

# Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 24 May 2021, at 5.31 pm

Colonel Light Room, Town Hall, Adelaide

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

## 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 Kurna 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 Kurna 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 – 28 April 2021 [CAP]

#### Decision

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 28 April 2021, be taken as read and be confirmed as an accurate record of proceedings.

## Declaration of Conflict of Interest

Nil

## Applications assessed under Development Act 1993 with Representations [Two]

### Item 3.1 – 48 Mackinnon Parade, North Adelaide SA 5006, DA/431/2020 [DA] (PC) [CAP]

#### Representations Heard / Listed to be Heard

Representors:

Ms Wendy Bell of 46 MacKinnon Parade, North Adelaide

Applicant:

Mr Jaak Oks – 48 MacKinnon Parade, North Adelaide [*Not Present*]

### **Decision**

That the development, the subject of the application from Mr J Oks for internal and external alterations including construction of ground and first floor additions at front of existing dwelling, first floor rear balcony and detached two storey addition at rear at 48 MacKinnon Parade, North Adelaide SA 5006 as shown on plans designated DA/431/2020:

1. Be DEFERRED to
  - Enable a site inspection of the land to better understand the issues
  - To permit the applicant to submit plans that accurately depict what building work is proposed

### **Item 3.2 – 208 Gover Street, North Adelaide SA 5006, DA/120/2021 [DA] (EP) [CAP]**

#### **Representations Heard / Listed to be Heard**

Representors:

Dr A Needle of 206 Gover Street, North Adelaide  
Ms N Patkin of 83 Childers Street, Adelaide *[Not Present]*

Applicant:

Ms Kelly Crowe (Little Suburban Studio) on behalf of Matt and Emmalie Harper

### **Decision**

That the development, the subject of the application from Little Suburban Studio to construct a single storey rear addition, separate single storey studio and swimming pool at 208 Gover Street, North Adelaide SA 5006 as shown on plans designated DA/120/2021:

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:**

**Drawings prepared by Little Suburban Studio:**

- **Proposed Site Plan, page 2 of 7, dated 22 March 2021**
- **Demolition Plan, page 3 of 7, dated 22 March 2021**
- **Floor Plan/Roof Plan, page 4 of 7, dated 22 March 2021**
- **Existing Elevations, page 5 of 7, dated 22 March 2021**
- **Proposed Elevations, page 6 of 7, dated 22 March 2021**
- **Studio Plans, page 7 of 7, dated 22 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.*

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- 2. External materials, surface finishes and colours of the development shall be consistent with the description and shall complement the existing dwelling 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.*

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- 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 stormwater runoff does not have an adverse impact upon the public realm.*

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- 4. A dilapidation survey recording the condition of the neighbouring buildings to the north (83 Childers Street) and the portions of buildings adjacent the eastern site boundary (15-19 Curtin Lane, 206 Gover Street) and the portions of buildings adjacent the western site boundary (Rear of 210 Gover Street, 210 Gover Street) shall be provided to Council prior to the issue of Development Approval, to the satisfaction of Council. As well as recording the status of the existing building fabric, 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.*

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### **Advisory Notes**

**1. Building 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.

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**2. Expiration Time of Approval**

Pursuant to the provisions of Regulation 48 under the Development Act 1993, this consent will lapse at the expiration of 12 months from the operative date of the consent unless the relevant development has been lawfully commenced by substantial work on the site of the development within 12 months, in which case the approval will lapse within 3 years from the operative date of the approval subject to the proviso that if the development has been substantially or fully completed within those 3 years, the approval will not lapse.

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### 3. Use of Land and Buildings

The proposed studio shall be used for personal use. If an alternative use is proposed this may require development approval.

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### 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.

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### 5. Stormwater

With respect to the storm water discharge from the development, the owner shall ensure this is directed to rainwater tanks or the street water table and not onto neighbouring properties.

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### 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.

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### 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](http://www.legislation.sa.gov.au)

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### 8. Asbestos Removal

Should asbestos be discovered as part of the demolition please contact SafeWork SA who administer the *Work Health and Safety Act 2012*.

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### 9. 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 and any other relevant stages as specified in the attached "Notice to Council." To notify Council, contact City Planning via [d.planner@cityofadelaide.com.au](mailto:d.planner@cityofadelaide.com.au) or phone 8203 7185.

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### 10. 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. If you have any further enquiries about ways to reduce building site theft,

please contact the Eastern District Crime Prevention Section on 8463 7024 or visit [www.police.sa.gov.au](http://www.police.sa.gov.au) for further security advice.

Alternatively, you can contact the City of Adelaide for further assistance and information by calling Jen West on 8203 7390.

### 11. 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 | - Traffic Requirements            |
| - Street Occupation        | - Servicing Site                  |
| - Hoarding                 | - Adjoining Buildings             |
| - Site Amenities           | - Reinstatement of Infrastructure |

### 12. 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](http://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](mailto:cityworks@cityofadelaide.com.au)

Fax: 8203 7674

In Person: 25 Pirie Street, Adelaide.

### 13. 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.

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#### Applications assessed under PDI Act 2016 with Representations

Nil

#### Applications assessed under Development Act 1993 without Representations [Two]

#### **Item 5.1 – 4/168 Barton Terrace W, North Adelaide SA 5006, DA/527/2020 [DA] (PC) [CAP]**

#### **Decision**

That the development, the subject of the application from Phillips & Pilkington Architects P/L for partial demolition, internal alterations and two storey addition to rear of dwelling at 4/168 Barton Terrace W, North Adelaide SA 5006 as shown on plans designated DA/527/2020:

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 and details prepared by Phillips/Pilkington Architects:**
  - **Site Plan (part), drawing 20591-A100 P2, dated 10 June 2020**
  - **Ground Floor Plan, drawing 20591-A101, P5, dated 10 June 2020**
  - **First Floor Plan, drawing 20591-A102, P3, dated 10 June 2020**
  - **Elevations, drawing 20591-A200, P3, dated 3 August 2020**
  - **Section A, drawing 20591-A300, P2, dated 10 June 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.*

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2. **The windows of the New Bedroom 1 on the first floor as depicted on the Elevations shall be permanently fixed and shall be translucent to a minimum height of 1600mm above the finished floor level of the first floor. Such windows shall be installed prior to the occupation or use of the Development and thereafter shall be maintained to the reasonable satisfaction of the Council.**

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

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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 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. Building Consent for Approval**

Development Approval will not be granted until Building Rules Consent has been obtained. A separate application must be submitted for such consent. No building work or change of classification is permitted until the Development Approval has been obtained.

#### **3. Right of Way**

The applicant shall ensure that the right of way to the rear of the property is not blocked or access restricted during the construction of the development herein approved.

#### **4. Storm Water Discharge**

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.

#### **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.

## Item 5.2 – 183-185 Halifax Street, Adelaide SA 5000, DA/461/2020 [DA] (EP) [CAP]

### Decision

That the development, the subject of the application from Dr S P Westra for the construction of a two storey detached dwelling with garage (access from rear) solar panels and swimming pool at 183-185 Halifax Street, Adelaide SA 5000 as shown on plans designated DA/461/2020:

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 drafted by Pieter Westra numbered DA100, DA201, DA203, DA301, DA302, DA401, DA402, DA501, DA502, DA601, DA700, DA701, DA702, DA703, DA704, revision G, dated 10 February 2021 and plan DA202 revision G dated 22 January 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*

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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.*

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3. **All mechanical machinery associated with the heating, cleaning and filtration of the swimming pool on the Land shall be located within the pool 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 ensure that the Development does not unreasonably diminish the amenity of adjacent properties.*

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4. **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.*

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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 to the reasonable satisfaction of the Council.**

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

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6. **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 protect the character and amenity of the locality*

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### **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.

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#### **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.

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#### **3. 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.

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#### **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.

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## 5. Car 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.

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## 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](http://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:	<a href="mailto:cityworks@cityofadelaide.com.au">cityworks@cityofadelaide.com.au</a>
Fax:	8203 7674
In Person:	25 Pirie Street, Adelaide

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## 7. Notice of Intent to Commence Work

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 [planning@cityofadelaide.com.au](mailto:planning@cityofadelaide.com.au) or phone 8203 7185.

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## 8. Adjacent Café Operation

The applicant or the persons having the benefit of this consent are advised that the adjacent café/restaurant to the east is authorised to provide non-amplified live music until 10 pm.

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## Council Assessment Panel – Meeting Minutes



Applications assessed under Development Act 1993 without Representations

Nil

Other Applications

Nil

Other Business listed in Agenda

Nil

Other Business raised at Panel Meeting

Nil

Next Meeting

Monday 28 June 2021

Closure

The meeting closed at 6.38 pm.

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

Documents attached for reference.

Nil