

Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 19 August 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 – 29/7/2019 [CAP]

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

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 29 July 2019, be taken as read and be confirmed as an accurate record of proceedings.

Non-Complying Applications

Nil

Applications for consideration on Merit [Three]

Item No. 3.1 – 113 Kingston Terrace, North Adelaide SA 5006 (DA/383/2019 - PC) [CAP]

Representations Listed to be Heard and Heard

Representors:

Mr David Bonnin – 117 Kingston Terrace, North Adelaide [*Not Present*]
Mr Will Angove – 198 Stanley Street, North Adelaide

Applicant:

Mr Simon Channon from URPS & Mr Marco Spinelli from Architects Ink on behalf of the applicant Mr. and Mrs Muecke – 113 Kingston Terrace, North Adelaide

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

That the development, the subject of the application from Architects Ink for Partial demolition of existing dwelling and construction of a two (2) level detached dwelling, spa/swimming pool and outdoor fireplace at 113 Kingston Terrace, North Adelaide SA 5006 as shown on plans designated DA/383/2019:

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:

- Architects Ink – Plans and documents – Project No. 19-1144 – Drawing No: SK01, SK02, SK03, SK04, SK05, SK06 and SK07 – Revision A – Dated 29 May 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. A dilapidation survey recording the existing condition of the building abutting the eastern boundary of 117 Kingston Terrace shall be provided to Council prior to the commencement of works, to the satisfaction of Council. As well as recording fabric in good condition, the survey shall also record the location, type and dimensional extent of any existing physical damage to the dwellings that might be affected by the proposed works.

Reason: To provide a record prior to the commencement of the proposed works, as reference for the assessment of any potential subsequent damage.

3. 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 paint finishes 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.

4. All machinery associated with the heating, cleaning and filtration of the spa pool on 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 protect the amenity of neighbouring properties.

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 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.*

7. **A detailed landscaping plan for:**

- **The south and east elevation**
- **The front setback**
- **The sewer easement**

including a list of the species to be planted, the height of the species at the time of planting and the estimated mature height of all plants shall be submitted to and approved by the Council prior to the granting of development approval to the Development.

The establishment of all landscaping shall be undertaken within the following planting season following the substantial completion of the Development and in any event prior to the occupation or use of the Development.

Such landscaping shall be maintained in good health and condition to the reasonable satisfaction of the Council at all times. 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 buildings and those of adjacent buildings through the provision of landscaping as part of the Development.*

8. **The protrusion of the outdoor chimney stack above the wall shall be deleted to the reasonable satisfaction of Council.**

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.

2. Bluestone Kerbing

The stone set into the existing crossover shall be salvaged and re-laid in the new crossover, with the transition detail to match the existing detail.

The existing stone kerb and water table, in the location of the new crossover, shall be salvaged and used to make good the kerb and water table after removal of the existing crossover.

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. 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.

5. Consultation with Adjoining Owners

In addition to notification and other requirements under the Development Act and Fences Act, it is recommended that the applicant / owner consult with adjoining owners and occupiers at the earliest possible opportunity after Development Approval, advising them of proposed development work so as to identify and discuss any issues needing resolution such as boundary fencing, retaining walls, trees/roots, drainage changes, temporary access, waste discharges, positioning of temporary toilets etc.

6. Removal of Street Trees

The applicant shall meet all costs associated with removing the existing street tree(s) on Kingston Terrace and the planting of a replacement tree(s) including modifications to the irrigation system.

7. 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

8. 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.

9. Crossing Places

Crossing made obsolete

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.

New vehicle a crossover required or alterations are to an existing crossover/s

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.

New vehicle a crossover required or alterations are to an existing crossover/s and the works are restricted by existing underground/overhead services:

The proposed vehicle crossing place is approved provided the existing fire hydrant/stobie pole/street light pole/service is/are relocated. The applicant must discuss this matter with the relevant service authority/provider.

10. 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

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.

11. Fences Act 1975

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

12. Colour of wall

The applicant shall negotiate with the neighbour at 198 Stanley Street a potential change to the proposed colour for the south and eastern facing wall of the outdoor entertainment area.

Item No. 3.2 – 180-182 Tynte Street, North Adelaide SA 5006 (DA/24/2019 - PC) [CAP]
Representations Listed to be Heard and Heard

Representors:

Mr David Colovic – 178 Tynte Street, North Adelaide
[Photographs referenced and viewed during address]

Applicant:

Mr Marcus Rolfe from UPRS and Mr Roger Sallis from RSA Law on behalf of
 Mr. Peter David (applicant)

Representation from Applicant Requested

At the request of the Presiding Member, Mr Marcus Rolfe UPRS who was present in the Public Gallery, re-joined the meeting to respond to a question from the Presiding Member.

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

That the development, the subject of the application from Mr P J Davey to construct new spa/pool and planter boxes to existing rear balcony of dwelling at 180-182 Tynte Street, North Adelaide SA 5006 as shown on plans designated DA/24/2019:

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:**

- tesseract international – Project: 18-096 – Sheet No. PL1 – Revision D – Received 20 June 2019
- tesseract international – Project: 18-096 – Sheet No. PL2 – Revision D – Received 20 June 2019
- tesseract international – Project: 18-096 – Sheet No. PL3 – Revision D – Received 20 June 2019
- tesseract international – Project: 18-096 – Sheet No. PL4 – Revision C – Received 20 June 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 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.

- 3. All mechanical machinery associated with the heating, cleaning and filtration of the spa pool on 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 protect the amenity of neighbouring properties.

- 4. Screening landscaping of dense growth so as to prevent overlooking to adjacent land shall be established to all openings to the north façade of the balcony and shall be maintained in good health and vigour to the reasonable satisfaction of Council.**

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

- 5. Details of all associated pool plant equipment including noise output shall be submitted prior to the issue of Development Approval to the satisfaction of Council.**

Reason: To protect the amenity of neighbouring properties.

- 6. All machinery associated with the pool shall be located within the bulkhead of the garage to the reasonable satisfaction of Council.**

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. 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.

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.

4. Buildings Located Across Boundaries

The plans indicate buildings that will cross existing boundaries. The allotments will need to be amalgamated or a land division will need to occur to ensure that the buildings will be contained within allotment boundaries.

5. Drainage Water

Collected drainage water from any landscaped areas, planter boxes, seepage collection systems, water features, swimming pools and air conditioning units must be discharged to the sewer.

6. Noise

The emission of noise from the premises is subject to control under the Environment Protection Act and Regulations, 1993 and the applicant (or person with the benefit of this consent) should comply with those requirements.

Item No. 3.3 – 210 Archer Street, North Adelaide SA 5006 (DA/336/2016/B - HD) [CAP]

Representations Listed to be Heard and Heard

Representors:

Ms Cate Cheetham on behalf of Ms Karin Peters – 204 Archer Street, North Adelaide

Applicant:

Mr David Gameau – owner, 210 Archer Street, North Adelaide

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

That the development, the subject of the application from Ms T J Gameau and Mr D Gameau to vary previous authorisation demolish rear/side extension and garage and construct 2 storey addition, new garage and spa, new front verandah, reinstate front windows front door and fanlight, repair and new render of south and east walls - VARIATION - Alter direction of louvre blades to upper level north facing window at 210 Archer Street, North Adelaide SA 5006 as shown on plans designated DA/336/2016/B:

1. Is not seriously at variance with the provisions of the Development Plan and
2. Be GRANTED Development Plan Consent, subject to the following reserved matters, 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 Troppo Architects, job no. 379, drawing no. 24 issue BR-1
 - Screening detail provided by Troppo Architects, dated 8.8.2019 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 screening devices outlined below:
 - Fixed window louvres as shown on Section B, drawing no. 24, issue BR- 1
 - Obscured glazing to 1600 mm on upper level west facing windows (adjacent the walkway) as shown on Dwg No: 18 – SECTION D – OVERLOOKING
 - Perforated screen (maximum 25% openings) on eastern elevation, as shown on Dwg No: 09 - WEST ELEVATION

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.*

Advices

1. Previous Consent

The applicant should be aware that the conditions of approval and advices issued with the previous consent (DA/336/2016 and DA/336/2016/A), where relevant, remain valid and should be complied with.

Other Applications

Nil

Other Business

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

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

That the report be received.

Council Assessment Panel – Meeting Minutes



Other Business raised at Panel Meeting

Nil

Closure

The meeting closed at 6.44 pm.

Mr John Hodgson
Presiding Member
City of Adelaide Council Assessment Panel

Document attached for reference

Item No. 3.2 - DA/24/2019 – 180-182 Tynte Street, North Adelaide SA 5006 – Photographs viewed during Representation Heard.



