

Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 24 February 2020, 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 & Prof Mads Gaardboe
- Apologies –** Specialist Member – Ms Colleen Dunn

Confirmation of Minutes

Item No. 1 – Confirmation of Minutes – 3/2/2020 [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 3 February 2020, be taken as read and be confirmed as an accurate record of proceedings.

Non-Complying Applications

Nil

Application for consideration on Merit [Three]

Item No. 3.1 – 15A Cairns Street, Adelaide SA 5000 (DA/682/2019 - PC) [CAP]

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

That the development, the subject of the application from Williams Burton Leopardi for two storey rear addition with upper level terrace and rear garage and conservation works to front facade at 15A Cairns Street, Adelaide SA 5000 as shown on plans designated DA/682/2019:

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:**
 - **Williams Burton Leopardi – 15a Cairns Street Planning Documentation – Plans, elevations and other details (16 pages) – Received by Council 18 February 2020**
 - **Williams Burton Leopardi – 15a Cairns Street – Letter dated 19 December 2019 – Reference: 2618 – Comments relating to Heritage (4 pages) – Received 19 December 2020**

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 following samples shall be provided to Council for approval by Council's Heritage Architect prior to undertaking works to the reasonable satisfaction of council:

- Front wall paint removal
- Front wall repointing, and any replacement face stones

Reason: *To ensure that the cultural value and setting of the heritage item is conserved.*

3. Details of the following shall be provided to Councils Heritage Architect prior to fabrication and installation to the reasonable satisfaction of council:

- Timber sizing and section profile and horn shape for the double hung window to the front wall
- Timber sizing and section profile for the front door and openable fanlight window

Reason: *To ensure that the cultural value and setting of the heritage item is conserved.*

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.*

5. Prior to Development Approval being granted to the Development, final details of the type, location and noise generation of any air-conditioning plant and equipment located on the Land shall be submitted to the Council for Council's approval. Such details shall be to the reasonable satisfaction of the Council.

Reason: *To protect the character and amenity of the locality.*

Advices

1. Street Numbering

Any street numbering which may have been indicated on this application has neither been approved nor denied. To avoid any potential confusion regarding the addressing of your development, it is recommended that you contact the Rates and Valuation

Section to confirm the correct address prior to the commencement of marketing. The Rates and Valuation Section can be contacted on 8203 7128 or 8203 7129.

2. 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. To notify Council, contact City Planning via d.planner@cityofadelaide.com.au or phone 8203 7185.

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. 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.

5. 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.

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

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. 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.

8. Damage to Council's Footpath / Kerbing / Road Pavement / Verge

Section 779 of the Local Government Act provides that where damage to Council footpath / kerbing / road pavement / verge occurs as a result of the development, the owner / applicant shall be responsible for the cost of Council repairing the damage.

9. City Works Permit

Any activity in the public realm, whether it be on the road or footpath, requires a City Works Permit. 48 hours' notice is required before commencement of any activity.

The City Works Guidelines detailing the requirements for various activities, a complete list of fees and charges and an application form can all be found on Council's website at www.cityofadelaide.com.au

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 – 31-35 Worsnop Avenue (257-259 Pirie Street), Adelaide SA 5000 (DA/214/2019 - EP) [CAP]

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

That the development, the subject of the application from Wilson Parking to use the existing building for non-ancillary car parking and the installation of associated signage at

31- 35 Worsnop Avenue (257-259 Pirie Street), Adelaide SA 5000 as shown on plans designated DA/214/2019:

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 Matter, conditions and advices:

Reserved Matter

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

- A parking plan detailing the location of the ticket machine in a location that does not impact on vehicle turning or parking areas to the reasonable satisfaction of 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:**

- **GTA Consultants Car Park Layout Plan, Drawing No. S180730-SK03-P2, sheet 03 of 04 received 2 December 2019**
- **Wilson Parking Annexure to Development Application 31-35 Worsnop Avenue dated 29 March 2019**
- **Annexure A Signage Details received 29 March 2019**
- **URPS letter dated 2 December 2019 and associated correspondence from Austalian Red Cross, Mission Australia and Wellstone P/L**
- **URPS letter dated 12 February 2020**

to the reasonable satisfaction of the Council except where varied by conditions below (if any).

-
2. **Clear sight lines for users of the car park shall be provided to ensure pedestrian safety along the Pirie Street footpath and shall be provided at all times in accordance with AS/NZS 2890.1:2004 Off-street Car Parking.**

Reason: *To ensure that the Development meets the requirements of the relevant Australian Standards.*

-
3. **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.*

-
4. **The hours of operation for the car park on the Land on Monday to Friday shall be limited to 5 am to 9 pm.**

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

Advices

1. Development Approval will not be granted until a Building Rules Consent has been obtained. This may be obtained through either Council or a Private Building Rules Certifier. 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.
 2. Pursuant to the provisions of Regulation 48 of the Regulations under the Development Act 1993, this consent will lapse at the expiration of 12 months from the operative date of the consent unless the development has been lawfully commenced by substantial work on the site of the development within such period, in which case the approval will lapse within 3 years from the operative date of the consent subject to the proviso that if the development has been substantially or fully completed within those 3 years, the consent will not lapse.
-

Item No. 3.3 – Aquinas College, 1-25 Palmer Place, North Adelaide SA 5006 (DA/489/2019 – EP) [CAP]

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

[With a correction to remove text and an error as shown with the strikethrough in Part 2]

That the development, the subject of the application from Aquinas College Inc. to construct a new study annexe with undercroft parking at 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 GRANTED Development Plan Consent, subject to ~~the concurrence of the State Commission Assessment Panel and~~ 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 Brown Falconer – Reference No. 2018 018, Plan Nos. DA01, DA02, DA03, DA04A and DA05 Rev B**

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. **Samples of external materials, colours and finishes shall be submitted for approval by Council, in consultation with Heritage South Australia (Department for Environment and Water).**

Reason: External appearance supported in principle but not detailed in application.

3. **The landscaping depicted on the plans shown on the site plan (Brown Falconer sheet DA 02) including the existing pencil pines on the northern boundary and other plantings of advanced growth shall be installed prior to occupation and**

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 by plants of advanced growth and shall to the reasonable satisfaction of the Council.

Reason: *To ensure the proposed landscaping assists in the screening of views of the new building from the adjacent State Heritage property, ('Walkley House').*

4. **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.*

5. **Accessible car parking spaces shall be provided within the proposed development to the reasonable satisfaction of Council.**

Reason: *To ensure the development provides adequate parking for people with disabilities.*

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.*

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. 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.

6. Requirements of the Aboriginal Heritage Act 1988

The applicant is advised of the following requirements of the *Aboriginal Heritage Act 1988*:

- a) 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*.
-

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. Wheelstops

Wheelstops are recommended for car parking spaces that have a walkway area at the front of the park to prevent intrusion.

Other Applications [One]

Item No. 4.1 – St Dominic’s Priory, 101-159 Molesworth Street, North Adelaide SA 5006 (S49/18/2019 – EP) [CAP]

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

That the State Commission Assessment Panel be advised that in respect to Development Application S49/18/2019, the City of Adelaide Council Assessment Panel supports the redevelopment of the land for residential purposes but has the following concerns relating to this proposal:

Desired Character

- The proposal does not affect the existing character of the locality nor does it prevent the attainment of the desired character as the proposed structures and upgrades are generally set back within the subject land, of a compatible scale and materials and are of high quality design.

Built Form, Design and Heritage

- The proposed development is not immediately adjacent to Local heritage places and therefore has no material impact. The scale and bulk of the proposed development is in keeping with the existing buildings located on the site which are 2-3 levels. Adjacent residential property will not be detrimentally affected by the proposed development in terms of overshadowing, overlooking or sense of enclosure.

Acoustic Performance

- No detail has been provided regarding the plant and machinery associated with the proposed development. Given that the site is located within a low-density residential zone, such infrastructure is required to satisfy Council Wide PDC 93(b) which seeks a maximum 50 dB(A) during daytime (7.00am to 10.00pm) and 40 dB(A) during night time(10.00pm to 7.00am).

Other Matters

In addition to the above, the following comments relate to impacts on Council owned assets within the vicinity of the development.

Roads/Footpaths - Engineering Related Comments

There are no roads/footpath/bridges related objections to this development, subject to the following matter/s being addressed:

- Any damage caused to City of Adelaide's road, footpath and kerbing infrastructure during development will be the responsibility of the developer to rectify to a standard that equals or improves the pre development condition.
- Council will inspect the works after completion for standards and specification compliance. Any non-compliance will need to be rectified at the developers costs to Councils' satisfaction.
- Footpath reinstatements associated with works will need to match surrounding materials and pavement composition.

Lighting / Electrical/CCTV Related Comments

There are no lighting related objections to this development, subject to the following matter/s being addressed:

- The existing street lighting on Molesworth Street is owned and maintained by SA Power Networks, it consists of stobie poles with lights affixed and overhead cabling. The lighting along Hill street is as per Molesworth Street, however City of Adelaide 3.5m post-top lights with associated underground cabling and pits is also installed.
- All modifications requiring temporary removal/relocation/provision of temporary lighting/reinstatement of existing Council and/or SA Power Network's public lighting (including associated infrastructure such as cabling etc) shall meet Councils' requirements. The works shall be carried out to meet Councils' requirements and all costs borne directly by the developer.
- If temporary hoarding or site works require modification of existing Council and/or SA Power Network's public lighting (including associated infrastructure such as cabling etc.) shall meet Councils' requirements. The works shall be carried out to meet Councils' requirements and all costs borne directly by the developer.
- Existing underground services shall be identified and marked in the locality prior to undertaking any excavation works.
- All damage to the City of Adelaide's infrastructure, including damage to public lighting and u/g ducting etc caused by projects works or loading of site crane onto pathways will be repaired to meet Councils requirements and the cost of the developer.

Should SCAP determine to grant consent to the development, it is recommended that the following conditions and advices be included:

Conditions

1. **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.

2. **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' to the reasonable satisfaction of the Council.**

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

3. **The Significant Tree namely the Cupressus lucitania located Molesworth Street boundary and the school building identified for retention on the approved plans herein granted consent (Tree) shall be protected during the course of the construction of the Development. The area in which the Tree's branches and roots are located shall be protected during the course of the construction of the Development by the erection of a secure fence prior to the commencement of any building work on the Land (Fence). The following requirements shall be complied with to the reasonable satisfaction of the Council:**

- **The Fence shall consist of a 2.0 metre high solid, chain mesh, steel or similar fabrication with posts at 3.0 metre intervals.**
- **A clearly legible sign displaying the words "Tree Protection Area – Keep Out" shall be clearly written on all sides of the Fence.**
- **The Fence shall not be erected closer to the Tree than either a distance equal to half of the height of the Tree or the full width of the branch spread of the Tree (whichever is the lesser distance).**

The applicant or the person(s) having the benefit of this consent shall ensure that the Fence is maintained in good order and remains in place around the Tree throughout the course of the construction of the Development.

Reason: To ensure that the health of the Significant Tree is not adversely affected during the course of Development

Advices

1. **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 received by Council via the following:

Email:	cityworks@cityofadelaide.com.au
Fax:	8203 7674
In Person:	25 Pirie Street, Adelaide

2. 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.
3. 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.
4. 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. 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.

Other Business

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

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

That the report be received.

Council Assessment Panel – Meeting Minutes



Other Business raised at Panel Meeting

Nil

Next Meeting

24 March 2020

Closure

The meeting closed at 5.46 pm.

Mr Mark Adcock
Presiding Member
City of Adelaide Council Assessment Panel

Documents attached for reference

Nil