

Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 28 October 2019, at 5.30 pm, Colonel Light Room,
Town Hall, Adelaide

Present – Acting Presiding Member – Councillor Anne Moran
Specialist Members – Mr Marc Duncan, Ms Colleen Dunn and Prof Mads
Gaardboe

Apologies – Presiding Member – Mr Mark Adcock

Appointment of Panel Member to preside

Decision [Mover Prof Mads Gaardboe/Seconder Ms Colleen Dunn]

That Councillor Anne Moran preside for the meeting of the City of Adelaide Council Assessment Panel held on 28 October 2019 or until the appointment of a permanent Acting Presiding Member.

Items of Business [Two]

Item No. 1.1 – Adoption of Meeting Procedures, Appointment of Permanent Acting Presiding Member and Adoption of Meeting Schedule (2019/02186) [CAP]

Decision [Mover Prof Mads Gaardboe/Seconder Ms Colleen Dunn]

That:

1. The City of Adelaide Council Assessment Panel adopts the Meeting Procedures as set out in Attachment A to Item 1.1 on the Agenda for the meeting of the City of Adelaide Council Assessment Panel held on 28 October 2019.
2. The City of Adelaide Council Assessment Panel appoints for the CAP term a permanent Acting Presiding Member who will preside over meetings when the Presiding Member is unavailable.
3. The City of Adelaide Council Assessment Panel adopts the Meeting Schedule as set out in Attachment B to Item 1.1 on the Agenda for the meeting of the City of Adelaide Council Assessment Panel held on 28 October 2019.

Appointment of Permanent Acting Presiding Member - Disclosure of Conflict of Interest

Councillor Anne Moran disclosed a direct pecuniary interest, as the nominee, as the matter of an appointment of an Acting Presiding Member before the Panel contains associated remuneration, left the meeting held in the Colonel Light Room at 5.33 pm and did not take part in any deliberations or decision of the Panel on the matter.

Decision [Mover Prof Mads Gaardboe/Seconder Ms Colleen Dunn]

The City of Adelaide Council Assessment Panel appoints for the CAP term Councillor Anne Moran as the permanent Acting Presiding Member who will preside over meetings when the Presiding Member is unavailable.

Council Assessment Panel – Meeting Minutes



Councillor Anne Moran re-entered the Colonel Light Room at 5.34 pm

Item No. 1.2 – Confirmation of Minutes – 30/9/2019 [CAP]

Decision [Mover Prof Mads Gaardboe/Seconder Ms Colleen Dunn]

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 30 September 2019, be taken as read and be confirmed as an accurate record of proceedings.

Non-Complying Applications

Nil

Application for consideration on Merit [Five]

Item No. 3.1 – 69-79 Gilbert Street, Adelaide SA 5000 (DA/453/2019, SG) [CAP]

Representations Listed to be Heard and Heard

Representors:

- Ms Lisa Carter – 81 Gilbert Street, Adelaide
- Mr Jason Tan – 81 Gilbert Street, Adelaide
- Ms Taryn Kelly on behalf of Mr Michael & Mrs Robyn Kelly – 10 Stafford Street, Adelaide
- Ms Elizabeth Leonard – 12a Stafford Street, Adelaide *[Not Present]*

Applicant:

Mr Anthony Donato - Applicant

Decision [Mover Prof Mads Gaardboe/Seconder Mr Marc Duncan]

That the development, the subject of the application from Anthony Donato Architects to change the use from office and warehouse to office, shops and cafe including associated internal and external alterations and a car stacker system within building at 69-79 Gilbert Street, Adelaide SA 5000 as shown on plans designated DA/453/2019:

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:**

Plans prepared by Anthony Donato Architects as follows:

- **Streetscape & Site Plan, DWG No. DD01, dated June 2019**
- **Demolition Plan, DWG No. DD02, dated June 2019**
- **Proposed Ground Floor Plan, DWG No. DD03 Rev A, dated 25 September 2019**
- **Proposed Upper Floor Plan & Section, DWG No. DD04, dated June 2019**
- **North & East Elevations, DWG No. DD05, dated June 2019**
- **South & West Elevations, DWG No. DD06, dated 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. **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 hours of operation for the café/shop on the Land shall be limited to 7am and 10pm Monday to Friday and 9am to 10pm Saturday and Sunday. The hours of operation for the shops on the Land shall be limited to 8am to 7pm Monday to Saturday.**

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

4. **Noise from the car stacker shall not exceed 50 dB(A) during daytime (7.00am to 10.00pm) or 40 dB(A) during night time (10.00pm to 7.00am) when measured and adjusted in accordance with the Environment Protection (Noise) Policy 2007.**

Noise from vehicles on the subject site at night (10.00pm to 7.00am) shall not exceed Leq 45 dB(A) or Lmax 60 dB(A) when measured at a location equivalent to a bedroom window of a residence existing at the date of this approval.

Reason: *To ensure the acoustic amenity of the locality is not unduly affected by air-conditioning noise.*

5. **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. The finished floor level of the car park entry and exit points on the Land shall match the adjacent O'Halloran Lane level unless otherwise agreed to by the Council in writing.**

Reason: *To ensure public footpaths and roads remain level and as such pedestrian and vehicle safety and amenity is not compromised.*

Advices

1. External Signs

This consent does not include signage for which a separate application must be submitted.

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. 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. Crossing Made Obsolete

The Gilbert Street vehicle crossing place 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.

5. 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

Item No. 3.2 – 421-425 Pulteney Street, Adelaide SA 5000 (DA/566/2019, DB) [CAP]

Decision [Mover Mr Marc Duncan/Seconder Ms Colleen Dunn]

That the development, the subject of the application from FORME PROJEX for demolition of existing building and construction of a nine storey building comprising 35 residential dwellings, ground floor retail tenancy and 34 car parking spaces at 421-425 Pulteney Street, Adelaide SA 5000 as shown on plans designated DA/566/2019:

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

Reserved Matters

Pursuant to Section 33(3) of the Development Act, 1993, a decision on the following matter is reserved for further assessment pending the provision of further information (and must be resolved prior to granting of Development Approval of Stage 2 of the development):

- The applicant or the person(s) having the benefit of this consent shall provide, prior to the granting of development approval of the development, a report prepared by a suitably qualified Contaminated Land Consultant to determine, based on the findings from further site investigations, whether a detailed Phase II site assessment and/or Phase III site remediation should be undertaken and shall be submitted to Council. The recommendations of the report shall be carried out to the reasonable satisfaction of Council.

(Note: A further Decision Notification Form will be issued when the Reserved Matter has been satisfied with the provision of further information. No work can commence until these matters have been resolved and you have received Development Approval from Council.)

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 Locus Architecture numbered DPC.001, DPC.002, DPC.003, DPC.003a, DPC.003b, DPC.004, DPC.005, DPC.006, DPC.007, DPC.007a, DPC.008, DPC.009, DPC.010, DPC.011, DPC.012, DPC.013, DPC.014, DPC.015, DPC.016, DPC.017, DPC.018, DPC.019, dated 25 September 2019**
 - **Planning Report and addendum prepared by Masterplan Planning Consultants, including**
 - **Parking and Access Assessment prepared by Cirqa;**
 - **Environmental Site History Assessment prepared by A.M. Environmental Consulting Pty Ltd**
 - **Building Services Assessment Report prepared by Bestec;**
 - **Email from Masterplan confirming staging of the proposed development, sent 22 October 2019**

- **Email from Masterplan seeking a 24 month commencement date, sent 28 October 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 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.*

- 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.**

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.*

- 4. 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.*

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 24 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 24 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 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.

3. 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.

4. 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
-

5. 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.

6. 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

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

Item No. 3.3 – Adjacent, 118 King William Street, Adelaide SA 5000 (DA/454/2018, HD) [CAP]

Decision [Mover Prof Mads Gaardboe/Seconder Mr Marc Duncan]

That the development, the subject of the application from JCDecaux for a change in content of advertising on telephone booth adjacent 118 King William Street, Adelaide SA 5000 as shown on plans designated DA/454/2018:

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:**

- **Amended plan drafted by JC Decaux Australia Pty Ltd, survey no. SS-ADE-COA-054, revision E, as amended 5/9/2019**
- **Accompanying letter from Ekistics dated 9 October 2019**
- **General Telstra Smart Hub payphone specification**
- **Planning report from Ekistics titled "Telstra's Smart Media Network: Smart City Payphones – Site: 110 King William 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. **The proposed sign shall operate in accordance with DPTI's Advertising Signs Assessment Guidelines for Road Safety as per 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 sign shall not scroll, flash, move, be animated 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 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.
 - That 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 subject sign shall be to the reasonable satisfaction of Council. The luminance levels for the sign shall be set prior to operation of the screen. The level of luminance shall be altered in accordance with any direction of the Council, where required in the interest of road safety.
 - The display shall be static in nature and only change at intervals no less than 45 seconds.
 - The lead in and out of the sign must not be able to be read by drivers. The time for the lead in and out shall be a maximum of 2 seconds.

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

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.

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. Damage to Council's Footpath / Kerbing/ Road / 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. 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

6. Section 222 Permit

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.

Item No. 3.4 – Adjacent, 41 Grenfell Street, Adelaide SA 5000 (DA/507/2018, HD) [CAP]

Decision [Mover Mr Marc Duncan/Seconder Ms Colleen Dunn]

That the development, the subject of the application from JCDecaux for a change in content of advertising display on telephone booth adjacent 41 Grenfell Street, Adelaide SA 5000 as shown on plans designated DA/507/2018:

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:

- Amended plan drafted by JC Decaux Australia Pty Ltd, survey no. SS-ADE-COA-046, revision F, as amended 5/9/2019
- Accompanying letter from Ekistics dated 9 October 2019
- General Telstra Smart Hub payphone specification
- Planning report from Ekistics titled “Telstra’s Smart Media Network: Smart City Payphones – Site: 45 Grenfell 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. The proposed sign shall operate in accordance with DPTI’s Advertising Signs Assessment Guidelines for Road Safety as per 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 sign shall not scroll, flash, move, be animated 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 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.
- That 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 subject sign shall be to the reasonable satisfaction of Council. The luminance levels for the sign shall be set prior to operation of the screen. The level of luminance shall be altered in accordance with any direction of the Council, where required in the interest of road safety.
- The display shall be static in nature and only change at intervals no less than 45 seconds.
- The lead in and out of the sign must not be able to be read by drivers. The time for the lead in and out shall be a maximum of 2 seconds.

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

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.

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. 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. 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

6. Section 222 Permit

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.

Item No. 3.5 – Adjacent, 202 Rundle Street, Adelaide SA 5000 (DA/474/2018, HD) [CAP]

Decision [Mover Ms Colleen Dunn/Seconder Mr Marc Duncan]

That the development, the subject of the application from JCDecaux for a change in content of advertising on telephone booth adjacent 202 Rundle Street, Adelaide SA 5000 as shown on plans designated DA/474/2018:

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:**
 - **Amended plan drafted by JC Decaux Australia Pty Ltd, survey no. SS-ADE-COA-018, revision D, as amended 6/11/2018**
 - **Accompanying letter from Ekistics dated 9 October 2019**
 - **General Telstra Smart Hub payphone specification**
 - **Planning report from Ekistics titled “Telstra’s Smart Media Network: Smart City Payphones – Site: 202 Rundle 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. **The proposed sign shall operate in accordance with DPTI’s Advertising Signs Assessment Guidelines for Road Safety as per 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 sign shall not scroll, flash, move, be animated 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 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.**
- **That 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 subject sign shall be to the reasonable satisfaction of Council. The luminance levels for the sign shall be set prior to operation of the screen. The level of luminance shall be altered in accordance with any direction of the Council, where required in the interest of road safety.**
- **The display shall be static in nature and only change at intervals no less than 45 seconds.**
- **The lead in and out of the sign must not be able to be read by drivers. The time for the lead in and out shall be a maximum of 2 seconds.**

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

Advices

1. 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.

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. **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. **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

5. **Section 222 Permit**

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]

Decision [Mover Prof Mads Gaardboe/Seconder Ms Colleen Dunn]

That the report be received.

Other Business raised at Panel Meeting

Item No. 5.2 – Other Business - Various Locations throughout Adelaide and North Adelaide [CAP]

Discussion ensued during which the Panel noted that the Assessment Manager would present a report in relation to the determination of applications for the change in content of advertising displays on Telstra payphones.

Closure

The meeting closed at 6.20 pm.

**Councillor Anne Moran
Acting Presiding Member
City of Adelaide Council Assessment Panel**

Documents attached for reference
Nil