

Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 25 November 2019, at 5.30 pm, Colonel Light Room,
Town Hall, Adelaide

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

Confirmation of Minutes

Item No. 1 – Confirmation of Minutes – 28/10/2019 [CAP]

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

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 28 October 2019, be taken as read and be confirmed as an accurate record of proceedings.

Non-Complying Applications

Nil

Application for consideration on Merit [Four]

Item No. 3.1 – 1-2 Brougham Place, North Adelaide SA 5006 (DA/674/2019, HD) [CAP]

DA/574/2019 - Disclosure of Conflict of Interest

Mr Marc Duncan disclosed a direct pecuniary interest in DA/674/2019 – 1-2 Brougham Place, North Adelaide, as he has an employment relationship with the planning firm representing the applicant, left the meeting held in the Colonel Light Room at 5.34 pm and did not take part in any hearings, deliberations or decision of the Panel on the matter.

Representations Heard

Representors:

Mr Robert Webb – 5-7 Brougham Place, North Adelaide

Mr Wayne Harris – 222 Brougham Place, North Adelaide

Applicant:

Mr Stuart Henry QC on behalf of Mr Chris Diamantis – Applicant – 1-2
Brougham Place, North Adelaide

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

That the development, the subject of the application from Genworth Homes P/L to demolish the existing building and construct residential flat building with two (2) apartments and basement car parking at 1-2 Brougham Place, North Adelaide SA 5006 as shown on plans designated DA/674/2019:

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 drafted by the Genworth Group, job no. 1306, plan nos. SK02 – SK14
 - Survey plan drafted by State Surveys, job no. 13422, revision B
 - Letter of support drafted by Future Urban, ref: 0229 – Supporting letter, dated 12 September 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 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.

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' 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.

4. **Prior to the commencement of site excavation works or demolition at the western boundary, further information on the following matters shall be**

submitted to the satisfaction of Council in consultation with Heritage South Australia (Department for Environment and Water).

- a) Confirmation that the structural design and construction methodology of retaining structures at the common boundary with the State heritage place will adequately maintain the structural support of the adjoining land and infrastructure
- b) Details of fencing along the common boundary including construction, materials, colours and finishes
- c) Visual modelling of the undercroft ramp access from Brougham Place to enable assessment of the visual impact on the streetscape and to determine the need for screening measures.

Reason: Sufficient information not included with the application to ensure that physical and visual impacts are sufficiently mitigated.

5. A dilapidation survey recording the condition of the State heritage place shall be prepared prior to the commencement of demolition or excavation works, to Council's satisfaction. 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 place that might be affected by the proposed excavation, site works and construction works.

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

6. During ground works, the short term vibration levels in the vicinity of the heritage-listed structure shall be monitored, and shall not exceed the velocity limits for structural vibration in buildings established for Group 3 structures in the German Standard DIN 4150 Part 3. Immediate action shall be taken to address any structural distress that becomes evident during the ground works and construction stages.

Reason: To protect the State heritage place from structural movement due to the proximity of new construction. To allow for timely and appropriate remedial measures in the event of any impacts on the State heritage place.

7. Samples of external materials, colours and finishes shall be provided for further assessment to Council's satisfaction prior to the installation of any finished materials or the on-site application of any external finishes.

Reason: Information provided with the application is provisional and requires confirmation by means of actual samples to enable an assessment of the building's finished appearance and visual quality (and in particular, to

understand the visual compatibility of the proposed materials palette with the adjacent State heritage place).

- 8. The landscaping depicted on the plans shall be maintained in good health and condition at all times to the reasonable satisfaction of the Council. Any dead or diseased plants or trees shall be replaced forthwith to the reasonable satisfaction of the Council.**

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

- 9. A Stormwater Management Plan demonstrating that the development is designed to maximise use of stormwater, minimises pollutant transfer to receiving waters and protects downstream receiving waters from high levels of flow shall be provided prior to Development Approval to the reasonable satisfaction of Council.**

Reason: *To ensure the development has been designed and located to improve the quality of stormwater, minimise pollutant transfer to receiving waters, and protect downstream receiving waters from high levels of flow.*

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. 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.

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. 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.

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.

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
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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.

8. Crossing Places

The 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.

There is no objection to the proposed vehicle crossing place, 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 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.

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

9. 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.

10. Requirements of the Heritage Places Act 1993

The applicant is advised of the following requirements of the *Heritage Places Act 1993*:

- If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
- Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

For further information, contact the Department of Environment and Water (DEW) on 8124 4960.

11. 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

12. Requirements of the Aboriginal Heritage Act 1988

The applicant is advised of the following requirements of the *Aboriginal Heritage Act 1998*:

- If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the *Aboriginal Heritage Act 1988*.

13. 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.

14. Acoustic Assessment

It is recommended that the applicant undertakes an acoustic assessment to determine whether the dwellings are appropriately insulated from external noise sources in the locality (including aircraft noise).

Mr Marc Duncan re-entered the Colonel Light Room at 5.59 pm

Item No. 3.2 – Aquinas College, 1-25 Palmer Place, North Adelaide SA 5006 (DA/489/2019, HD) [CAP]

Representations Heard

Representors:

Ms Jane Walkley – 26- 27 Palmer Place, North Adelaide
[Photographs referenced and viewed]

Applicant:

Mr Kevin Preece – from Brown Falconer (on behalf of the applicant)

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

That the development, the subject of the application from Aquinas College Inc to construct new study annexe with undercroft parking at Aquinas College, 1-25 Palmer Place, North Adelaide SA 5006 as shown on plans designated DA/489/2019:

1. Is not seriously at variance with the provisions of the Development Plan and
2. Be DEFERRED to allow the applicant to consider the impact of the interface issues to the northern boundary.

Item No. 3.3 – 6/35 Lefevre Terrace, North Adelaide SA 5006 (DA/727/2019, PC) [CAP]

Decision [Mover Councillor Anne Moran/Seconder Mr Marc Duncan]

That the development, the subject of the application from Yeltana P/L to install louvre roofed verandah between garage and dwelling at 6/35 Lefevre Terrace, North Adelaide SA 5006 as shown on plans designated DA/727/2019:

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:**
 - **Ground floor plan – Proposed operable sun louvres – designated DA/727/2019**
 - **Pergolas of Distinction – LouvreTec Sun Louvres – Plans, Elevations and Details – Drawing No. 1 – Issue A – Dated 11 July 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.*

Advices

1. 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 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.

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.

Item No. 3.4 – Various locations throughout Adelaide [CAP]

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

The City of Adelaide Council Assessment Panel delegates determination of the 27 applications detailed in Attachments 3-9 except for application 11 – DA/538/2018 - 120 Carrington Street, Adelaide (Item 3.4 on the Agenda for the meeting of the City of Adelaide Council Assessment Panel held on 25 November 2019) for the change in content of advertising displays on Telstra payphones at various locations throughout Adelaide to the Assessment Manager, Planning Assessment.

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 Prof Mads Gaardboe]

That the report be received.

Council Assessment Panel – Meeting Minutes



Other Business raised at Panel Meeting

Nil

Next Meeting

16 December 2019

The Panel noted that Prof Mads Gaardboe would be an apology for the 16 December 2019 meeting.

Closure

The meeting closed at 6.47 pm.

Mr Mark Adcock
Presiding Member
City of Adelaide Council Assessment Panel

Documents attached for reference

Item No. 3.2 - DA/489/2019 – Aquinas College, 1-25 Palmer Place, North Adelaide SA 5006
- Photographs viewed during Representations Heard.





