



COUNCIL ASSESSMENT PANEL

Minutes

for the meeting
Monday, 25 May 2026
at 5.30 pm
in the Colonel Light Room, Adelaide Town Hall



Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 25 May 2026, at 5.30 pm,
Colonel Light Room, Adelaide Town Hall

Present -

Presiding Member -	Nathan Cunningham
Panel Members -	Colleen Dunn, Councillor Eleanor Freeman and Julian Rutt
Deputy Panel Member -	David Cooke

Apology -

Panel Members -	Robert Gagetti
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Opening and Acknowledgment of Country

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

‘The City of Adelaide acknowledges the Kurna People of the Adelaide Plains as the Traditional Custodians of the land on which we meet today.

We acknowledge and honour their spiritual and cultural stewardship of this Country and recognise their deep and enduring relationship with its lands, waters, the sky, and all living things.

We pay our respects to Kurna Elders past and present and recognise the important role of emerging leaders in sustaining and strengthening culture.’

1 Confirmation of Minutes

Decision

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 27 April 2026, be taken as read and be confirmed as an accurate record of proceedings.

2 Declaration of Conflict of interest

Nil

3 Applications assessed under PDI Act 2016 (SA) with Representations

3.1 42 Melbourne Street, North Adelaide

Decisions:

The Council Assessment Panel resolves that:

1. Pursuant to Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*, 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

The Council Assessment Panel resolves that:

2. Development Application Number ID 25024778, by Adelaide Development Corporation is GRANTED Planning Consent subject to the following reserved matters, conditions and advices:

RESERVED MATTER

Pursuant to section 102 (3) of the *Planning, Development and Infrastructure Act of 2016*, the following matter shall be reserved for further assessment, to the satisfaction of Council's Assessment Manager, prior to the granting of Development Approval:

1. **A Stormwater Management Plan prepared by a suitably qualified engineer demonstrating:**
 - a. **Post-development stormwater runoff rates do not exceed pre-development rates for the 1 in 5 year and 1 in 100 year ARI storm events**
 - b. **Details of all on-site detention, retention, or infiltration systems (including deep soil zones, rooftop planters, and landscaped terraces) with supporting calculations**
 - c. **Compliance with Council's stormwater management requirements and relevant Australian Standards**
 - d. **Connection details to Council's stormwater infrastructure (if applicable)**
2. **Details of the treatment to the western wall visible above the existing adjacent development.**

Pursuant to Section 127 of the *Planning, Development and Infrastructure Act 2016*, Council's Assessment Management reserves a decision on the form and substance of any further condition/s of Planning Consent considered appropriate to impose in respect of the Reserved Matter outlined above.

CONDITIONS

1. The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any):
 - Plans drafted by JPE Design Studio, project no. 24121, drawing nos. SK-002 revision E, SK-003 revision F, SK-004, SK-005, SK-007 all revision D, SK-008 revision C, SK-009 revision D, SK-010 revision F, SK-011 revision C, SK-015 revision E, SK-016 revision D, SK-018 revision C and SK-019 revision B
 - Landscaping Plans drafted by JPE Design Studio
 - External Materials Schedule drafted by JPE Design Studio
 - Civil Plan drafted by Bentley Consulting Job no. BC2502110-DR-CV-0100 Rev. B
 - Traffic Impact Assessment Report by Sprutt dated July 2025 and response to request for further information by Sprutt dated 20 March 2026, reference 25-0047_ADC_NY_001
 - Acoustic Report compiled by Resonate A260064RP1 Revision 0, dated 13 March 2026
 - Sprutt Waste Management Plan, dated July 2025
 - Arboricultural Impact assessment and Development Impact Report ATS8242-042MelStDIR-R1, dated 23 October 2025

2. The privacy screening depicted on the plans granted consent described as northwest elevation and northeast elevation, drawing no. SK-010 shall be installed prior to the occupation or use of the development and thereafter shall be maintained to the reasonable satisfaction of the Relevant Authority at all times.

3. An internal traffic management system shall be installed at both ends of the driveway to maintain conflict free traffic movement through the driveway in accordance with "Detailed Access Protocol Methodology and Turnpath and Access Operation Plan" prepared by Sprutt Consulting dated 14 May 2026, reference: 26-0047_ADC_R02.

Priority shall be given to ingressing vehicles whilst also ensuring pedestrian safety on Melbourne Street. The system shall be designed and certified by a suitably qualified professional and maintained in an operational state at all times to the reasonable satisfaction of the Relevant Authority.

- 4. 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 Relevant Authority.**

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

- 6. For the regulated street tree in Melbourne Street, all work requirements/activities in the vicinity shall be discussed and designed in consultation with the Project Arborist, i.e. no machinery operation in the vicinity of these trees without a Tree Protection Plan.**

A Tree Protection Zone (TPZ) fence shall be erected to ensure access to the main trunk is restricted. The fence is to be installed prior to the commencement of all other site works including demolition.

If machinery access is required within the TPZ, ground protection shall be installed in consultation with the Project Arborist to ensure tree roots are not damaged. Pruning shall remove only the sections necessary to facilitate the demolition and construction of the proposed building, including any required construction buffer.

- 7. The acoustic attenuation measures proposed for installation within the development as detailed in the report prepared by Resonate dated 13 March 2026 forming part of this consent shall be installed within the development to the reasonable satisfaction of the Relevant Authority. Such acoustic attenuation measures shall be operational prior to occupation or use of the development.**

- 8. The connection of any stormwater 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 Relevant Authority.**

- 9. The hours of operation for the shop on the land shall be limited to:**

 - 7.00am to 9.00pm – Monday to Friday**
 - 8.00am to 5pm – Saturday and Sunday**

10. **Prior to the issue of Development Approval or any demolition, the Relevant Authority shall be provided with a dilapidation report including colour photos showing the existing condition of the neighbouring Local Heritage Place adjacent to the site.**
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11. **Any convex mirrors shall be installed wholly within the subject site.**
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ADVISORY NOTES

1. **Development Approval Required**

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

2. **Expiration of Approval**

Pursuant to the provisions of Regulation 67 of the *Planning, Development and Infrastructure (General) Regulations 2017*, this consent / approval will lapse at the expiration of 2 years 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 2 years, 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. **Commencement and Completion**

Pursuant to Regulation 93 of the *Planning, Development and Infrastructure (General) Regulations 2017*, the Council must be given one business day's 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 or phone 8203 7185.

4. **Appeal Rights**

The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone 8204 0289).

5. Vehicle Crossing Place (redundant)

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

6. New Vehicle Crossing Place

There is no objection to the proposed 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 at Driveway crossover application <https://customer.cityofadelaide.com.au/forms/vehicle-crossing-application/> A quotation for the work will be provided by Council prior to the work being undertaken.

7. 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.

8. Public Utilities

The applicant should 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, the applicant is 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.

9. 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
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10. Consultation with Adjoining Owners

In addition to notification and other requirements under the *Planning, Development and Infrastructure Act 2016* and *Fences Act 1975*, it is recommended that the applicant / owner consult with adjoining owners and occupiers at the earliest possible opportunity after Development Approval, advising them of proposed development work so as to identify and discuss any issues needing resolution such as boundary fencing, retaining walls, trees/roots, drainage changes, temporary access, waste discharges, positioning of temporary toilets etc

11. Works adjacent Existing Street Trees

In relation to street trees, the proposal shall meet the following requirements:

- The proposed verandah shall be designed to ensure that a minimum clearance of 600mm is maintained between the structure and the nearest significant limb of the street tree.
 - Site works shall be affected in such a manner so as not to damage the existing street tree(s).
 - The sewerage serving the development shall be laid out and designed in such a manner which ensures retention of the existing street tree(s) notwithstanding the requirements of the Regulations under the *Sewerage Act 1929*.
 - The existing street tree(s) will not be pruned to maintain lines of sight to the proposed sign or to the building façade.
 - The street tree(s) will not be removed. Any pruning of the tree(s), necessary to maintain the clearance between the tree(s) and the verandah/development, shall only be carried out by Council.
 - A minimum clearance of 1 metre shall be maintained between the proposed crossing place and the existing street tree.
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12. 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 vehiclepermits@cityofadelaide.com.au for further information.

13. Construction Noise

Construction activities and associated noise are typically permitted to occur between the hours of 7.00am and 7.00pm Monday to Saturday (excluding public holidays). A construction activity that does not have an adverse impact on amenity is not specifically restricted by the identified times. See Environment Protection Authority noise guideline for more information: www.epa.sa.gov.au/files/4773_info_noise_construction.pdf.

14. City Works Permit

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

The City Works Guidelines detailing the requirements for various activities and fee calculator and online 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/Site 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, noting the City of Adelaide as an interested party (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 five business days. For more information, contact cityworks@cityofadelaide.com.au

15. Light Pole and Pit

The existing light pole located at the front of the property services the Council's lighting category. Any impact to this pole during construction must be addressed, and the pole reinstated to Council standards V3 for Roadway lighting and PP2 for Footpath lighting.

16. Tree Bud Lighting Connection

The street light pole also supplies power to the bud lighting installed on the adjacent tree. Any alterations to the connection must be carried out safely during construction. Any damage to the lighting or associated infrastructure must be reinstated in accordance with City of Adelaide standards upon completion of works.

17. Temporary Lighting Requirement

Temporary lighting measures must be implemented throughout the construction period to ensure adequate illumination and public safety. All electrical points are to be reinstated post-construction in accordance with City of Adelaide standards.

18. B85 Vehicles

The proposed development has been designed for B85 type vehicles. Any potential occupant should be aware B99 type vehicles may not be able to access the parking areas.

4 Applications assessed under PDI Act 2016 (SA) without Representations

Nil

5 Appeal to CAP for Assessment Manager's Decision Review

Nil

6 Other Business

6.1. Planning Policy Updates including Suggestions from Panel

Nil

6.2. Other Business raised at Panel Meeting

Nil

6.3. Next Meeting - Monday 22 June 2026

Closure

The meeting closed at 5.58 pm

**Nathan Cunningham
Presiding Member
City of Adelaide Council Assessment Panel**

Documents Attached:

Nil