

# Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 17 June 2019, at 5.31 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 – 27/5/2019 [CAP]

#### **Decision** [Mover Prof Mads Gaardboe/Seconder Mr Ross Bateup]

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 27 May 2019, 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 – 9 Stafford Street, Adelaide SA 5000 (DA/85/2016 - SG) [CAP]

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

That the development, the subject of the application from Proske Architects Pty Ltd to construct two, three level semi-detached dwellings with parking at rear accessed from O'Halloran Place at 9 Stafford Street, Adelaide SA 5000 as shown on plans designated DA/85/2016:

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

#### **Conditions**

1. **The Development shall be undertaken in accordance with the plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent as listed below:**
  - **Plans drafted by Proske Architects, project no. 17-043, plan nos. SK01.C dated 4/6/2019 and SK02.B dated 11/6/2019 and SK03.A dated 8/5/2019****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. **Prior to the granting of development approval to the Development the applicant or the person(s) having the benefit of the consent shall submit to the Council samples of the final selection of all external materials, surface finishes and colours of the Development so as to ensure that such samples are consistent with the consent. Such samples 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.*

3. **The windows of the on the second and third floors as depicted on the southern elevation shall be translucent and permanently fixed to a minimum height of 1600mm above the finished floor level of each 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.*

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

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

6. **The development shall include a suitably designed and installed vapour barrier beneath the ground slab or equivalent vapour venting measures as part of the approved development to the reasonable satisfaction of Council. Details of the proposed barrier or other measures shall be provided to Council prior to the issue of Development Approval.**

**Reason:** *To ensure that the development will only occur on land that is suitable for its intended use prior to the commencement of that use.*

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## **Advices**

### **1. 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.

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### **2. Expiration Time of Approval**

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

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### **3. 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.

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### **4. 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.

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### **5. Residential Parking Permits**

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 the City of Adelaide Customer Centre on 8203 7203 for further information.

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## 6. Crossing Places

The vehicle crossing place(s) made redundant as a result of this development will be closed by Council and the applicant will be charged directly for the work. A quotation for the work will be provided by Council to the applicant prior to the work being undertaken.

There is no objection to the proposed vehicle crossing place(s)/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. 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.

## 7. Right of Way

The applicant shall ensure that the right of way to the rear of the property is not blocked or access restricted during the construction of the development herein approved.

## 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](http://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](mailto:cityworks@cityofadelaide.com.au)  
 Fax: 8203 7674  
 In Person: 25 Pirie Street, Adelaide

## 10. 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.

## 11. Footpath Levels

The existing footpath level shall not be modified to suit the floor level of the entry point to the development, unless otherwise agreed to by the Council in writing.

## 12. Dilapidation Survey

A dilapidation survey recording the condition of the dwellings adjacent the subject site boundary to the east and west should be undertaken prior to works being commenced.

As well as recording fabric in good condition, the survey should also record the location, type and dimensional extent of any existing physical damage to the dwellings that might be affected by the proposed works.

### Other Applications

Nil

### Other Business

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

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

1. Record No. 19 – DA/375/2019 – 138-140 Rundle Mall Adelaide SA 5000 [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 and Item 7.2 on a Confidential basis (2018/04291) [CAP]**

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

That the public be excluded from this part of the meeting of the City of Adelaide Council Assessment Panel dated 17/6/2019, (except for members of Corporation staff, Mr Aden Miegel (Norman Waterhouse Lawyers) for Item 7.1 and any person permitted to remain) to enable the Panel to consider on a confidential basis information relating to actual litigation, or litigation that the panel believes on reasonable grounds will take place for:

Item 7.1 – ERD Court Consideration – DA/812/2018

Section 13(2)(a) (ix) and 13(2)(b) of the *Planning, Development and Infrastructure (General) Regulations 2017 (SA)*

Item 7.2 – ERD Court Consideration – DA/3/2018

Section 13(2)(a) (ix) and 13(2)(b) of the *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 5.44 pm.

Item No 7.1 – Matter for Consideration on a Confidential Basis

DA/812/2018

Land, 22A Moger Lane, Adelaide SA 5000 [CAP]

Section 13(2) (a) (ix) [*Planning, Development and Infrastructure (General) Regulations 2017 (SA)*]

Page 7

Item No 7.2 – Matter for Consideration on a Confidential Basis

DA/3/2018

200 Hutt Street & 290 Halifax Street, Adelaide SA 5000 [CAP]

Section 13(2) (a) (ix) [*Planning, Development and Infrastructure (General) Regulations 2017 (SA)*]

Pages 7 - 9



## Council Assessment Panel – Meeting Minutes



The Colonel Light Room re-opened to the public at 6.17 pm

**Matter Considered in Confidence to remain Confidential**

**Confidential Item No. 7.1 – Land, 22A Moger Lane, Adelaide SA 5000 – DA/812/2018 [CAP]**

**Decision**

Item No 7.1 having been dealt with on a confidential basis (information relating to actual litigation, or litigation that the panel believes on reasonable grounds will take place) remain confidential until the matter has been finalised.

The matter be excluded from the Minutes [Regulation 14(4) *Planning, Development and Infrastructure (General) Regulations 2017 (SA)*]

**Confidential Item No. 7.2 – 200 Hutt Street & 290 Halifax Street, Adelaide SA 5000 – DA/3/2018 [CAP]**

**Decision**

Item No 7.2 having been dealt with on a confidential basis (information relating to actual litigation, or litigation that the panel believes on reasonable grounds will take place) remain confidential until the matter has been finalised.

The matter be excluded from the Minutes [Regulation 14(4) *Planning, Development and Infrastructure (General) Regulations 2017 (SA)*]

**Closure**

The meeting closed at 6.17 pm.

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

**Documents attached for reference**

Nil