

Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 28 September 2020, at 5.31 pm
Colonel Light Room, Town Hall, Adelaide

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

Confirmation of Minutes

Item No. 1 – Confirmation of Minutes – 24/8/2020 [CAP]

Decision

That the Minutes of the Electronic meeting of the City of Adelaide Council Assessment Panel held on 24 August 2020, be taken as read and be confirmed as an accurate record of proceedings.

Non-Complying Applications

Nil

Applications for consideration on Merit [Five]

Item No. 3.1 – 195-199 Childers Street, Adelaide SA 5000, LD/2/2020 (SG) [CAP]

Decision

That the development, the subject of the application from Mr S Matthews for a land division from one allotment into four Community Title allotments at 195-199 Childers Street, North Adelaide SA 5006 as shown on plans designated LD/2/2020:

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

Conditions of Development Plan Consent

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:**
 - **Plan of division prepared by John C Bested and Associates, DWG No 19618.2-COM, V1**

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.*

Conditions of Land Division Consent

- 1. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0096171).**

SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

The developer must inform potential purchasers of the community lots regarding the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

Reason: *To satisfy the requirements of the State Commission Assessment Panel*

- 2. Payment of \$22,848.00 into the Planning and Development Fund (3 allotment/s @ \$7,616 / allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au , by phone (7109 7018) or by cheque payable to the State Commission Assessment Panel marked “Not Negotiable” and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.**

Reason: *To satisfy the requirements of the State Commission Assessment Panel.*

- 3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.**

Reason: *To satisfy the requirements of the State Commission Assessment Panel.*

Advices

- 1. Expiration Time of Approval (Land Division)**

Pursuant to the provisions of Regulation 48 of the Regulations 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 an application for a certificate under Section 51 of the Act has been lodged with the Development Assessment Commission within such period in which case the consent / approval will lapse at the expiration of 3 years.

2. 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 Customer Centre on 8203 7203 for further information.

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

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.

4. Fences Act 1975

The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 8463 3555.

5. Land Division (Section 51) Certificate

The applicant is reminded to contact the Council when all of the Council's conditions have been complied with and accordingly, the State Commission Assessment Panel will then be notified that the Council has no objections to the issuing of the Section 51 Certificate.

Item No. 3.2 – 195-199 Childers Street, Adelaide SA 5000, DA/206/2020 (SG) [CAP]

Decision

That the development, the subject of the application from Mr S Matthews for the demolition of existing single storey detached dwelling and construction of two storey residential flat building comprising two dwellings at 195-199 Childers Street, North Adelaide SA 5006 as shown on plans designated DA/206/2020:

Is not seriously at variance with the provisions of the Development Plan but is REFUSED Development Plan Consent for the following reasons:

- Is not considered to satisfy the following relevant Development Plan provisions:
 - North Adelaide Historic (Conservation) Zone PDCs 1(c), 3, 6
 - Council Wide Heritage and Conservation – North Adelaide PDC 162(a)(b)(c)
 - Council Wide Objective 48
- Lack of detail demonstrated on plans to assess against the provisions of the Development Plan.

Item No. 3.3 – 335-337 Wakefield Street, Adelaide SA 5000, DA/252/2020 (EP) [CAP]
Decision

That the development, the subject of the application from Mr S Hill Smith to construct a three storey residence with basement and rooftop terrace with detached garage/studio and swimming pool at 335-337 Wakefield Street, Adelaide SA 5000 as shown on plans designated DA/252/2020:

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

- **Urban Habitats – Site Plan – S1.1 B**
- **Urban Habitats – Basement Plan – S1.2 B**
- **Urban Habitats – Ground Floor Plan – S1.3 B**
- **Urban Habitats – First Floor Plan – S1.4 B**
- **Urban Habitats – Roof Top Plan – S1.5 B**
- **Urban Habitats – Elevation Plan – S1.6 C**
- **Urban Habitats – Elevation and Fencing Plan – S1.73 C**
- **Urban Habitats – Material Palette – S1.10**
- **Landskap – Ground Floor Landscape Plan – S1.3 B**
- **Urban Habitats Letter dated 15 May 2020**
- **Urban Habitats Letter dated 16 July 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. **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 are used in the finished presentation of the building.*

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 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 (7 am to 10 pm) and 40dB(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.

5. All mechanical machinery associated with the heating, cleaning and filtration of the swimming pool on the Land shall be located within the pool store room on the Land. Such mechanical machinery shall not emit any noise exceeding 8dB(A) above the level of background noise in any octave band of the sound spectrum. Such noise levels shall be to the reasonable satisfaction of the Council at all times.

Reason: To protect the amenity of neighbouring properties.

6. A detailed landscaping plan specifying all areas of the Land to be landscaped, including a list of the species to be planted, the height of the species at the time of planting and the estimated mature height of all plants shall be submitted to and approved by the Council prior to the granting of development approval to the Development. The establishment of all landscaping shall occur no later than the next available planting season after substantial completion of the Development. Such landscaping shall be maintained in good health and condition to the reasonable satisfaction of the Council at all times. 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.

7. The 'privacy screening / screening' and 'obscured glazing' as depicted on the plans granted consent 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.

8. The underground car park ramp shall be a minimum of 3.0 metres in width to enable safe one-way vehicle access in accordance with AS/NZS 2890.1:2004 Off-street Car Parking. This ramp shall contain a flat/level rest area at the top of the ramp within the property and shall be a minimum of 3.0 metres in length.

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

- 9. The colour and finish of external insitu concrete walling is to be confirmed, to the satisfaction of Council in consultation with the Department for Environment and Water, prior to the pouring of concrete walls.**

Reason: *Selection of concrete colour/finish is critical to achieve visual compatibility with abutting State heritage places. Samples are not possible until construction has commenced.*

Advices

1. Building Rules Consent Required

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. Expiration Time 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.

3. 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

Unsecure 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.

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 received by Council via the following:

Email: cityworks@cityofadelaide.com.au

In Person: 25 Pirie Street, Adelaide

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 Customer Centre on 8203 7203 for further information.

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. 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.

8. Vehicle Crossing Places

There is no objection to the proposed vehicle crossing place/alterations to the existing vehicle crossing place(s), however the work will be undertaken by Council and the cost of the work will be charged to the applicant. A separate application for the crossing place(s) is required and the applicant can obtain a form from Customer Service, 25 Pirie Street, Adelaide, or telephone 8203 7236. A quotation for the work will be provided by Council prior to the work being undertaken.

9. Damage to Council 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. Amendments requiring consultation with the Minister for Environment and Water

Any changes to the proposal for which planning consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department for Environment and Water, or an additional referral to the Minister for Environment and Water. Such changes would include for example (a) an application to vary the planning consent, or (b) Building Rules documentation that incorporates differences from the proposal as documented in the planning application.

11. Archaeological artefacts found

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.

12. Archaeological artefacts - Permits

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 for Environment and Water.

13. Aboriginal Heritage

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.

Item No. 3.4 – 112-114 Carrington Street, Adelaide SA 5000, DA/380/2020 (SG) [CAP]

DA/380/2020 - Disclosure of Conflict of Interest

Councillor Arman Abrahamzadeh disclosed a pecuniary interest in DA/380/2020 – 112-114 Carrington Street, Adelaide SA 5000, as he has an employment relationship with SA Housing Authority who have submitted a representation in response to public notification, left the

meeting held in the Colonel Light Room at 6.09 pm and did not take part in any hearings, deliberations or decision of the Panel on the matter.

Decision

That the development, the subject of the application from YH Group for the demolition of an existing building and construction of a five level mixed use building comprising café and car parking at ground level and 13 apartments at upper levels at 112-114 Carrington Street, Adelaide SA 5000 as shown on plans designated DA/380/2020:

1. Is not seriously at variance with the provisions of the Development Plan and
2. Be GRANTED Development Plan Consent, subject to the following 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 Tectvs Architects as follows:

- **Ground & First Floor Plan, DWG No. P02 Rev 2.2, dated 14 September 2020**
- **Second & Third Floor Plan, DWG No. P03 Rev 2.1, dated 9 September 2020**
- **Fourth Floor Plan, DWG No. P04 Rev 2.1, dated 9 September 2020**
- **South & North Elevations, DWG No. P05 Rev 2.0, dated 17 July 2020**
- **East & West Elevations, DWG No. P06 Rev 2.0, dated 17 July 2020**
- **Sections A & B, DWG No. P07 Rev 2.0, dated 17 July 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. **External materials, surface finishes and colours of the Development shall be consistent with the descriptions 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 existing footpath level shall not be modified to suit the floor level of the pedestrian or vehicle entry points to the development, unless otherwise agreed to by the Council in writing.**

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

4. **Angled screening devices to prevent views westward into the adjoining property shall be installed to the western sides of each south facing window of the northern apartments on levels 1 to 3 depicted on Drawing Numbers P02 and P03.**

All screening devices, including for the northern 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 at all times. Details of these devices shall be provided to the satisfaction of the Council prior to the granting of Development Approval.

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

5. 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.*

6. All collected drainage water from any planter boxes, seepage collection systems, water features, swimming pools and/or spas located on the Land shall be discharged to the sewer to the reasonable satisfaction of the Council.

Reason: *To ensure that adequate provision is made for the disposal of collected water.*

7. A detailed landscaping plan specifying all areas of the Land to be landscaped, including a list of the species to be planted, the height of the species at the time of planting and the estimated mature height of all plants shall be submitted to and approved by the Council prior to the granting of development approval to the Development. The establishment of all landscaping shall be undertaken within the first planting season of the substantial completion of the Development. Such landscaping shall be maintained in good health and condition to the reasonable satisfaction of the Council at all times. 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.*

8. Clear sight lines for users of the car park shall be provided to ensure pedestrian safety along the Queen 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 Australia Standards.*

Advices

1. Building & Encroachment Consent for Approval

Development Approval will not be granted until Building Rules Consent and an 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.

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 Approval's Section on 8203 7421 for further information.

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 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

Unsecure 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.

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. **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 Customer Centre on 8203 7203 for further information.

6. **Damage to Council's Footpath/Kerbing/Road Pavement**

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.

7. **Contact SA Power Networks**

The applicant is advised to contact SA Power Networks regarding the relocation or integration into the development of the two existing light posts in Queen Street adjacent to the proposed development. Any substantial modifications to the development herein approved will require the consent of Council.

8. **Crossing Places**

There is no objection to the proposed vehicle crossing place/alterations to the existing vehicle crossing place(s), however the work will be undertaken by Council and the cost of the work will be charged to the applicant. A separate application for the crossing place(s) is required and the applicant can obtain a form from Customer Service, 25 Pirie Street, Adelaide, or telephone 8203 7236. A quotation for the work will be provided by Council prior to the work being undertaken.

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

In Person: 25 Pirie Street, Adelaide

Councillor Arman Abrahamzadeh re-entered the Colonel Light Room at 6.18 pm.

Item No. 3.5 – 17-19 Field Street, Adelaide SA 5000, DA/485/2020 (EP) [CAP]

Decision

That the development, the subject of the application from Brown Falconer Group P/L to construct a 7 storey mixed use building with two restaurant tenancies on ground and first level and student accommodation on levels 2 to 6 containing 22 apartments and a communal roof deck at 17-19 Field Street, Adelaide SA 5000 as shown on plans designated DA/485/2020:

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

Conditions

- **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:**
 - Letter from Brown Falconer dated 26 August 2020
 - Site Plan Dwg No. 2018073 DA04 Revision 9
 - Floor Plans Dwg. No. 2018073 DA05 Revision 9
 - Floor Plans Dwg. No. 2018073 DA06 Revision 9
 - Elevation Drawing No. 2018073 DA07 Revision 9
 - Elevations – 1 Dwg. No. 2018073 DA08 Revision 9
 - Elevations -2 Dwg. No. 2018073 DA09 Revision 9
 - Sections – 1 Dwg. No. 2018073 DA10 Revision 8
 - Sections – 2 Dwg. No. 2018073 DA11 Revision 8
 - Materials Dwg. No. 2018073 DA12 Revision 8
 - Materials Dwg. No. 2018073 DA13 Revision 9

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. **Prior to the granting of development approval to the Development the applicant or the person(s) having the benefit of the consent shall submit to the Council samples of the final selection of all external materials, surface finishes and colours of the Development so as to ensure that such samples are consistent with the consent. Such samples shall be to the reasonable satisfaction of the Council.**

Reason: *To ensure that the Development is undertaken in accordance with the plans and details submitted.*

3. **The finished floor level of the ground floor level at the entry point to the development shall match the existing footpath unless otherwise agreed to by the Council in writing.**

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

4. **The connection of any storm water discharge from the Land to any part of the Council's underground drainage system shall be undertaken in accordance with the Council Policy entitled 'Adelaide City Council Storm Water Requirements'.**

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

5. **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 (7am to 10pm) and 45dB(A) during night time (10pm to 7am) 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.*

6. **Only background music is permitted in the restaurants and shall be played at a level where patrons can comfortably hold a conversation without having to raise voices.**

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

7. **Ancillary activities such as deliveries, collection, movement of private waste bins, goods, empty bottles and the like shall occur before 10.00 pm and after 7.00 am Monday to Saturday or after 9.00 am on a Sunday or Public Holiday.**

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

8. **Noise from the premises such as music and patron noise, when assessed at the nearest existing or envisaged future noise sensitive location, shall be less than 8dB(A) above the level of background noise in any octave band of the sound spectrum. Such noise levels shall be to the reasonable satisfaction of the Council at all times.**

Reason: *To ensure that the Development does not unduly impair or impinge upon the enjoyment of residents or users of adjoining properties.*

9. **A detailed landscaping plan specifying all areas of the Land to be landscaped, including a list of the species to be planted, the height of the species at the time of planting and the estimated mature height of all plants shall be submitted to and approved by the Council prior to the granting of development approval to the Development. The establishment of all landscaping shall be undertaken within three (3) months of the substantial completion of the Development and in any event prior to the occupation or use of the Development. Such landscaping shall be maintained in good health and condition to the reasonable satisfaction of the Council at all times. 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.*

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 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

2. Signage

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

3. Building Rules Consent Required

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. 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.

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

Site Theft

Unsecure 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.

7. Vehicle Crossing Places

The vehicle crossing place(s) made redundant as a result of this development will be closed by Council and the applicant will be charged directly for the work. A quotation for the work will be provided by Council to the applicant prior to the work being undertaken.

8. Disposal of Drainage Water

Collected drainage water from any landscaped areas, planter boxes, seepage collection systems, water features, swimming pools and air conditioning units must be discharged to the sewer.

9. Damage to Council 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. Crane Operations

Any crane operations associated with the construction of the development will need to be undertaken with prior consultation with Adelaide Airport Limited.

11. Demolition

Demolition and construction at the site should be carried out so that it complies with the construction noise provisions of Part 6, Division 1 of the Environment Protection (Noise) Policy 2007. A copy of the Policy can be viewed at the following site:
www.legislation.sa.gov.au

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

Item No. 5.2 – Other Business – Public Notification [CAP]

Decision

That assessments presented to the Panel include a map in the report to detail properties notified of the development application.

Next Meeting

26 October 2020

Council Assessment Panel – Meeting Minutes



Closure

The meeting closed at 6.30 pm.

Mr Mark Adcock
Presiding Member
City of Adelaide Council Assessment Panel

Documents attached for reference

Nil