

Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 27 September 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 – 23 August 2021 [CAP]

Decision

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 23 August 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 (SA) with Representations [Two]

Item 3.1 – DA/181/2020 – 33-45 Stafford Street, Adelaide SA 5000 [DA] (DG) [CAP]

Representations Heard

Representors:

Ms Sharaze Pentland on behalf of BSFC Property 15 Pty Ltd of 140 South Terrace, Adelaide

Mr Greg Biddolph of 302/135 South Terrace, Adelaide

Applicant:

Mr Garth Heynen (Heynen Planning Consultants) on behalf of Think Architects

Decision

That the development, the subject of the application from Think Architects to demolish an existing building and construct three, three-storey residential flat buildings (14 dwellings) at 33-45 Stafford Street, Adelaide SA 5000 as shown on plans designated DA/181/2020:

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

Reserved Matters

Pursuant to Section 102(3) of the *Planning, Development and Infrastructure Act 2016 (SA)*, a decision on the following matter is reserved for further assessment pending the provision of additional information (and must be resolved prior to granting of Development Approval):

- An Infrastructure Agreement is entered into by the Applicant with Council addressing the following matters prior to the issuing of a permit under Section 221 of the Local Government Act 1999 (SA):
 - Construction of new vehicular crossings required for vehicles to access the site
 - Removal of redundant crossings no longer required for the site including adjustments to back of footpath levels at the boundary to remove localised lowering
 - New upright kerb along the Stafford Lane frontage of the site given the proximity of works to the roadway
 - Reconstruction of the existing footpath, pedestrian ramps and kerb gutter along the frontages of the site to improve access to the site
 - Any impact to lighting levels within the public realm resulting from the development
 - Loss of sightlines to pedestrians at the intersection of Stafford Lane and O'Halloran Street for vehicles egressing from Stafford Lane resulting from the development

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 Think Architects as follows:

- **Site Plan DDA01-13 Revision G dated 12/08/2021**
- **Landscaping Plan DDA02-13 Revision F dated 01/07/2021**
- **Floor Plan Type A DDA03-13 Revision F dated 01/07/2021**
- **Floor Plan Type B DDA04-13 Revision F dated 01/07/2021**
- **Elevations DDA05-13 Revision G dated 11/08/2021**
- **Elevations DDA06-13 Revision C dated 10/02/2020**

- Perspectives DDA07-13 Revision C dated 19/06/2020
- Perspectives DDA08-13 Revision C dated 19/06/2020
- Perspectives DDA09-13 Revision C dated 19/06/2020
- Screening DDA12-13 Revision C dated 19/06/2020 Documentation prepared by TMK Consulting Engineers as follows:
- Stormwater Calculations (SWC-A) Job Number. 2006131 dated 21 July 2020

Documentation as follows:

- Preliminary Site Investigation - (PSI) Environmental Site History, Job No. 2006131R1 dated 2 September 2020
- Waste Management Plan dated 23 December 2020

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

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

2. 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. Prior to Development Approval the levels at the boundary shown on the plans shall be confirmed to match the existing levels at the boundary in the adjacent road reserve to the satisfaction of Council. Existing levels in Stafford Street, Stafford Lane and O'Halloran Street shall not be modified to suit the levels 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.

4. 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.

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. The obscured glazing and screening shown on the South Elevation (Stafford Lane), DWG No. DDA05-13 Revision G dated 11/08/2021, 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.

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/>

Item 3.2 – DA/158/2021 – 66 Ward Street, North Adelaide SA 5006 [DA] (EP) [CAP]

Representations Heard

Representors:

Ms Stacey Pallaras of 68-70 Ward Street, North Adelaide

Applicant:

Bill Stephanopoulos for the applicant

Decision

That the development, the subject of the application from Stan Kontos Property Group to demolish an existing swimming pool and garage and construct a two- storey detached dwelling and carport to rear of existing dwelling at 66 Ward Street, North Adelaide SA 5006 as shown on plans designated DA/158/2021:

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 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:

Drawings prepared by LS Design Construct as follows:

- Site Plan A01, dated 30 June 2021
- Floor Plans / Elev A02, dated 30 June 2021
- Elevations A03, dated 30 June 2021
- Laneway Elevation A04, dated 30 June 2021

Report from Urbans Arboriculture dated 6 August 2021

to the reasonable satisfaction of the Council except where varied by conditions below.

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 obscured glazing/screening on the south and north elevations depicted on the plans granted consent described as Floor Plans / Elev, Elevations and Laneway Elevation, dated 6 June 2021, 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.

- 6. Any new dividing fencing installed between the two new allotments shall be fixed on pillar foundations to avoid the potential for root damage from trenching for a strip foundation. If woody roots are exposed in a hole proposed to support a pillar the location of the pillar shall be adjusted as required to avoid damaging the roots.**

Reason: To ensure that the tree is not unduly damaged by the construction of new fencing dividing the proposed new dwelling and the existing dwelling.

- 7. All construction and demolition work within the Tree Protection Zone shall be done by hand, not by machinery, including lifting of paving and removal of a brick wall at the rear of 66 Ward Street.**

Reason: To ensure that the tree is not unduly damaged by demolition and construction associated with the Development.

- 8. No fencing shall be constructed forward of the building line.**

Reason: To ensure that vehicular access to Peppertree Lane remains safe and convenient.

Advisory Notes

1. Residential Parking Permits

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

2. Building Site Management Plan

A Building Site Management Plan is required prior to or at the time of application for Development Approval. The Building Site Management Plan should include details of such items as:

- Work in the Public Realm
 - Street Occupation
 - Hoarding
 - Site Amenities
 - Traffic Requirements
 - Servicing Site
 - Adjoining Buildings
 - Reinstatement of Infrastructure
-

3 Building Consent for Approval

Development Approval will not be granted until a Building Rules Consent has been obtained. This may be obtained through either Council or a Private Building Rules Certifier. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.

4. Expiration 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 24 months from the operative date of the consent unless the development has been lawfully commenced by substantial work on the site of the development within such period, in which case the approval will lapse within 3 years from the operative date of the consent subject to the proviso that if the development has been substantially or fully completed within those 3 years, the consent will not lapse.

5. Boundaries

It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

6. Public Utilities

The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.

7. Damage to Council'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. Air-Conditioning

A separate Development Application is required for the installation of air-conditioning units and such units must satisfy the requirements of relevant legislation and planning controls pertaining to acoustic performance.

Applications assessed under PDI Act 2016 (SA) with Representations [One]

**Item 4.1 – Development No. 21010625 – 81 Molesworth Street, North Adelaide SA 5006
[DA] (EP) [CAP]**

Representations Heard

Representors:

William Haslam of 79 Hill Street, North Adelaide

Applicant:

Phillip Brunning

Decision

That the Council Assessment Panel resolves that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016 (SA), and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 21010625, by Phillip Brunning is granted Planning Consent subject to the following conditions:

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 Troppo Architects as follows:

- Troppo Architects Job No. 531 Drawing No: 04 Issue PR1
- Troppo Architects Job No. 531 Drawing No: 05 Issue PR1
- Troppo Architects Job No. 531 Drawing No: 06 Issue PR1
- Troppo Architects Job No. 531 Drawing No: 07 Issue PR1
- Troppo Architects Job No. 531 Drawing No: 08 Issue PR1
- Troppo Architects Job No. 531 Drawing No: 09 Issue PR1
- Troppo Architects Job No. 531 Drawing No: 11 Issue PR1

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

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.**

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.**

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 of Time for 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. 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.

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.

Applications assessed under Development Act 1993 (SA) without Representations [One]

Item 5.1 – DA/705/2020 – 1-9 Bagot Street, North Adelaide SA 5006 [DA] (DG) [CAP]

Decision

That the development, the subject of the application from Oleff P/L and Dini P/L and Ms E Kotses and Mr K Kotses to demolish existing buildings and construct four two storey row dwellings with garaging at 1-9 Bagot Street, North Adelaide SA 5006 as shown on plans designated DA/705/2020:

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:

Drawings prepared by Enzo Caroscio Architecture & Design as follows:

- Sawley Lock O'Callaghan site survey, DWG 18765-01, dated 2/6/20
- Existing Survey & Site Plan, DWG A1.10, dated 30/10/20
- Demolition Plan, DWG A1.11, dated 30/10/20
- Sub-Division Plan, DWG A1.12, dated 30/10/20
- Ground Floor Plan, DWG A2.00, dated 23/8/21
- First Floor Plan. Drawing A2.01, dated 23/8/21
- Townhouse 1 – Floor Plans, DWG A2.10, dated 30/10/21
- Townhouse 1 – Roof Plan, DWG A2.11, dated 30/10/20
- Townhouse 2 – Floor Plans, DWG A2.12, dated 30/10/21
- Townhouse 2 – Roof Plan, DWG A2.13, dated 30/10/20
- Townhouse 3 – Floor Plans, DWG A2.14, dated 23/8/21
- Townhouse 3 – Roof Plan, DWG A2.15, dated 23/8/21
- Townhouse 4 – Floor Plans, DWG A2.16, dated 23/8/21
- Townhouse 4 – Roof Plan, DWG A2.17, dated 8/6/21
- Street Elevations, DWG A3.00, dated 23/8/21
- Site Section, DWG A3.10, dated 23/8/21
- Townhouse 4 – Section (overlooking), drawing A3.11, dated 23/8/21
- Materials & Finishes, DWG A7.00, dated 30/10/20

to the reasonable satisfaction of the Council except where varied by conditions below.

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. Existing levels in Kermod Street and Bagot Street shall not be modified to suit the levels 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.

4. 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.

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. The obscured glazing on all north, south and west upper level windows of dwelling 3 depicted on the plans granted consent described as Townhouse 3 – Floor Plans, dated 23/8/2021 and obscured glazing on the upper level south facing bathroom window and west facing bedroom 3 window of dwelling 4 depicted on the plans granted consent described as Townhouse 4 – Floor Plans, dated 23/8/2021, 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.

7. The upper level 1.8 metre privacy screen adjacent the west facing study window depicted on the plans granted consent described as Townhouse 4 – Floor Plans, dated 23/8/2021, 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 2.1 metre high good neighbour colourbond fence extending along the western boundary of dwellings 1, 2, 3 and 4 and portion of the southern boundary of dwelling 3 depicted on the plans granted consent described as Proposed – Ground Floor Plan, dated 23/8/2021, 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. The height of this fence must be at least 1.8 metres when measured from the ground level adjacent this boundary at 14 and 18 Brougham Court to allow for the difference in levels between the properties.**

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. 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.

The kerb and water table along Bagot Street is a heritage style stone and any alterations to this kerb must be to Council standards and requirements.

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/>

Applications assessed under PDI Act 2016 (SA) without Representations

Nil

Other Applications

Nil

Other Business listed in Agenda

Nil

Other Business raised at Panel Meeting

Nil

Next Meeting

Monday 25 October 2021

Council Assessment Panel – Meeting Minutes



Closure

The meeting closed at 6.53 pm.

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

Documents attached for reference

Nil