

Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 16 December 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
- Apologies –** Specialist Member – Prof Mads Gaardboe

Confirmation of Minutes

Item No. 1 – Confirmation of Minutes – 25/11/2019 [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 25 November 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 – 231 Gilbert Street, Adelaide SA 5000 (DA/487/2019, HD) [CAP]

Representations Heard

Representors:

Mr Michael Vallelonga - 233 Gilbert Street, Adelaide

Applicant:

Garth Heynen of Heynen Planning Consultants on behalf of the Applicant

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

That the development, the subject of the application from Adelaide Prestige Homes for Alterations to existing dwelling and construction of a two storey addition at 231 Gilbert Street, Adelaide SA 5000 as shown on plans designated DA/487/2019:

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 Adelaide Prestige Homes Reference PD.2 - PD.4 and PD.15 on 4 November 2019
- Elevation Plans prepared by Adelaide Prestige Homes Reference PD.1 and PD.5 on 11 December 2019
- Shadow Diagrams prepared by Adelaide Prestige Homes Reference PD.6 – PD.14 on 13 December 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 privacy screening as depicted on the plans granted consent described as Elevation Plan prepared by Adelaide Prestige Homes Ref PD.5 received 11 December 2019 shall be installed prior to the occupation or use of the Development and thereafter shall be maintained to the reasonable satisfaction of the Council, at all times.

Reason: To ensure that the Development does not unreasonably diminish the privacy of residents in adjoining properties.

3. Windows on the first floor of the western elevation as depicted on drawing Elevation Plan prepared by Adelaide Prestige Homes Reference PD.5 on 11 December 2019 shall be translucent and have a maximum opening width of 125mm. 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 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.

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

Advices

1. Vehicle and Access

Due to the narrow width of the right of way, vehicles will need to be parking in the garage on an angle as shown on Vehicle Access Plan prepared by Adelaide Prestige Homes Reference PD.12 on 4 November 2019.

2. 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.

3. 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.

4. 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.

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. 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.

Item No. 3.2 – National Wine Centre, Botanic and Hackney Roads, Adelaide SA 5000 (DA/425/2016/A, HD) [CAP]

DA/425/2016/A - Disclosure of Conflict of Interest

Mr Marc Duncan disclosed a direct pecuniary interest in DA/425/2016/A – National Wine Centre, Botanic and Hackney Roads, Adelaide SA 5000, as he has an employment relationship with the planning firm representing the applicant, left the meeting held in the Colonel Light Room at 5.46 pm and did not take part in any hearings, deliberations or decision of the Panel on the matter.

Decision [Mover Councillor Anne Moran/Seconder Ms Colleen Dunn]

That the development, the subject of the application from National Wine Centre to vary the previous authorisation to erect two double sided LED signs, one on the southern boundary adjacent to Botanic Road and one on the eastern boundary adjacent to Hackney Road and removal of existing signage - VARIATION - Increased size of LED screen, amendments to sign design and amended positioning at National Wine Centre, Botanic and Hackney Roads, Adelaide SA 5000 as shown on plans designated DA/425/2016/A:

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

Conditions

1. **The Development shall be undertaken in accordance with the plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent as listed below:**
 - **Plans drafted by Studio Nine Architects, ref. 0913-005 dated 14/2/2019**
 - **Letter from Future Urban ref. 0072 – Wine Centre LED Screens, dated 4 April 2019**
 - **Additional information regarding materials and finishes provided 15 December 2019**
 - **Additional information regarding layout provided on 19 December 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 signs shall be located in accordance with the plan by Big Screen Video titled BSV_NATIONAL_WINE_CENTRE_001. Accordingly, the sign on the Hackney Road frontage shall be a minimum of 6.0 metres inbound from the Hackney Road property boundary.**

Reason: To ensure the advertisements do not endanger public safety.

- 3. There shall be no third-party advertising displayed, unless otherwise approved by Council in writing.**

Reason: To ensure the advertising relates to activities or use of the site.

- 4. No element of the signs shall flash, scroll or move.**

Reason: To ensure the advertisements do not endanger public safety.

- 5. The signs shall have a minimum dwell time of 45 seconds per message. The time taken for consecutive displays to change shall be no more than 0.1 seconds.**

Reason: To ensure the advertisements do not endanger public safety.

- 6. All messages displayed on the signs shall be self-contained messages that are simple, effective and easily assimilated by glance appreciation and shall not imitate a traffic control device in any way. Sequential messages (i.e. message that are displayed as part messages over two or more displays) shall not be permitted.**

Reason: To ensure the advertisements do not endanger public safety.

- 7. All messages displayed on the signs shall not imitate a traffic control device or constitute a direction to traffic in any way.**

Reason: To ensure the advertisements do not endanger public safety.

- 8. The operational system for the signs 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.**

Reason: To ensure the advertisements do not endanger public safety.

- 9. The signs shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. The following luminance levels shall be incorporated into an automatic stepped dimming system:**

Ambient Conditions	Sign Illuminance Vertical Component (Lux)	Sign luminance (Cd/m2) Max
Sunny Day	40000	6300
Cloudy Day	4000	1100
Twilight	4000	300
Dusk	40	150
Night	<4	150

Reason: To ensure the advertisements do not endanger public safety.

10. **The luminance contrast between consecutive displays shown on the signs shall be limited to a maximum of 2:1 (Note: For the purposes of this condition luminance contrast is defined as the ratio of the average luminance of the consecutive displays).**

Reason: To ensure the advertisements do not endanger public safety.

11. **The signs shall be operated by a closed-circuit system that is impervious to hacking or unauthorised modification.**

Reason: To ensure the advertisements do not endanger public safety.

12. **The surface of the signs shall have an effective anti-reflection coating to avoid the possibility of specular reflection.**

Reason: To ensure the advertisements do not endanger public safety.

13. **No portion of the proposed signs shall encroach beyond the site boundary.**

Reason: To ensure the development is contained wholly within the site.

Advices

1. Previous Consent

The applicant should be aware that the conditions of approval and advices issued with the previous consent (DA/425/2016) where relevant remain valid and should be complied with.

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 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.

4. 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. 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.

6. 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.

7. 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.

8. Metropolitan Adelaide Road Widening plan

The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 4.5 metres in width from the Hackney Road frontage of this site, together with some additional land from the Hackney Road/Botanic Road corner, for the possible future upgrading of the Hackney Road/Botanic Road/North Terrace/Dequetteville Terrace intersection. The consent of the CoH under the Metropolitan Adelaide Road Widening Plan Act 1972 is required to all new building works located on or within 6 metres of the possible requirements.

As consent is required for the proposed sign adjacent Hackney Road, the applicant should complete the attached consent form and return it to dpti.luc@sa.gov.au, along with a copy of the approved site plan. Consent can be anticipated.

Mr Marc Duncan re-entered the Colonel Light Room at 5.50 pm

Item No. 3.3 – 97-99 Angas Street, Adelaide SA 5000 (DA/904/2018, HD) [CAP]

Decision [Mover Councillor Anne Moran/Seconder Ms Collen Dunn]

That the development, the subject of the application from Park Fast (SA) P/L to change the use to ancillary car park until October 2020 at 97-99 Angas Street, Adelaide SA 5000 as shown on plans designated DA/904/2018:

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:

Conditions

1. **The Development shall be undertaken in accordance with the plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent as listed below:**

- **Site plan drafted by Advantage Planning, project no. 23(165), dated 26 October 2018**
- **Accompanying Planning Statement**

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. **Any person who has the benefit of the Development shall restore the Land to the state in which it existed immediately before the commencement of the Development on the Land on or before 1 November 2020 to the reasonable satisfaction of the Council.**

Reason: *To allow for the temporary use of the Land and the restoration of the Land to its lawful existing use once the temporary use of the Land ceases.*

3. **The signage on the fence of the site shall clearly state the parking therein is ancillary to the Calvary Hospital only and not for general parking.**

Reason: *To ensure the parking is maintained for ancillary use as approved.*

Other Applications

Nil

Other Business

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

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

- Record No. 37 – DA/914/2019 – 441 Morphett Street, Adelaide SA 5000 [Councillor Anne Moran]

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

That the report be received.

Other Business raised at Panel Meeting

Nil

Next Meeting

3 February 2020

Closure

The meeting closed at 5.59 pm.

**Mr Mark Adcock
Presiding Member
City of Adelaide Council Assessment Panel**

Council Assessment Panel – Meeting Minutes



Documents attached for reference

Item No. 3.1 - DA/487/2019 – 231 Gilbert Street, Adelaide SA 5000 – Updated shadow diagrams.

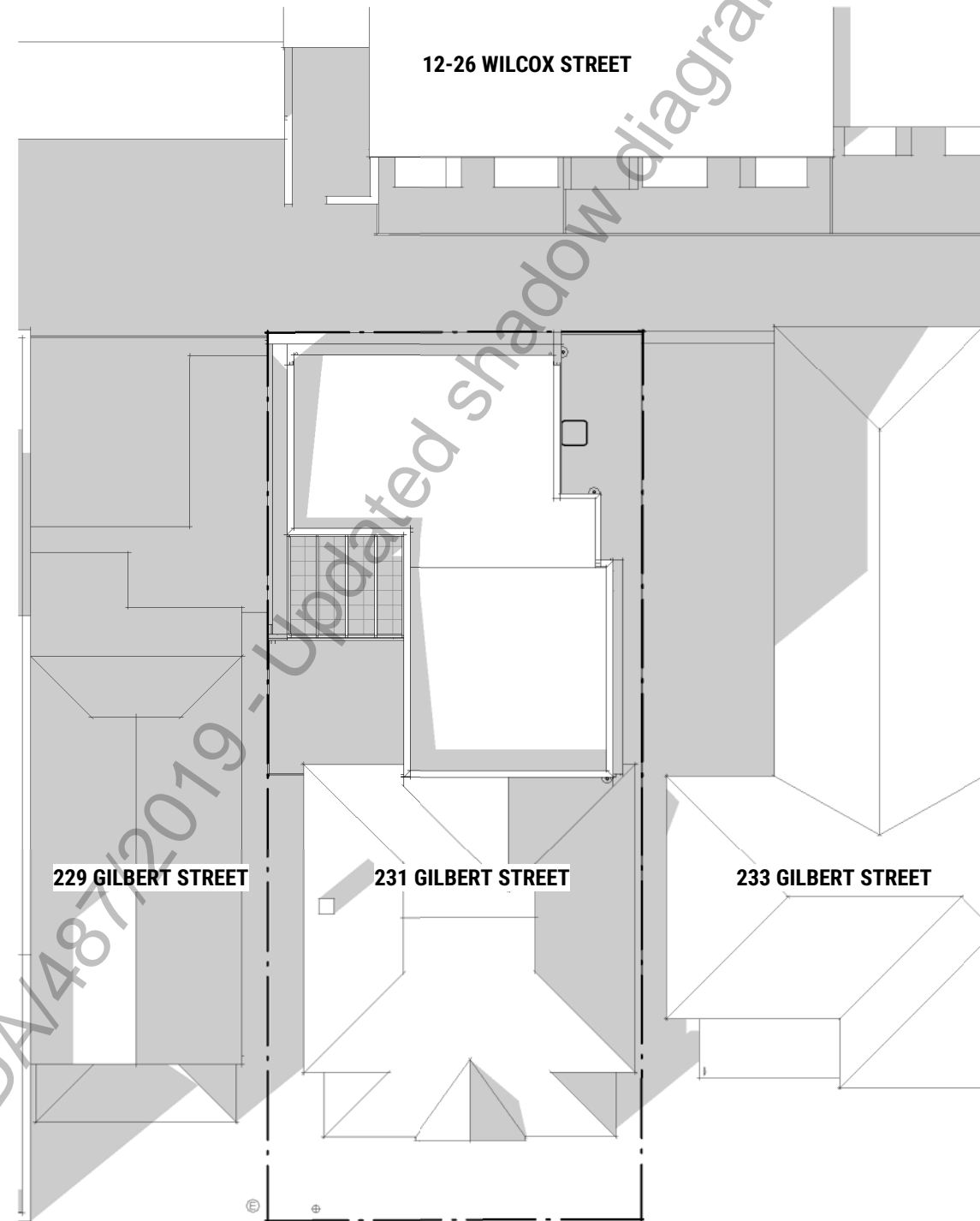


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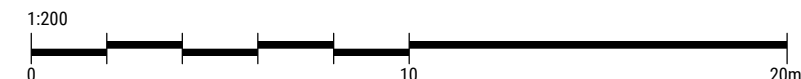
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W: www.adelaideprestigehomes.com.au
T: 08 8433 2020

PROJECT
PROPOSED ADDITIONS TO RESIDENCE
FOR
MR H FU

AT
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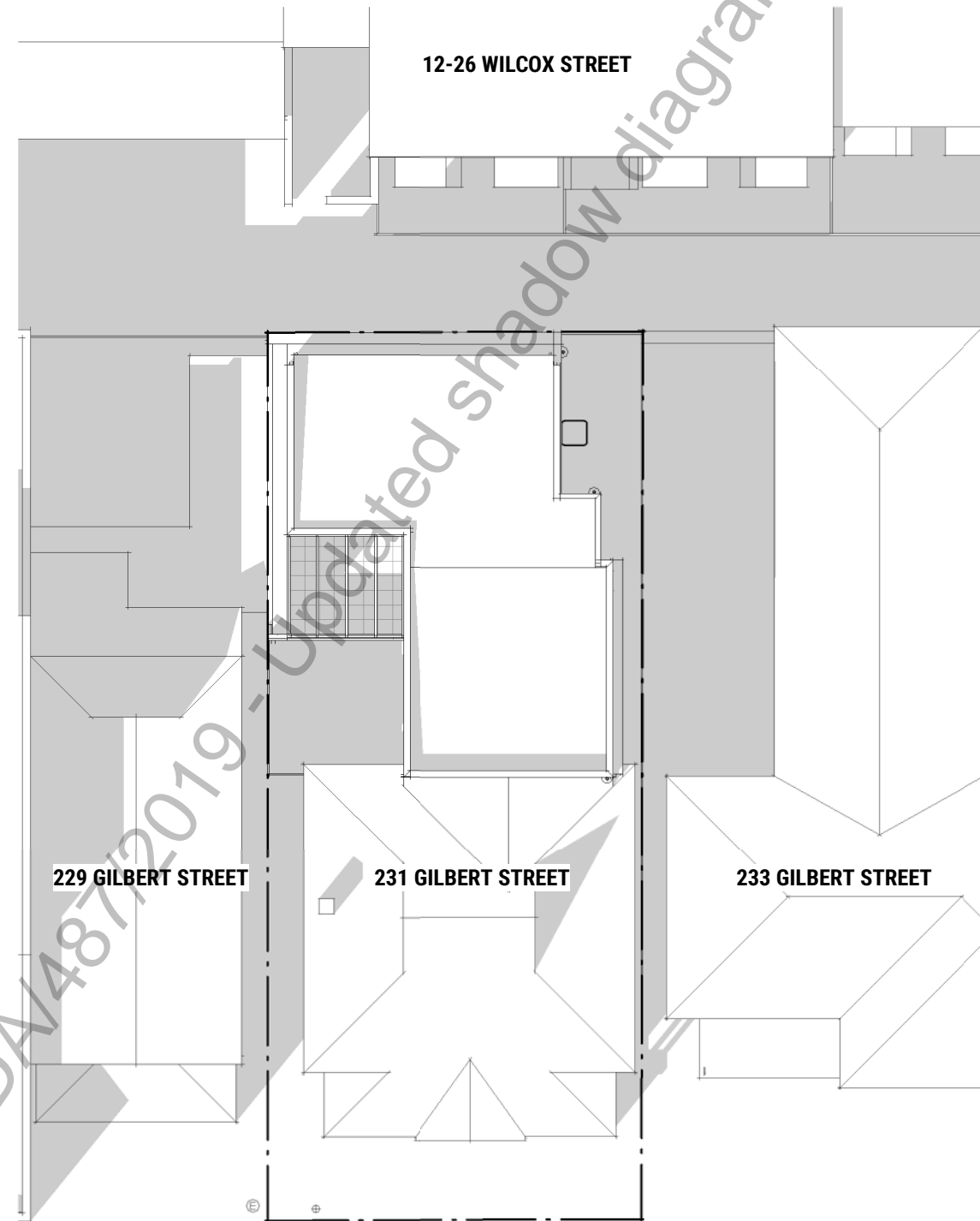
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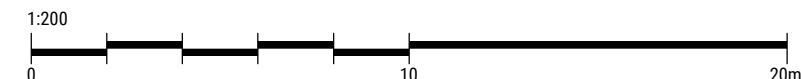
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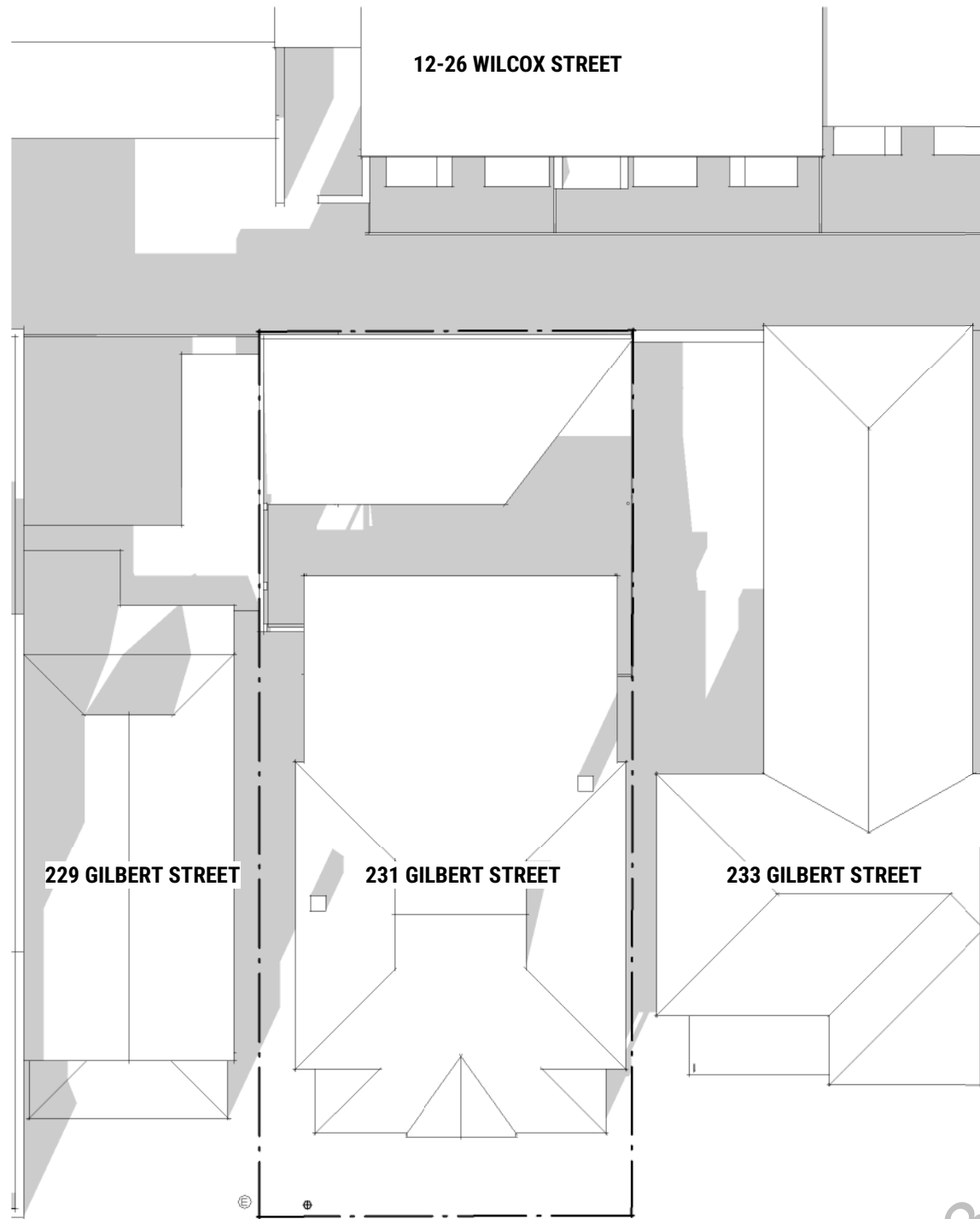
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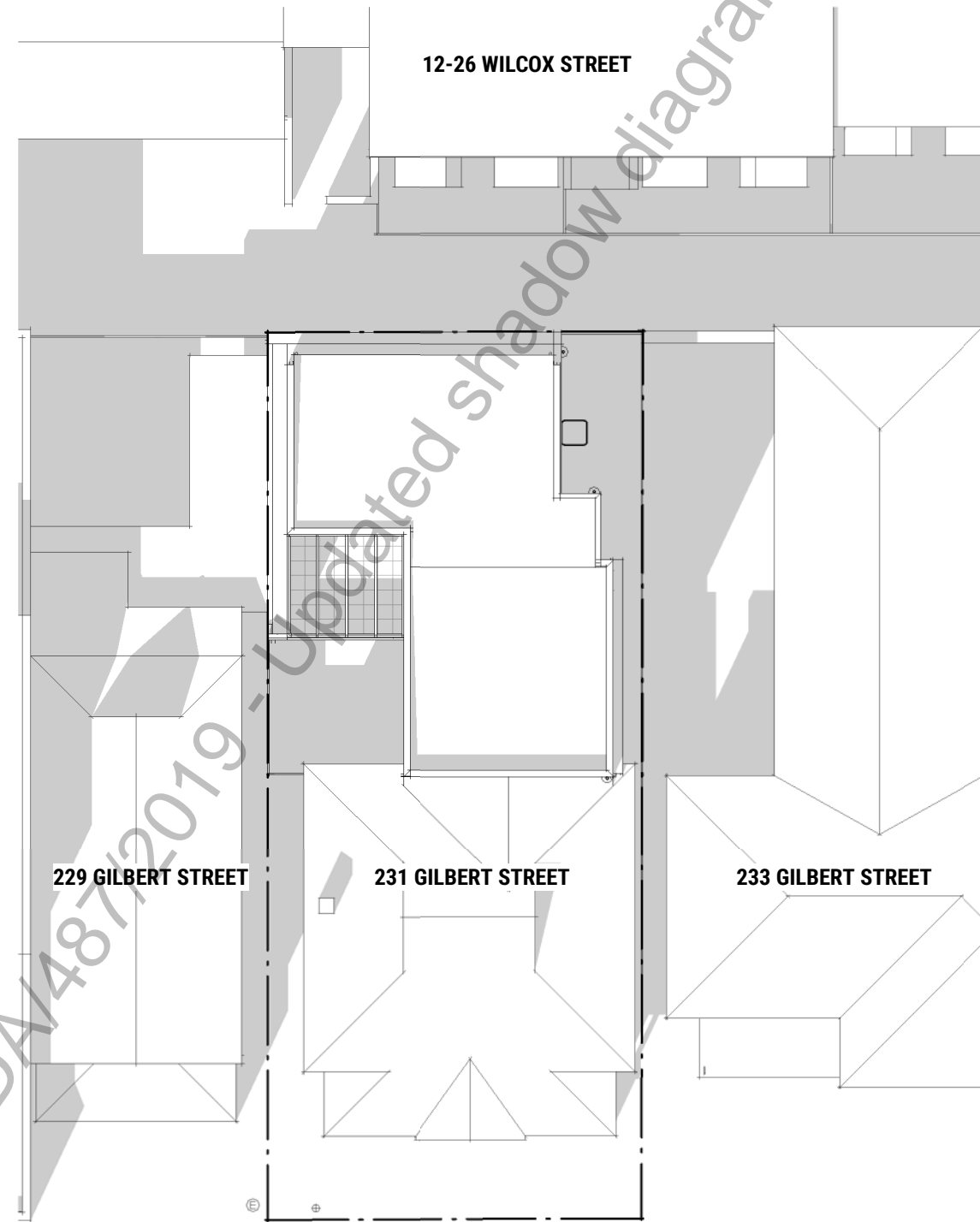


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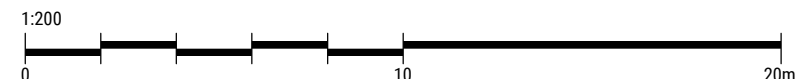
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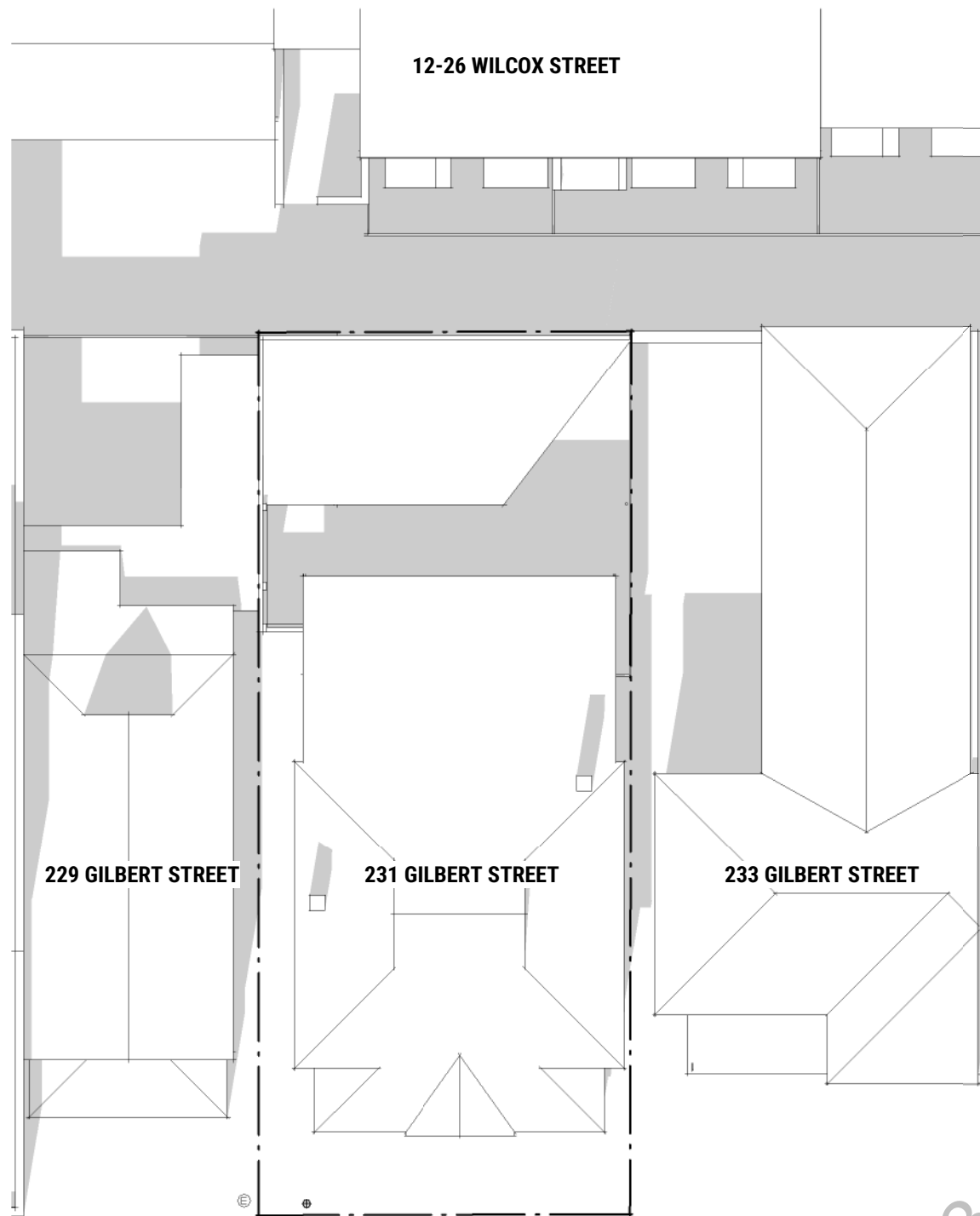
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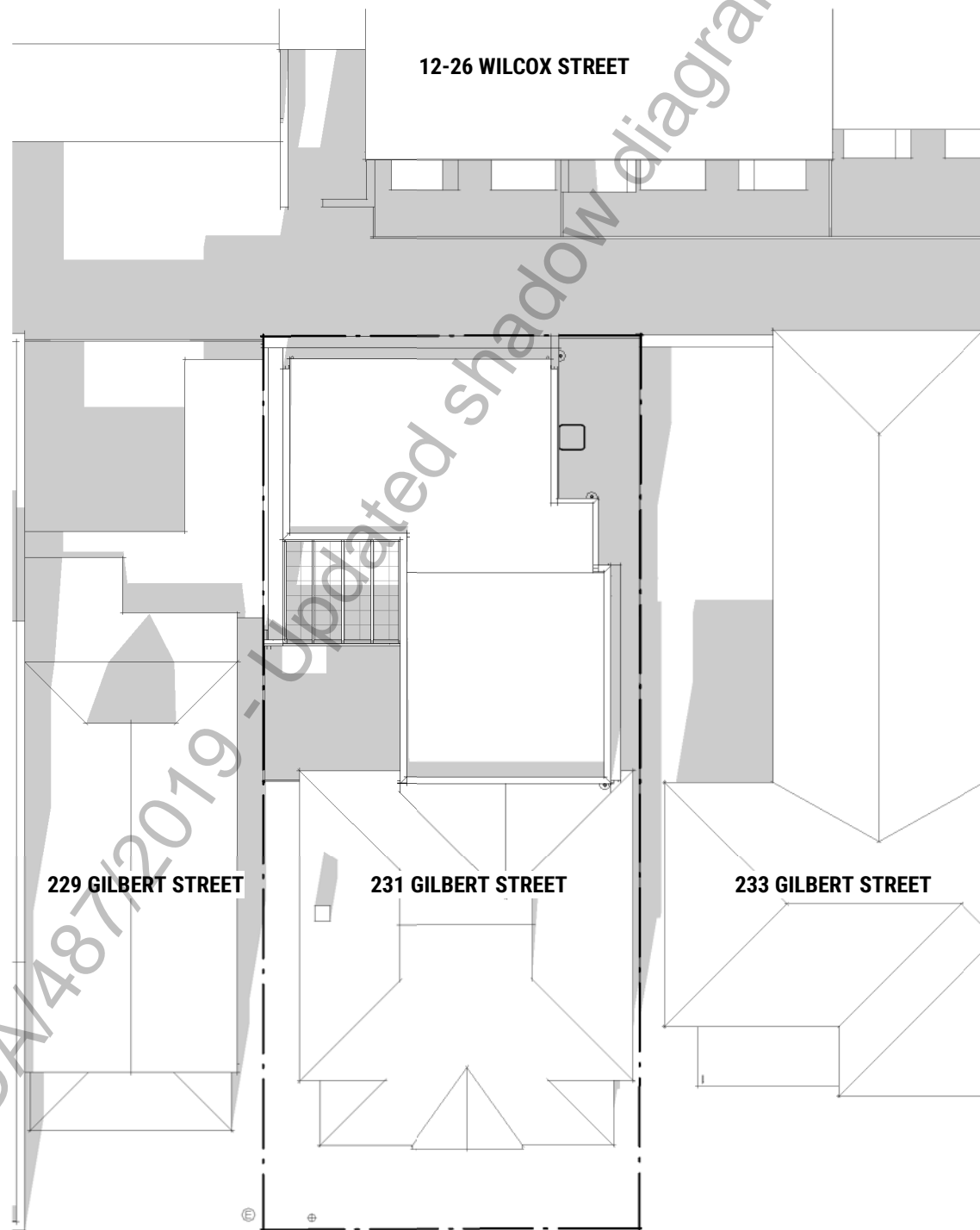
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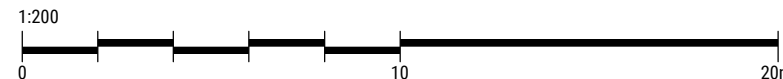
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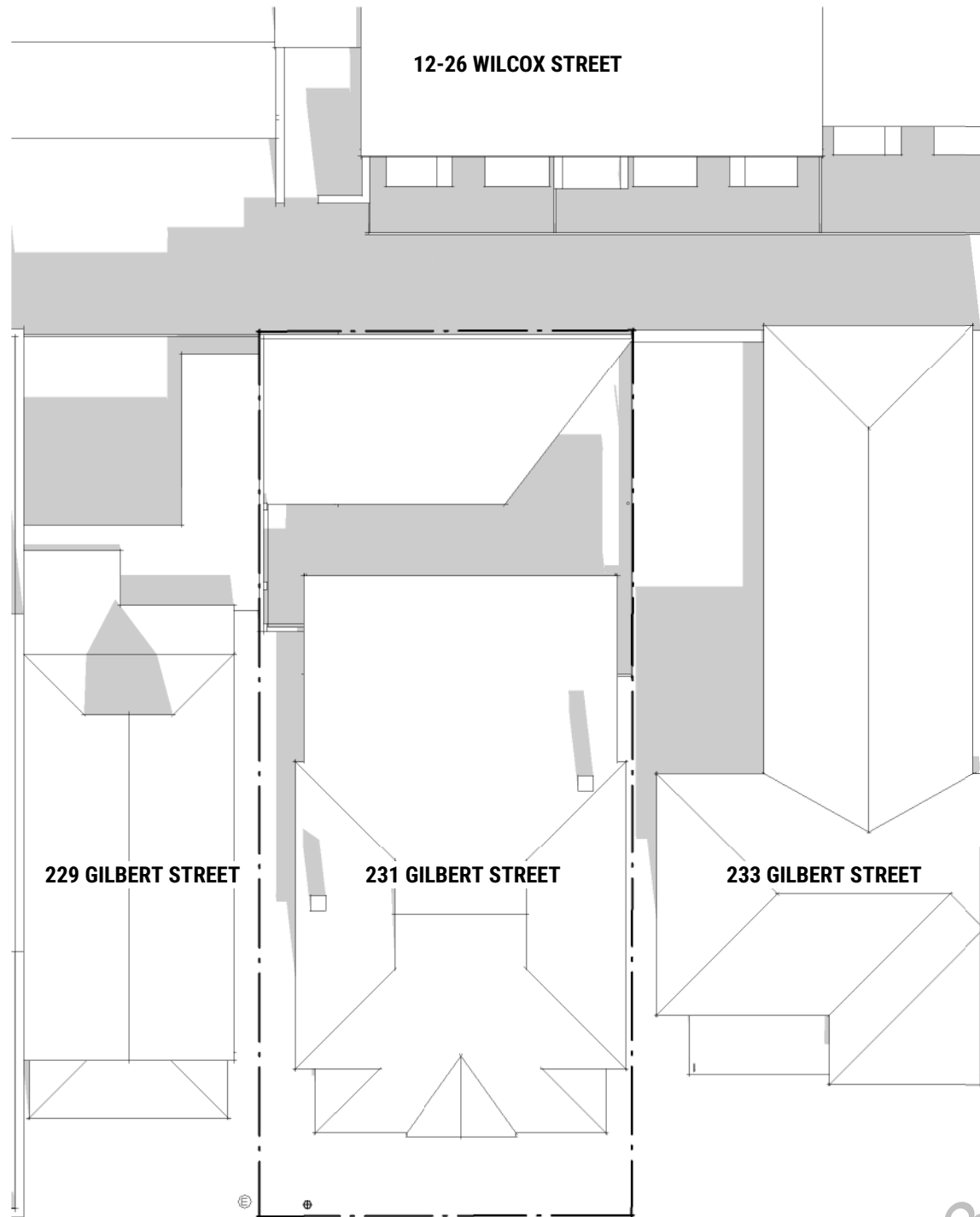
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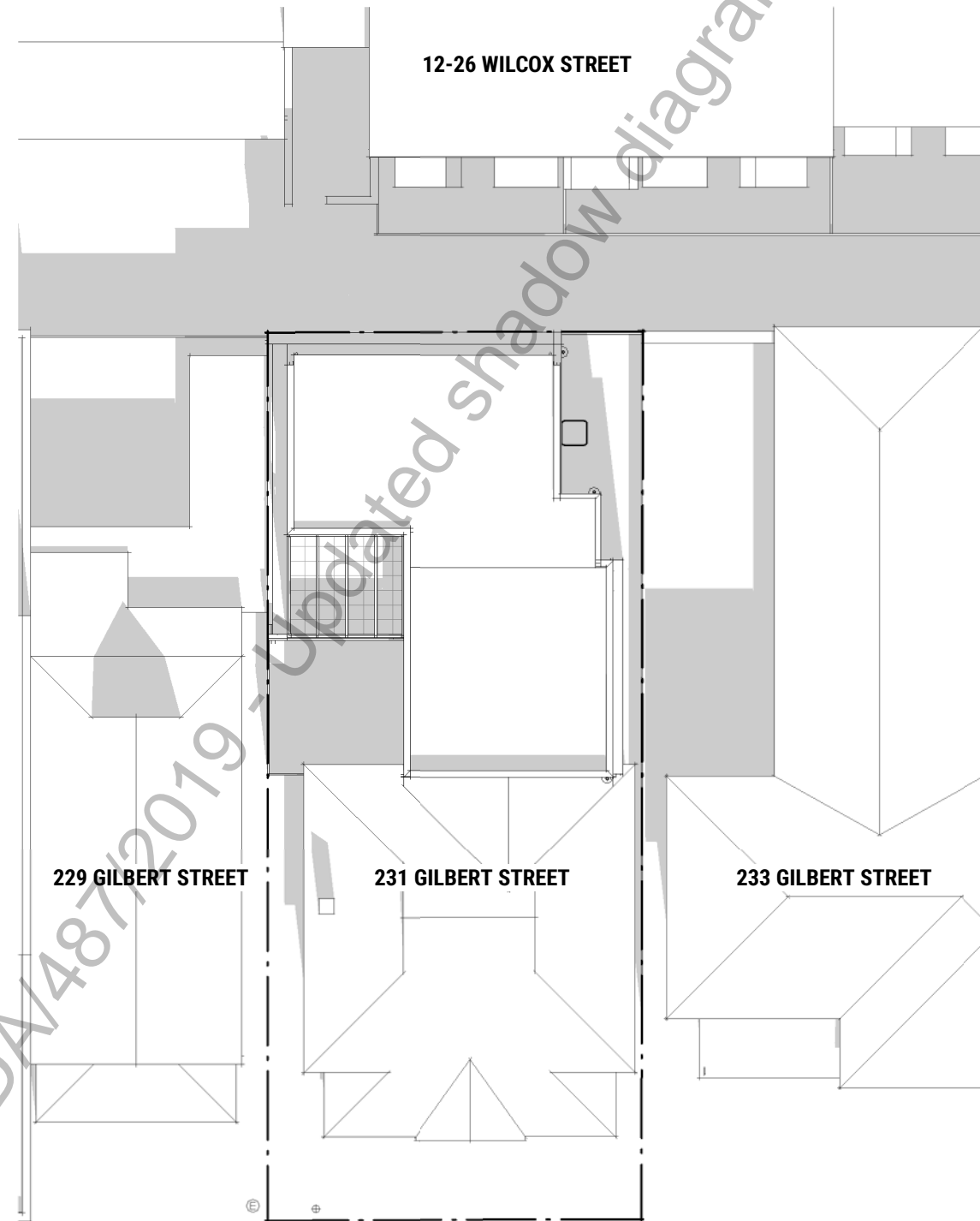


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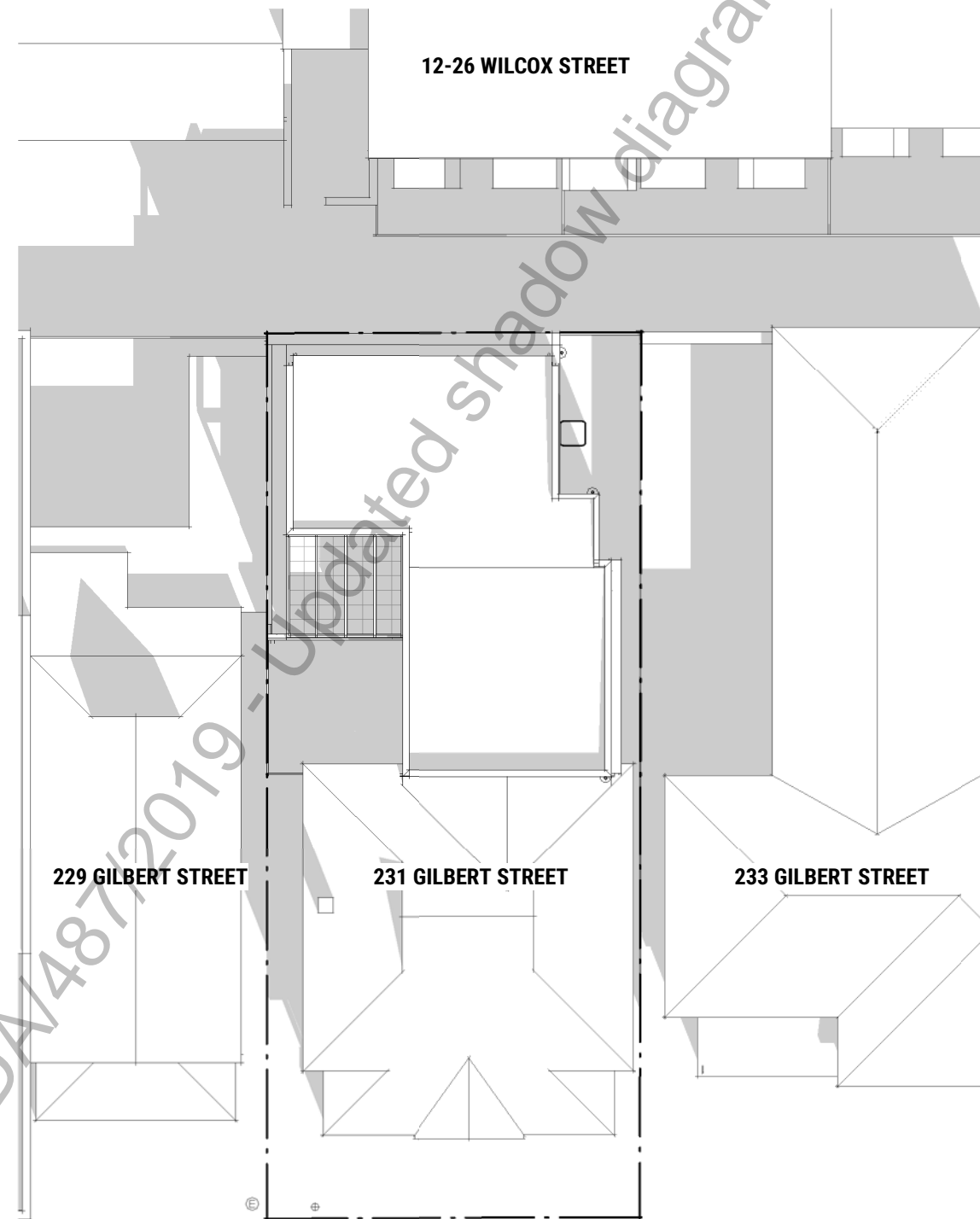
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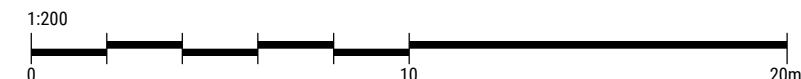
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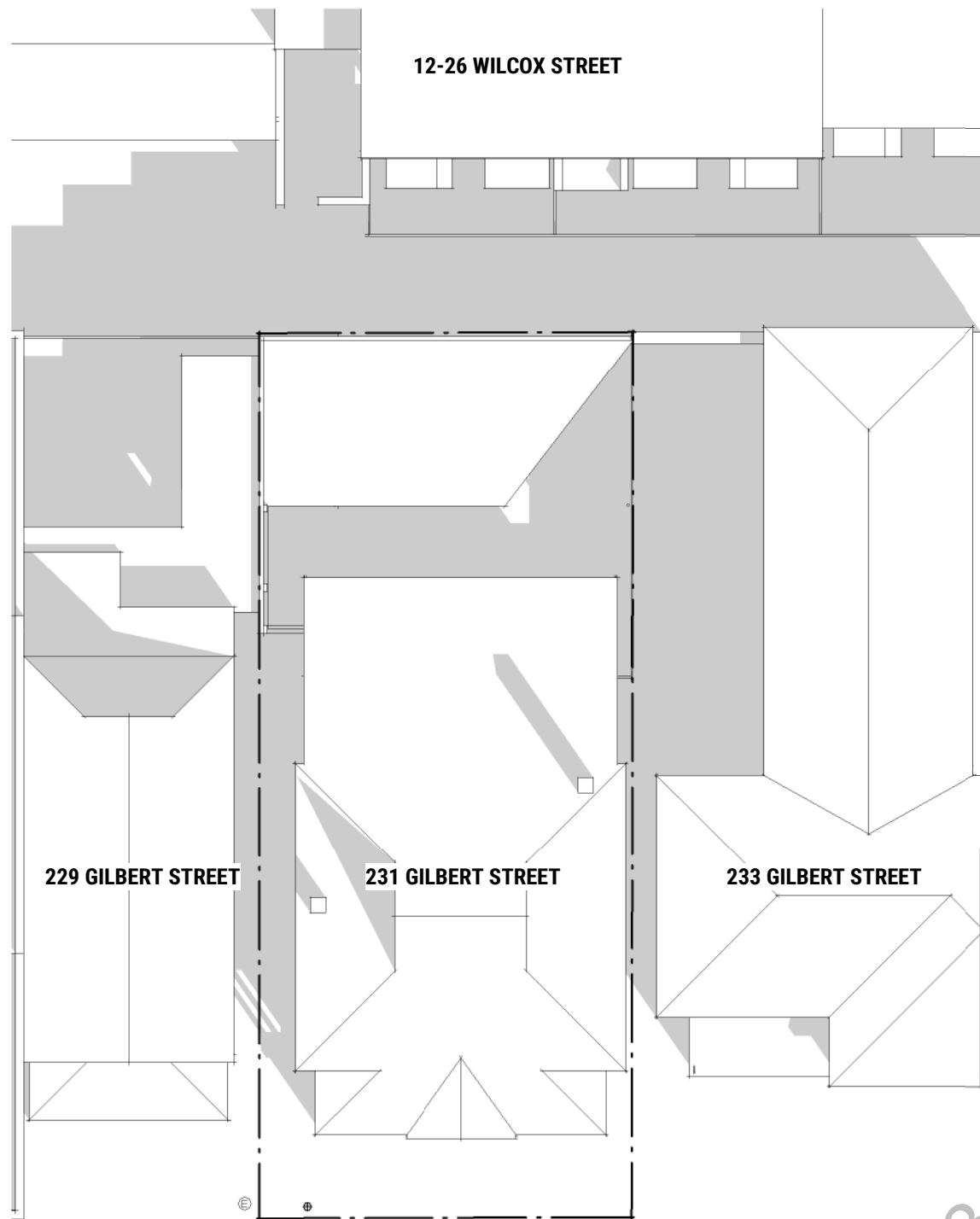
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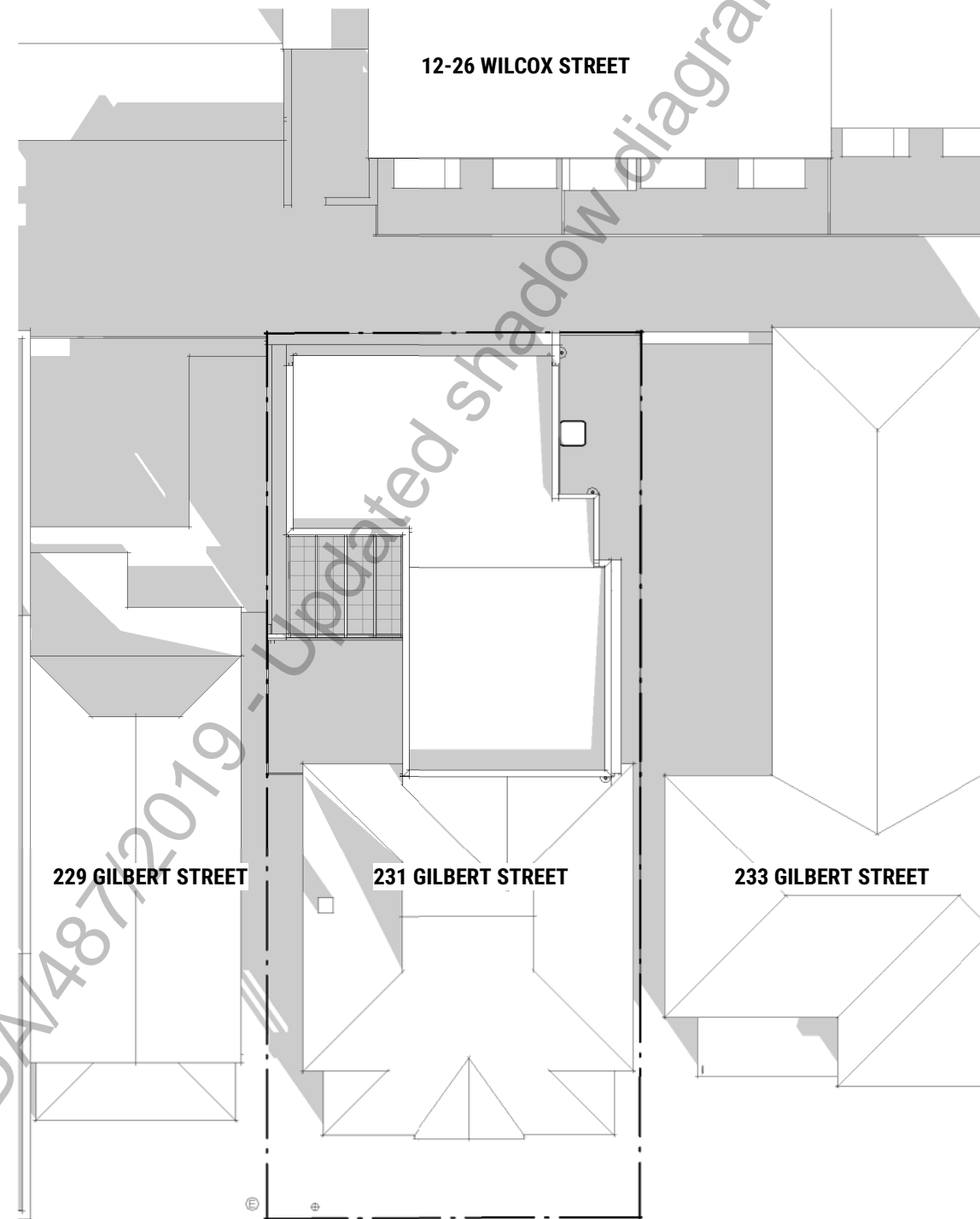
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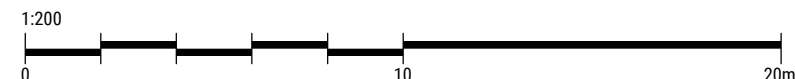
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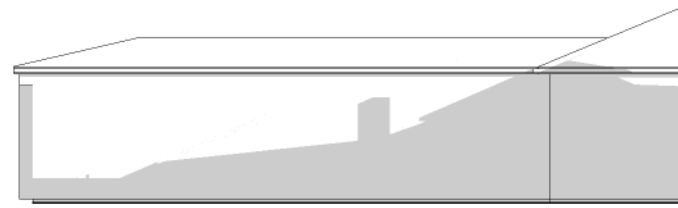
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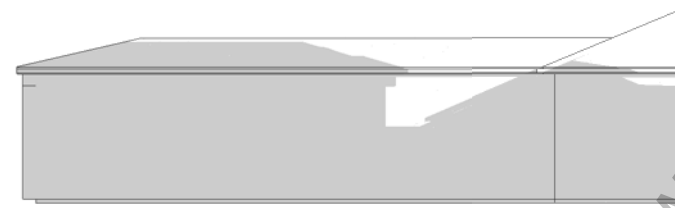
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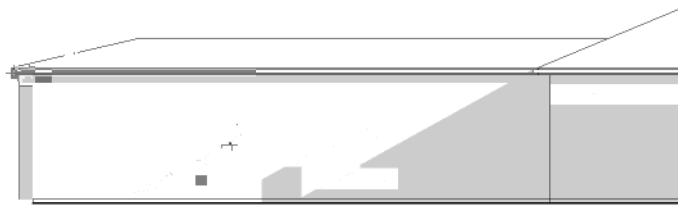
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SHADOWS 11.00 AM - EXISTING

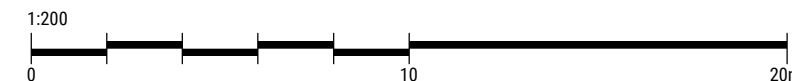


SHADOWS 11.00 AM - PROPOSED



SHADOWS 12.00 NOON

SHADOWS CAST ON EAST WALLS OF 233 GILBERT STREET



NO.	DATE	AMENDMENT
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Designing & Building Luxury Lifestyles

A Division of Rossdale Homes Pty Ltd Bld Lic G8104
300 Glen Osmond Road, Fullarton, SA 5063

E: admin@adelaideprestigehomes.com.au
W: www.adelaideprestigehomes.com.au
T: 08 8433 2020

PROJECT
PROPOSED ADDITIONS TO RESIDENCE
FOR
MR H FU

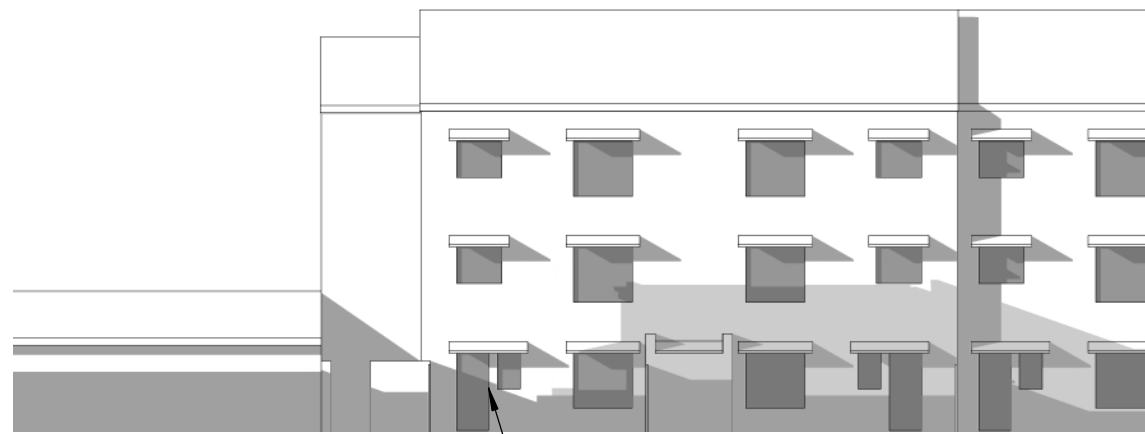
AT
LOT 197 (231) GILBERT STREET, ADELAIDE

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PD.13

SHEET NUMBER: 13 OF 15 ISSUE DATE: 10/12/2019 SHEET SIZE: **A3**



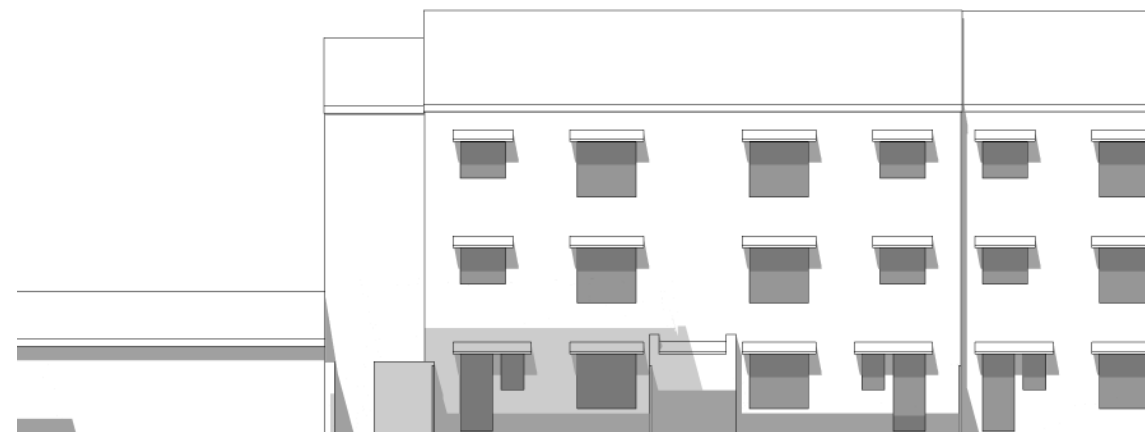
SHADOWS 9.00 AM

1 : 200



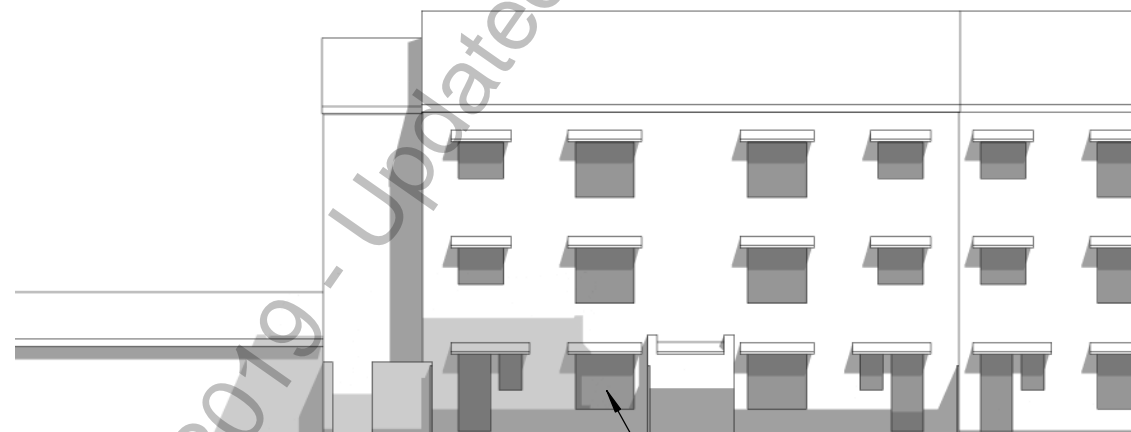
SHADOWS 10.30 AM

1 : 200



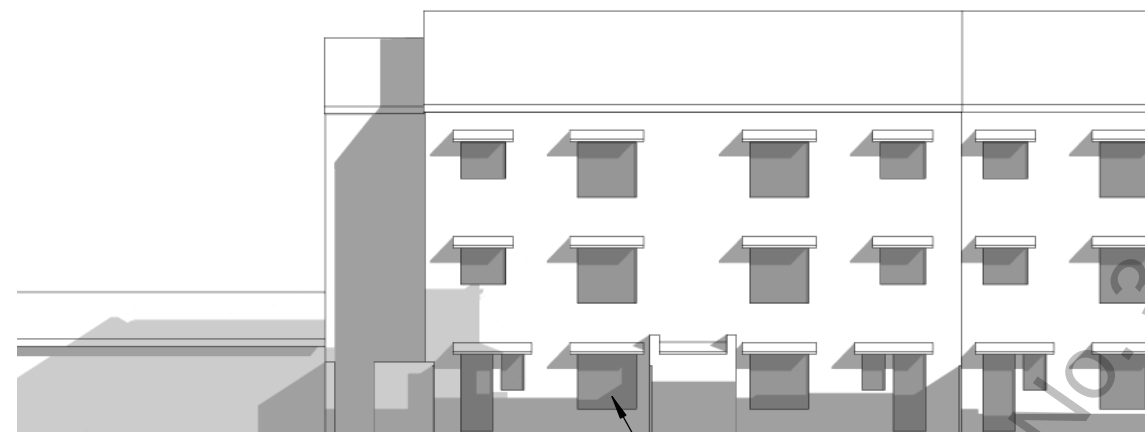
SHADOWS 12.00 NOON

1 : 200



SHADOWS 1.30 PM

1 : 200



SHADOWS 3.00 PM

1 : 200

- EXISTING SHADOWS
- ADDITIONAL SHADOWS FROM NEW BUILDING

SHADOWS CAST ON JUNE 22
City of Adelaide Council Assessment Panel Meeting - Minutes - 16 December 2019

APPROXIMATELY 3.0 HOURS SUNLIGHT TO HABITABLE ROOM WINDOWS OF GROUND FLOOR APARTMENT.

SHADOWS CAST ON NORTH WALLS OF 12-26 WILCOX STREET



NO.	DATE	AMENDMENT



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