

Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 24 August 2020, at 5.33 pm

Colonel Light Room, Town Hall, Adelaide

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

Apology – Panel Member – Councillor Arman Abrahamzadeh

Confirmation of Minutes

Item No. 1 – Confirmation of Minutes – 27/7/2020 [CAP]

Decision

That the Minutes of the Electronic meeting of the City of Adelaide Council Assessment Panel held on 27 July 2020, be taken as read and be confirmed as an accurate record of proceedings.

Non-Complying Applications [Two]

Item No. 2.1 – 244-246 Halifax Street, Adelaide SA 5000, DA/282/2020 (SG) [CAP]

DA/282/2020 - Disclosure of Conflict of Interest

Mr Marc Duncan disclosed a pecuniary interest in DA/282/2020 – 244-246 Halifax Street, Adelaide SA 5000, as he has an employment relationship with Future Urban which is representing the applicant, left the meeting held in the Colonel Light Room at 5.36 pm and did not take part in any hearings, deliberations or decision of the Panel on the matter.

Decision

Pursuant to Section 39(4) (d) of the Development Act 1993 and Development Regulation 17(3) (b), the Panel determine to PROCEED with an assessment of the application.

Mr Marc Duncan re-entered the Colonel Light Room at 5.38 pm.

Item No. 2.2 – 154 Gover Street, North Adelaide SA 5006, DA/323/2020 (SG) [CAP]

Decision

Pursuant to Section 39(4) (d) of the Development Act 1993 and Development Regulation 17(3) (b), the Panel determine to PROCEED with an assessment of the application.

Applications for consideration on Merit [Two]

Item No. 3.1 – 22 Brougham Court, North Adelaide SA 5006, DA/210/2020 (EP) [CAP]

Representations Heard

Representors:

Mr Peter Duldig – 24 Brougham Court, North Adelaide

Matthew Gershwitz – 18 Brougham Court, North Adelaide

Applicant:

Philip Gaertner & Cassie Gaernter

Decision

That the development, the subject of the application from Hendre to construct a two storey rear addition to existing dwelling and plunge pool, replace existing fence and associated site works at 22 Brougham Court, North Adelaide SA 5006 as shown on plans designated DA/210/2020,

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:

Reserve Matters

Pursuant to Section 33(3) of the Development Act 1993, the following matter/s should be reserved for further assessment prior to the granting of Development Approval, to the satisfaction of Council:

1. **Final details of the type, location and noise generation of any air-conditioning plant, equipment and visual screening located on the Land shall be submitted to the Council for Council's approval.**

Reason: To ensure that the amenity of the locality is not affected by noise or visual intrusion.

2. **Final details of the type, location and noise generation of any pool plant and equipment and size, materials, appearance and acoustic performance of pool plant enclosure located on the Land shall be submitted to the Council for Council's approval.**

Reason: To ensure that the amenity of the locality is not affected by noise or visual intrusion.

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:**
 - **Hendre Drafting - Project No. 19-015: Drawings PL01 Revision B**
 - **Hendre Drafting - Project No. 19-015: Drawings PL02 Revision B**
 - **Hendre Drafting - Project No. 19-015: Drawings PL03 Revision B**
 - **Hendre Drafting - Project No. 19-015: Drawings PL04 Revision B**

- **Hendre Drafting - Project No. 19-015: Drawings PL05 Revision B**
- **Hendre Drafting - Project No. 19-015: Drawings PL06 Revision B**
- **TMK Job No: 2003109 Drawing No. CRD/PA drawn 14.04.20**

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 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 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. The upper level window of the rear addition as depicted on the Front (West) Elevation shall have the 450 mm privacy shroud and translucent louvres, with a maximum 25% opening distance limit, installed prior to occupation of the Development to the reasonable satisfaction of Council.**

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

Advices

1. Residential Parking Permits

No on-street residential parking permits will be issued for use by occupants of, or visitors to, the development herein approved.

2. Building Site Management Plan

A Building Site Management Plan is required prior to or at the time of application for Development Approval. 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

3. Building and Encroachment Consent for Approval

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.

4. Expiration of Approval

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.

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. 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.

7. Damage to Council Infrastructure

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. 3.2 – 62 62A 64 64A Hurtle Square, Adelaide SA 5000, DA/295/2020 (EP) [CAP]

Decision

That the development, the subject of the application from Forme Projex for construction of a seven-storey residential flat building (32 dwellings) with ground floor commercial tenancy and associated car parking at 62 62A 64 64A 66 Hurtle Square, Adelaide SA 5000 as shown on plans designated DA/295/2020:

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 matters are reserved for further assessment pending the provision of additional information (and must be resolved prior to granting of Development Approval:

1. The applicant or the person(s) having the benefit of this consent is requested to provide, prior to the granting of development approval, a report confirming that the development incorporates the necessary acoustic treatments and noise attenuation measure so as to achieve the minimum requirements as outlined in Council Wide Principle 98. In addition, the report will include an assessment of the noise output(s) from fixed domestic air-conditioning units located on the balconies to ensure that the development conforms with the requirements of the Environment Protection (Noise) Policy. The Council reserves the right to impose further conditions in relation to this reserved matter following receipt of the said acoustic report.
2. The applicant or the person(s) having the benefit of this consent is requested to provide, prior to the granting of development approval, design details of the pic perf doors of the fire pump room.

(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.004, DPC.005 DPC006, DPC009, DPC010, DPC011, DPC.015, DPC016, DPC017 and DPC018 V1.1 dated 07 July 2020, DPC007, DPC008, DPC012, DPC013, DPC014 V1.2 dated 05 August 2020.**
 - **Planning Report and addendum prepared by Masterplan Planning Consultants.**
 - **Mechanical, Electrical, Hydraulic and Fire Protection report by Bestec.**
 - **Traffic and Parking report prepared by Cirqa.**

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 are used in the finished presentation of the building.

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 finished floor level of the ground floor level at the entry points to the development including the car park entry and exit points shall match the existing footpath unless otherwise agreed to by the Council in writing.

Reason: The Corporation of the City of Adelaide WILL NOT adjust footpath levels to suit finished building levels. The existing footpath levels are to be retained and entrance levels of the development must meet the existing back of footpath.

5. 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.

6. Lighting shall be installed to the awning at street level on Hurtle Square in accordance with Council's guideline entitled "Under Verandah/Awning Lighting Guidelines" at all times to the reasonable satisfaction of the Council and prior to the occupation or use of the Development. Such lighting shall be operational during the hours of darkness at all times to the reasonable satisfaction of Council.

Reason: To ensure the development does not create public areas with insufficient lighting.

7. Lighting shall be provided to the apartment entry on Hurtle Square and shall be operational during the hours of darkness at all times to the reasonable satisfaction of Council.

Reason: To ensure the development does not create areas with insufficient lighting.

8. 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 55dB(A) during daytime (7 am to 10 pm) and 45dB(A) during night time (10 pm to 7 am) when measured and adjusted in accordance with the relevant environmental noise legislation in operation and applicable to the Land except where it can be demonstrated by the applicant or the person(s) having the benefit of this consent 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.*

- 9. The final details of the ongoing waste management practices to be adopted by the applicant or the person(s) having the benefit of this consent, shall be submitted to and approved by the Council prior to the granting of development approval to the Development.**

The applicant or the person(s) having the benefit of this consent shall ensure that such waste management practices are adopted on the Land at all times to the reasonable satisfaction of Council.

***Reason:** To ensure that adequate waste management practices are adopted during the use of the Development.*

- 10. The applicant or the person having the benefit of this consent shall ensure that all storm water run-off from the proposed verandah/awning is collected and then discharged to the storm water discharge system. All down pipes affixed to the Development which are required to discharge the verandah/awning 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 adequate provision is made for the collection and dispersal of stormwater.*

- 11. This consent will lapse at the expiration of 24 months from the operative date of this consent.**

***Reason:** To facilitate the preparation of building documentation.*

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 12 months, in which case the approval will lapse within 3 years from the operative date of the approval subject to the proviso that if the development has been substantially or fully completed within those 3 years, the approval will not lapse.

2. Building 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 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. 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.

Other Applications

Nil

Other Business

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

Decision

That the report be received

DA Undertakings – Application to be seen by Panel

Nil

Other Business raised at Panel Meeting

Nil

Next Meeting

28 September 2020

Closure

The meeting closed at 6.36 pm.

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

Documents attached for reference

Nil