

Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 22 March 2021, at 5.30 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

Opening and Acknowledgment of Country

At the opening of the Panel Meeting, the Presiding Member stated:

‘The City of Adelaide Council Assessment Panel acknowledges that we are meeting on traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.’

Confirmation of Minutes

Item 1 – Confirmation of Minutes – 22 February 2021 [CAP]

Decision

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 22 February 2021, be taken as read and be confirmed as an accurate record of proceedings.

Declaration of Conflict of Interest

DA/282/2020 – Mr Marc Duncan

Non-Complying Applications (One)

Item 3.1 – 244 & 246 Halifax Street, Adelaide SA 5000, DA/282/2020 [DA] (SG) [CAP]

DA/282/2020 - Declaration 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 5.41pm and did not take part in any hearings, deliberations or decision of the Panel on the matter.

Representations Listed to be Heard and Heard

Representors:

Mr Graham Burns on behalf of Ms Renee Hirsch of 63 McLaren Place, Adelaide

Mr Graham Burns on behalf of Mr Christopher and Mrs Linda Dibden of 248 Halifax Street, Adelaide

Applicant:

Mr Fabian Barone of Future Urban on behalf of the Applicant

Decision

That the development, the subject of the application from 246 Halifax P/L for the demolition of existing building and construction of two storey mixed use building with offices and car parking at ground level and two apartments at first floor at 244 & 246 Halifax Street, Adelaide SA 5000 as shown on plans designated DA/282/2020:

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 advisory notes:

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 Architects Ink:

- 19-1125 SK01 - Rev A, SK02 - Rev D, SK03 - Rev G, SK04 - Rev F, SK05 - Rev F, SK06 - Rev E, SK07 - Rev E, SK08 - Rev C, SK09 - Rev D, SK10 - Rev A, SK11 - Rev A, SK12 - Rev A, SK13 - Rev A

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 used in the finished presentation of the Development.*

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

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

4. **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.

5. **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 Council in writing.**

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

6. **Clear sight lines for users of the car park shall be provided to ensure pedestrian safety along the Cardwell 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.

7. **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.

8. **The window on the northern elevation shown on DWG Nos. SK05 Rev. F and SK06 Rev. E dated 19 February 2021 shall have a sill height of at least 1.8 metres above finished floor level and this 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.

Advisory Notes

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 / 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 24 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. Crossing Places

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

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 visit <https://www.cityofadelaide.com.au/transport-parking/parking/residential-parking/> or contact the 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. City Works Permit

Any activity in the public realm, whether it be on the road or footpath, requires a City Works Permit. This includes activities that have received Development Approval.

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/business/permits-licences/city-works/

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.

Applications will require a minimum notice period of two to five business days, depending on the nature of work, and can be lodged online via <https://www.cityofadelaide.com.au/business/permits-licences/city-works/>

Mr Marc Duncan re-entered the Colonel Light Room at 6.07pm

[Applications for consideration on Merit \(Four\)](#)

Item 4.1 – 182 Ward Street, North Adelaide SA 5006, DA/366/2020 [DA] (EP) [CAP]

Representations Listed to be Heard and Heard

Representors:

Mrs Deborah Hamilton (JJR Investment Holdings Pty Ltd) of 177 Ward Street
 Alison Field (Botten Levinson Lawyers) on behalf of JJR Investment Holdings Pty Ltd & Ms Fiona Roche of 177 Ward Street *[Not Present]*
 David Bills (URPS) accompanied by Helen L Adams and on behalf of Odin Investments (Helen L Adam) of 188 Ward Street
 Alexander Wilkinson accompanied by and on behalf of Maggie Johannsen of 178 Ward Street

Applicant:

James Cummins (Town Planning Architects) and Jason Shullz (Dash Architects) on behalf of the applicant

Decision

That the development, the subject of the application from North Adelaide Obstetrics & Gynaecology for partial demolition to rear of existing consulting rooms and construction of a three storey addition with car parking at 182 Ward Street, North Adelaide SA 5006 as shown on plans designated DA/366/2020:

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 advisory notes:

Conditions

1. **The Development undertaken in accordance with the plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent as listed below:**
 - **Dash Architects Drawing 02 Revision A, Dash Architects Drawing 03 Revision B, Dash Architects Drawing 04 Revision B, Dash Architects Drawing 05 Revision B, Dash Architects Drawing 06 Revision A, Dash Architects Drawing 07 Revision A, Dash Architects Drawing 08 Revision B, Dash Architects Drawing 09 Revision B, Dash Architects Drawing 10**

Revision B, Dash Architects Drawing 11 Revision B, Dash Architects Drawing 12, Dash Architects Drawing 13 Revision A.

- **Planning Report prepared by James Cummings of MasterPlan dated July 2020**
- **Response to Representations prepared by Dash Architects dated December 2020**

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 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 the Council stormwater system is adequately protected from excessive water flows, pollutants and debris.*

- 4. The hours of operation shall be limited to 8:30am – 5:30pm Monday to Friday.**

Reason: *To ensure that the amenity of adjacent land is not unreasonably affected by operation of the proposed business.*

- 5. The windows of the western façade on the first and second level as depicted on the western elevation shall be translucent/obscured to a minimum height of 1600mm above the finished floor level. Such windows shall be installed prior to the occupation or use of the Development to the reasonable satisfaction of the Council.**

Reason: *To ensure the amenity of adjacent residential premises is preserved.*

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

Reason: *To ensure that the proposed development contributes to wards the private and public amenity of occupants, neighbours and the general public.*

Advisory Notes

1. Expiry of Consent

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.

2. Work on 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.

3. 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
-

4. Crossing Place

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

5. Stormwater Disposal

With respect to any proposed storm water discharge from the property to the adjacent private road/right of way, the applicant must ensure that there are no objections from the owners of any other properties with rights over the private road.

With respect to any proposed storm water discharge from any allotment to the proposed private road/right of way, the applicant must ensure that there are no objections from the owners of any other properties with rights over the proposed right of way. The applicant must be prepared to create an easement within the proposed right of way for the purpose of storm water drainage, if required as a result of any proposed storm water discharge from any allotment to the proposed right of way.

6. 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.

7. 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

8. Building Rules Consent Required

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.

Item 4.2 – 120 East Street, Adelaide SA 5000, DA/173/2020 [DA] (EP) [CAP]

Representations Listed to be Heard and Heard

Representors:

Leslee St John-Robb & Jack Colangelo of 119 East Terrace Adelaide

Applicant:

Simon Grose (Advantage Planning) on behalf of the applicant

Decision

That the development, the subject of the application from Ms L J Manos to construct a deck at ground floor level to side of existing dwelling, erect 2.6 metre high boundary wall to the north and west boundary, undertake kitchen renovations and alter two windows to form French doors to courtyard at 120 East Terrace, Adelaide SA 5000 as shown on plans designated DA/173/2020:

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 advisory notes:

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 Zeek Badman as follows:**
 - **Letter from Advantage Planning Services, dated 26 March 2020**
 - **Holliday Design & Drafting - Deck Plan, DWG No. W1, dated December 2019**
 - **Rescom Joinery Solutions, Drawings date stamped 24 March 2021**

- **Rescom Joinery Solutions, Drawing Damian Kitchen, Sheets 1 to 6 inclusive dated stamped 24 July 2019**
- **Advantage Planning Services Wall drawing date stamped 24 March 2021 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. Confirmation that a damp proof membrane or gap will be left between the wall and the decking tiles shall be provided to the satisfaction of Council in consultation with Heritage South Australia (Department for Environment and Water).**

Reason: To avoid moisture moving into the wall from the tiles or ground.

Advisory Notes

1. Building Consent for Approval Development Approval

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 / 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 24 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

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.

5. Registered Easements

The applicant is advised that the granting of Development Approval does not confer any rights that supersede that of other parties who have registered rights over the easements on the subject land.

6. Access to the Easement

The applicant is reminded that removal of the structure (wholly or in part) may be required for the removal, laying, inspection, repair or upgrade of the infrastructure laid in the easement.

Item 4.3 – 176-180 MacKinnon Parade, North Adelaide SA 5006, DA/624/2020 [DA] (PC) [CAP]

Representations Listed to be Heard and Heard

Representors:

Mr Stewart and Mrs Loine Sweeney of 168 Brougham Place, North Adelaide *[Not Present]*

Ms Zylia De Wet, Presiding Officer MacKinnon Parade Strata Corporation *[Not Present]*

Applicant:

Mr Matthew King of URPS on behalf of the applicant *[Not Heard in the absence of the Representor]*

Representation from Legal Advisor Heard

Mr Brian Hayes QC who was present in the Public Gallery with the applicant, requested and with the consent of the Panel, joined the meeting to address the Panel regarding notification and representation process and entitlement, receipt of a representation that is not entitled to be taken into consideration by the Panel in assessing DA/624/2020 and on behalf of the applicant.

Decision

That the development, the subject of the application from Ms H Syrianos for partial demolition of a State Heritage place and construction of a two-storey dwelling extension, inground swimming pool, basement level, perimeter walls and fencing at 176-180 MacKinnon Parade, North Adelaide SA 5006 as shown on plans designated DA/624/2020:

1. Is not seriously at variance with the provisions of the Development Plan
2. It is noted that the representation from Mr. S and Mrs. L Sweeney does not comply with the relevant legislation and accordingly is disregarded in relation to the assessment of this development, and
3. Be GRANTED Development Plan Consent, subject to the following conditions and advisory notes:

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 and details prepared by COX Architects – 176-180 MacKinnon Parade / Project Number: 519021.00 – Drawing Numbers as follows:
 - DA21-00, DA21-02 (Ground Floor Plan + Demolition Plan and Level 1 + Roof Plan), DA30-00, DA30-01, DA30-02, DA30-03, DA40-00, DA40-01 and DA40-02
- Hully Foundations – Structural Works Report – 176-180 MacKinnon Parade, North Adelaide / The Mayo House

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. Stonework removed as part of rear elevation demolition work must be stock piled for reuse in conservation works to the State heritage place, in a location to the satisfaction of Council in consultation with the Department for Environment and Water.

Reason: Existing external wall stonework is a perfect match for future façade repairs.

3. Timber skirtings, doors, architraves, picture rails and wainscoting to demolished areas of the dwelling to be salvaged for reuse/ storage on the site, to the satisfaction of Council in consultation with the Department for Environment and Water.

Reason: To ensure architectural features associated with the decoration of the place are retained on site.

4. Final details of any internal decoration work to be confirmed, to the satisfaction of Council in consultation with the Department for Environment and Water, before construction commences.

Reason: Applicant has confirmed that interior works will be undertaken as a separate project, but minor works may occur as part of this project.

5. Prior to Development Approval being granted to the Development, final details of the type, location and noise generation of any air-conditioning plant, pool 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.

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 be undertaken within 12 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.

7. A dilapidation survey recording the existing condition of the southern portion of the building at 168 Brougham Place, North Adelaide shall be provided to Council prior to the commencement of works, to the satisfaction of Council. As well as recording fabric in good condition, the survey shall also record the location, type and dimensional extent of any existing physical damage to the dwellings that might be affected by the proposed works.

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

8. Final levels in relation to the ground level will be provided prior to Development Approval being granted to Council's satisfaction.

Reason: To ensure the basement level does not elevate beyond the heights documented in approved plans and ensure landscaped character is preserved.

9. 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 used in the finished presentation of the Development.

10. 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 City of Adelaide City Works Guide # 2: 'Works Impacting Council Assets' which can be located on Council's website <https://www.cityofadelaide.com.au/> and shall be to the reasonable satisfaction of the Council.

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

Advisory Notes

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 24 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. Previous Consent

The applicant should be aware that the conditions of approval and advices issued with the previous consent (DA/277/2019, DA/277/2019/A, DA/447/2019 and DA/662/2019) where relevant remain valid and should be complied with.

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. Crossover

The plans show new driveway crossovers. New crossover to MacKinnon Parade has already been installed and are not to be altered to suit the development.

5. Bus stop relocation

The applicant is responsible for the relocation of the bus stop which was agreed to if Department of Infrastructure and Transport retained this stop on the route. As the bus stop is to remain, further consultation with Council and the Department of Infrastructure and Transport is required to resolve this matter.

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. 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.

9. Location of Construction Equipment During Course of Construction

Where practicable, development sites should contain sufficient space for the location of construction equipment during the course of building construction, so that development does not rely on the use of Council road reserves to locate such equipment.

10. Requirements of the Heritage Places Act 1993

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

- a) 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.
- b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

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

11. Requirements of the Aboriginal Heritage Act 1988

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

- 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*.
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12. City Works Permit

Any activity in the public realm, whether it be on the road or footpath, requires a City Works Permit. This includes activities that have received Development Approval.

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 <https://www.cityofadelaide.com.au/business/permits-licences/city-works/>

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.

Applications will require a minimum notice period of two to five business days, depending on the nature of work, and can be lodged online via <https://www.cityofadelaide.com.au/business/permits-licences/city-works/>

13. 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.

14. 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.

15. 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

Unsecured building sites have been identified as a soft target for vandalism and theft of general building materials. The Eastern District Police and the City of Adelaide are working together to help improve security at building sites. Items most commonly stolen or damaged are tools, water heaters, copper piping 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 access and establishes clear ownership.

16. 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 4.4 – 151 Gilbert Street, Adelaide SA 5000, DA/743/2020 [DA] (SG) [CAP]

Representations Listed to be Heard

Representors:

Mr Adam Dixon of 452 Morphett Street, Adelaide *[Not Present]*

Mr Richard Tamits of 14 Hamilton Place, Adelaide *[Not Present]*

Applicant:

Mr Greg Vincent of MasterPlan on behalf of Forme Projex *[Not Heard in the absence of the Representor]*

Representation from Applicant Requested

At the request of the Presiding Member, Andrew Hudson (Forme Projex) who was present in the Public Gallery, joined the meeting to respond to a question from a Panel Member.

Decision

That the development, the subject of the application from Forme Projex to demolish existing building and construct a ten level residential flat building comprising 39 apartments at 151 Gilbert Street, Adelaide SA 5000 as shown on plans designated DA/743/2020:

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 advisory notes:

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 & Frome Projex: DPC.002-DPC.012 – Revision 2.0.**
- **Environmental Noise Assessment prepared by Resonate dated November 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 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 used in the finished presentation of the Development.*

- 3. 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.

- 4. The existing footpath level shall not be modified to suit the floor level of the entry points to the development, unless otherwise agreed to by Council in writing.**

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

- 5. Lighting to the canopy shall be installed 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.

Advisory Notes

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 / 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 24 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. 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 visit <https://www.cityofadelaide.com.au/transport-parking/parking/residential-parking/> or contact the Customer Centre on 8203 7203 for further information.

5. 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.

6. City Works Permit

Any activity in the public realm, whether it be on the road or footpath, requires a City Works Permit. This includes activities that have received Development Approval.

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/business/permits-licences/city-works/

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.

Applications will require a minimum notice period of two to five business days, depending on the nature of work, and can be lodged online via <https://www.cityofadelaide.com.au/business/permits-licences/city-works/>

Other Applications

Nil

Other Business

Item 6.1 – Procedures for hearing ERD Compromise Proposals before the CAP (2019/02186) [CAP]

Decision

That the City of Adelaide Council Assessment Panel amends clause 1.5 of the CAP operating procedures for ERD Compromise Proposals as follows:

- '1.5 *Subject to this clause, a copy of the agenda, CAP report and associated attachments for all meetings of the CAP will be available for viewing by the public on the Council's*

website and at the Council's offices as soon as practicable after the time that notice of the meeting has been given to CAP Members.

1.5.1 If the CAP is receiving information (including a settlement or compromise proposal) that relates to actual litigation or litigation that is reasonably anticipated, the information will be retained and considered in confidence under clause 13(2) of the Regulations, unless otherwise determined by the Panel.'

Item 6.2 – List of Recent Lodgements for Planning Consent (2017/02505) [CAP]

Decision

That the report be received

DA Undertakings – Application to be seen by Panel [CAP]

Nil

Other Business raised at Panel Meeting

Nil

Next Meeting

Wednesday 28 April 2021

Closure

The meeting closed at 8.51 pm.

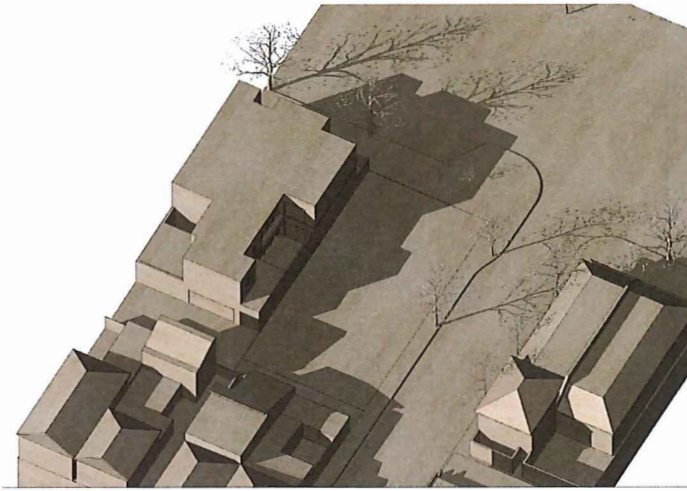
Mr Mark Adcock
Presiding Member
City of Adelaide Council Assessment Panel

Documents attached for reference.

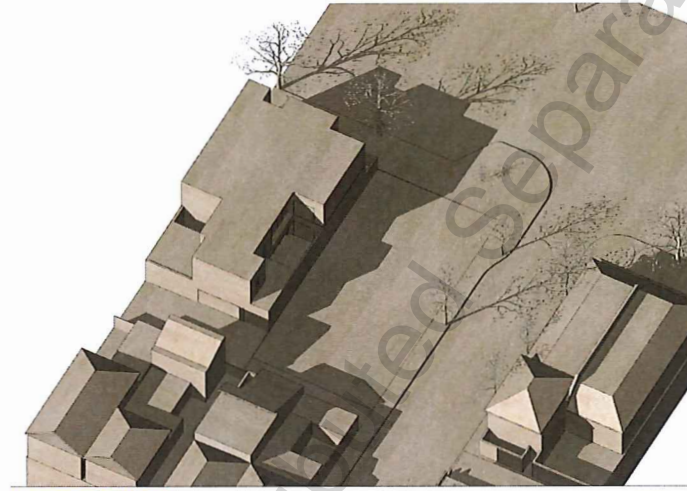
Item 3.1 - DA/282/2020 – 244 & 246 Halifax Street, Adelaide SA 5000 – Document distributed separately – Additional overshadowing diagram.



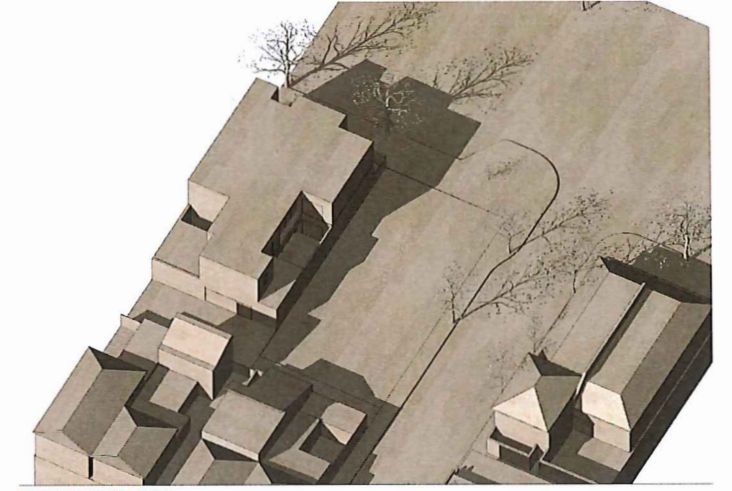
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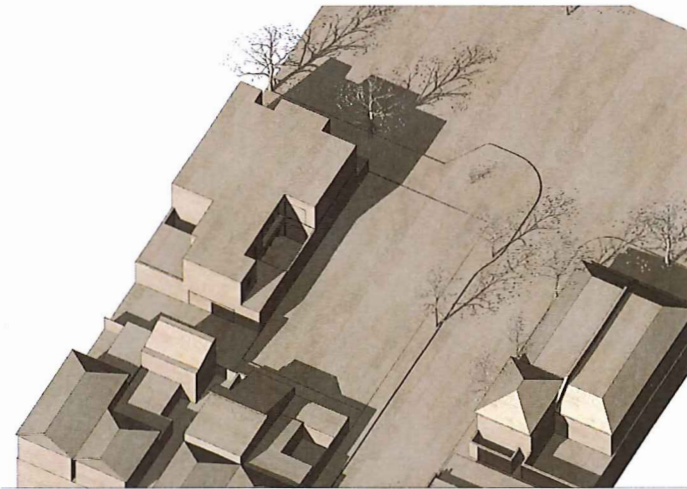
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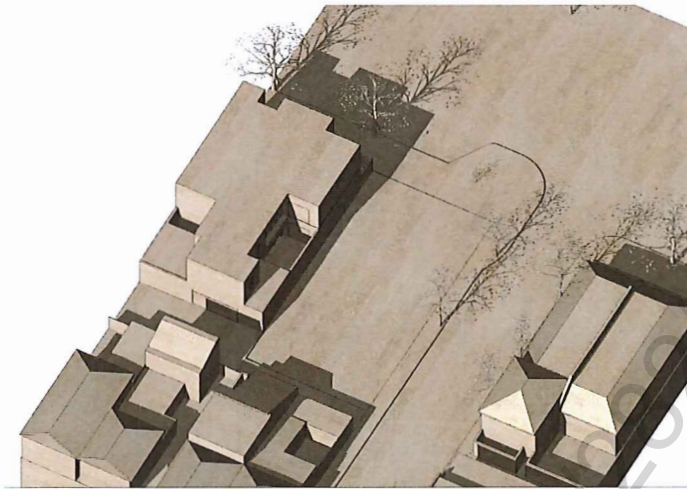
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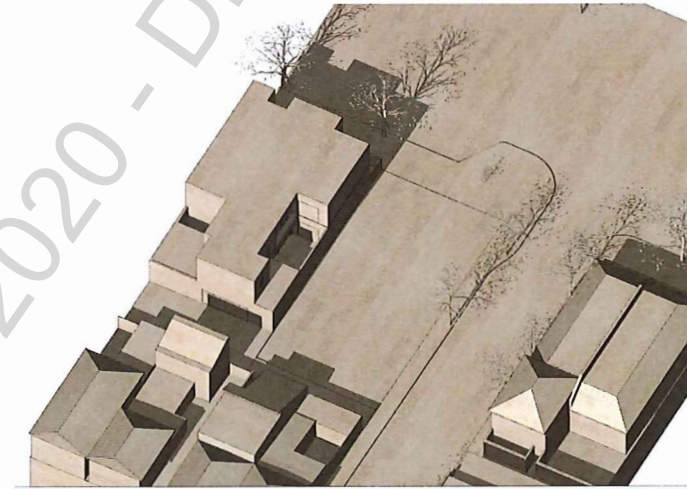
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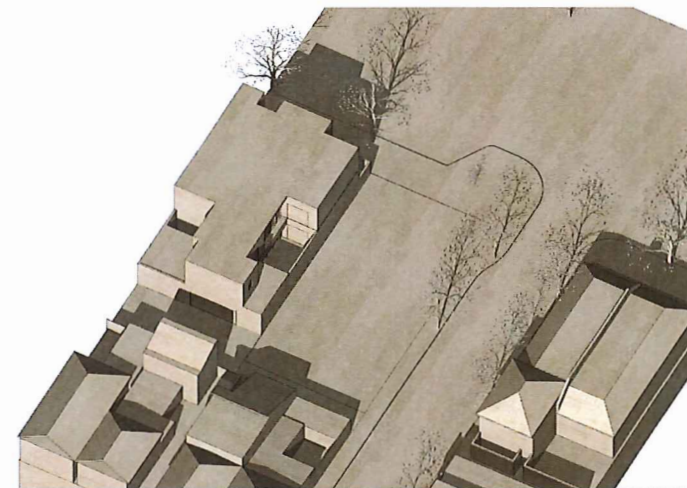
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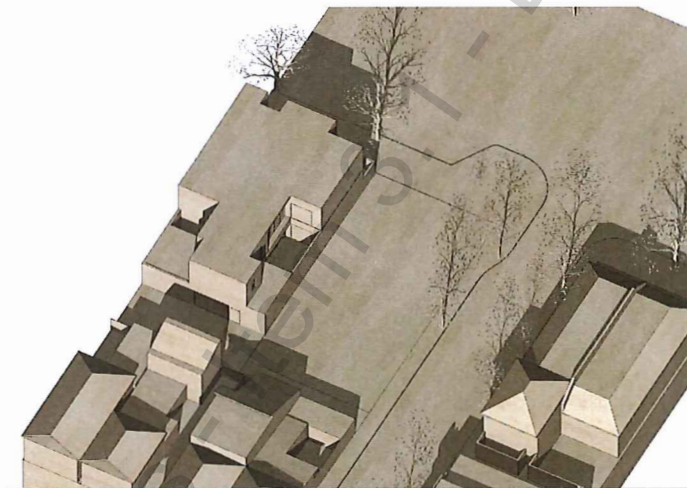
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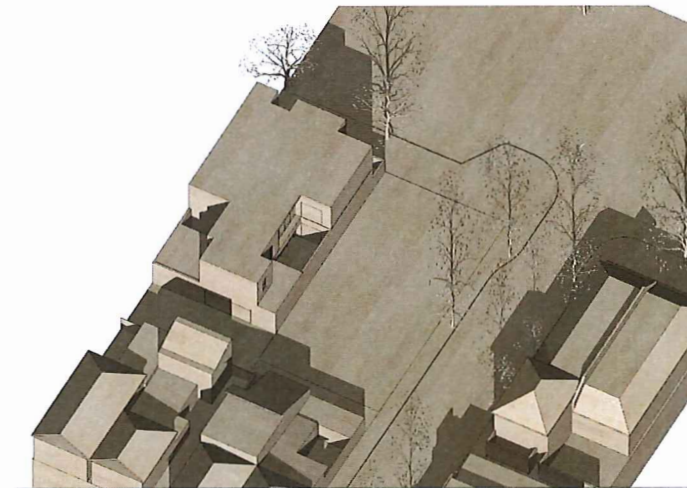
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WINTER SOLSTICE, JUNE 21
2:00pm



WINTER SOLSTICE, JUNE 21
2:30pm



WINTER SOLSTICE, JUNE 21
3:00pm