepared by Advantage Planning Services, received by Council on 8 March 2019**
 - **Manufacturer’s specification for M-Series Mesh Led Display and accompanying email from Tim Ward, Active Displays, received by Council on 14 March 2019**

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. **All digital display signs shall meet the minimum requirements of the Department of Planning, Transport and Infrastructure’s “Advertising Signs Assessment Guidelines for Road Safety” including the following:**
 - **The proposed sign shall not utilise the colours green, yellow or red as the predominant background colours. Additionally, the above colours shall not be utilised as a block within the advertising display.**
 - **The display shall be static in nature and shall not scroll, flash, move or rotate in any manner.**
 - **Each display shall have a self-contained message that is simple, effective and easily assimilated by glance appreciation, shall not contain any elements of a salacious or controversial nature and shall not imitate a traffic control device in any way.**
 - **The sign shall be operated by a closed-circuit system that is impervious to hacking or unauthorised modification.**
 - **Changeover of display shall ensure there are no flashing effects created and messages shall dwell for a minimum of 30 seconds at a time.**
 - **The operational system for the sign shall incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction. The screen shall only be reactivated in the next available off-peak period.**

- **The sign shall be turned off, or the advertising display modified on the direction of Council or the Commissioner of Highways or their legal delegate, where the sign is deemed to be an unreasonable distraction or is considered to be a hazard to the travelling public.**
- **The luminance levels for the sign shall be set in accordance with the Department of Planning, Transport and Infrastructures Advertising Signs Assessment Guidelines for Road Safety. The level of luminance shall be altered in accordance with any direction of the Commissioner of Highways, or their legal delegate, where this is required in the interest of road safety.**
- **The lead in and out of the sign shall not be able to be read by drivers. The time for the lead in and out must be a maximum of 2 seconds.**

Reason: *To ensure that the Development meets the relevant safety standards.*

Advices

1. **Expiration Time of Approval**

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.

2. **Boundaries**

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.

3. **Public Utilities**

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.

In addition you are advised that the installation of an SA Power Networks transformer within the building may require the submission of a variation application. Furthermore, any proposal to install electricity infrastructure including a transformer or switching cubicle within the public realm will require the consent of Council and may not be forthcoming.

4. **City Works Permit**

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- 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

5. **Building and Encroachment Consent for Approval**

Development Approval will not be granted until Building Rules Consent and 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.

6. **Encroachment Permit**

An Encroachment Permit will be separately issued for the proposed encroachment into the public realm when Development Approval is granted. In particular your attention is drawn to the following:

- An annual fee may be charged in line with the Encroachment Policy.
- Permit renewals are issued on an annual basis for those encroachments that attract a fee.
- Unauthorised encroachments will be required to be removed.

Please contact the Approvals Section on 8203 7421 for further information.

7. **Façade Changes**

Any changes to the approved façade other than the LED display will be the subject of a separate application.

8. **Previous Consent**

The applicant should be aware that the conditions of approval and advices issued with the previous consent (DA/343/2018) where relevant remain valid and should be complied with.

Other Applications

Item No. 4.1 – 50-52 Sussex Street, North Adelaide SA 5006 (S49/1/2019 - MF) [CAP]

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

That the State Commission Assessment Panel be advised that in respect to Development Application S49/1/2019, the Council Assessment Panel supports the redevelopment of the land for residential purposes but has the following concerns relating to this proposal:

Desired Character

The proposal is at odds with the desired character in that:

- The proposal does not re-establish the scale, character and rhythm of residential buildings through the provision of infill development of single storey detached dwellings on smaller frontages.
- The upper level is highly visible and dominant in the streetscape. Two storey development should not be readily seen from Sussex Street.
- The proposed dwellings have not been designed in a traditional form.

Built Form, Design and Heritage

The proposed development fails to address the defining scale, bulk or proportions of the typical Local Heritage Places (cottages) within the street and fails to respond to the desired character for the following reasons:

- The width of each proposed dwelling appears similar to a single-fronted cottage however, the total width of each attached 4-dwelling building exceeds any traditional built form in the street.
- The height significantly exceeds the height of the typical single storey cottages.
- The repetitive nature of 8 identical dwellings compounds the lack of fine detail, articulation of the façade or compatible design proportions called for in the Development Plan.
- The total width of each building is contrary to reinforcing the traditional land pattern (and consequently the built form) in the street.
- The overall width of each proposed building also accentuates the lack of open space evident between the less bulky, traditional cottage forms within the street.
- The upper storey balcony, and associated roof and screen, projects forward of the front wall. This tends to accentuate this element, rather than receding, and is inconsistent with (even a contemporary interpretation of) the design language of the (Local) Heritage Places in the street.

In addition, the following matters require further consideration and / or clarification:

- Insufficient detail of the proposed “low” front fence has been provided.
- The auto gate across the driveway closes off the only “open space” between the buildings and further accentuates the continuous solid “wall” that results from this proposal. This gate also appears exceptionally high, effectively ground floor ceiling height.
- In general, the proposed materials are acceptable. however, the applicant should confirm that the rendered section is masonry not lightweight construction (rendered blue board or similar) as this is specifically spoken against within the Development Plan (PDC 4).
- Further consideration given to the ensure that the development is suitable for people with special access and mobility requirements. Each dwelling has at least one step up into the dwelling and internal door sizes appear to be too narrow to accommodate a wheelchair. At least one dwelling should be constructed in accordance with the requirements set out in Australian Standard AS 4299: ‘Adaptable Housing’, as sought by CW Objectives 6 – 9 and CW PDCs 5 - 9.

Other Matters

In addition to the above, the following comments relate to impacts on Council owned assets within the vicinity of the development.

Traffic

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

- Any disused crossovers shall be closed at the expense of the applicant.

Street Tree(s)

- The proposal requires the removal / relocation of a street tree.
- Sussex Street contains Crepe Myrtles as the predominant street tree. Given the small size of the tree it does not, at this stage, present any significant amenity to the surrounding areas. As such, the removal of the tree is not unreasonable to facilitate the proposed development.
- However, the relocation of the tree may be problematic, and it is suggested that it would be better to remove/replace the tree.
- 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.

Roads / Footpaths Engineering

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

- Any damage caused to CoA's road, footpath or 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.
- 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:
 1. If the level difference between top of kerb and back of path is less than 50 mm
 2. 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

Torrens & Storm Water

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

- Stormwater runoff from the proposed development must be contained within the property boundaries, collected and discharged to Sussex Street. Council cannot approve discharge of stormwater on private property.
- Council supports and prefers the installation of underground stormwater property connections to council stormwater infrastructure, where suitable council infrastructure is available within the road. Please note that it is the property owner's responsibility to verify the location of services within the public realm to ensure any proposed stormwater property connections can be constructed.
- Council encourages the development to minimize the number of stormwater property connection wherever possible.
- The levels of any proposed grated inlet pits or stormwater openings within the building must be designed with an adequate freeboard to the 1% AEP flood level assumed to be top of kerb level adjacent to the stormwater discharge point in Sussex Street.
- Councils stormwater management systems (minor and major rainfall events) have been designed to manage gravitational flows only. Any proposed siphonic roof drainage systems must be designed to attenuate discharge flows to Councils stormwater management systems to equivalent gravitational flows.
- Any collected seepage water from a basement groundwater collection system must be either discharged to sewer or a proposed building recycled water system. Collected untreated groundwater seepage must not be discharged to the property stormwater system.
- Any collected irrigation seepage water from landscape areas, green walls, planter boxes or rooftop gardens must be either discharged to sewer or an irrigation recycled water reuse system. Collected seepage water should not be discharged to the building stormwater system. "Seepage" water does not include stormwater runoff from landscaped areas which can be discharged to the property stormwater system.

- Council supports the capture, storage and reuse of stormwater runoff for irrigation of landscaped elements and toilet flushing throughout the building.

Lighting / Electrical / CCTV

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

- The proposed development works may impact on the public lighting within the proximity of the development site. The existing street lighting along the road consists of City of Adelaide owned street lighting columns. There is one located directly in front of the development, depending on the driveway set-out this may require relocation.
- All works to be undertaken to be fit for purpose in the public realm.
- 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.
- Existing underground services shall be identified and marked in the locality prior to undertaking any excavation works.
- 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.

Should SCAP determine to grant consent to the development, it is recommended that the following conditions and advices be included:

Conditions

1. **The finished floor level of the ground floor level at the entry points to the development including the pedestrian and 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.
2. **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.
3. **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.

Advices

1. 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

2. There is no objection to the proposed vehicle crossing place/alterations to the existing vehicle crossing place(s), however the work will 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, or telephone 8203 7236. A quotation for the work will be provided by Council prior to the work being undertaken.
3. 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.
4. Any street numbering which may have been indicated on this application has neither been approved nor denied. To avoid any potential confusion regarding the addressing of your development, it is recommended that you contact the Rates and Valuation Section to confirm the correct address prior to the commencement of marketing. The Rates and Valuation Section can be contacted on 8203 7128 or 8203 7129.
5. 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 and any other relevant stages as specified in the attached "Notice to Council." To notify Council, contact City Planning via d.planner@cityofadelaide.com.au or phone 8203 7185.
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. In addition, you are advised that the installation of an SA Power Networks transformer within the building may require the submission of a variation application. Furthermore, any proposal to install electricity infrastructure including a transformer or switching cubicle within the public realm will require the consent of Council and may not be forthcoming.

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7. 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.
8. 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.

Other Business

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

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

That the report be received.

Other Business raised at Panel Meeting

The Panel noted that Mr John Hodgson and Prof Mads Gaardboe would be an apology for the next scheduled meeting of the Panel to be held on Monday 15 April 2019.

Closure

The meeting closed at 6.13 pm.

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

Documents attached for reference
Nil