



## COUNCIL ASSESSMENT PANEL

# Minutes

for the meeting  
Monday, 2 May 2022  
at 5.31 pm  
in the Colonel Light Room, Adelaide Town Hall



# Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 2 May 2022, at 5.31 pm,  
Colonel Light Room, Adelaide Town Hall

**Present -** Presiding Member - Nathan Cunningham  
Panel Members - Councillor Arman Abrahamzadeh  
Mark Adcock, Colleen Dunn and Emily  
Nankivell

## 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.’

## 1 Item 1 - Confirmation of Minutes - 28 March 2022

### **Decision**

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 28 March 2022, be taken as read and be confirmed as an accurate record of proceedings, subject to the inclusion of the notation ‘Emily Nankivell re-entered the Colonel Light Room at 6.21pm’ prior to the consideration of Item 4.1 in Minute 6.

## 2 Declaration of Conflict of interest

DA/174/2021 – Emily Nankivell

## 3 Applications assessed under Development Act 1993 (SA) with Representations

Nil

## 4 Applications assessed under PDI Act 2016 (SA) with Representations

## 5 **Item 4.1 - Subject Site - 104 Tynte Street, North Adelaide SA 5006,**

**Development No. 21008236**

Representations Listed to be Heard and Heard

Representors:

Ms Julie Johnson of 17 George Street, North Adelaide *[Not present]*

Associate Professor Mary-Louise Rogers of 17 George Street, North Adelaide  
*[Unable to attend]*

Jim Diamanti on behalf of Ms Lyndal Sterenberg of 60 Childers Street, North Adelaide

Applicant:

Mr Nicholas Timotheou on behalf of and accompanied by Mr Julian Cochran of 104 Tynte Street, North Adelaide

Decision

That 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
2. Development Application Number 21008236, by Julian Cochran 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:**
  - Drawing No WD01 – Site Plan & Demolition Plan
  - Drawing No WD02 – Ground Floor Plan
  - Drawing No WD03 – First Floor Plan
  - Drawing No WD04 – North and South Elevation and Roof Plan
  - Drawing No WD05 – East and West Elevation
  - Drawing No WD06 – Section AA
  - Drawing No WD07 – Section BB
  - Drawing No WD08 – Section CC & Slab Plan
  - Drawing No WD09 – Section DD, Section Through Stairs
  - Drawing No WD10 – Plan Details
  - Drawing No WD11 – Plan Details
  - Drawing No WD12 – Reflected Ceiling Plans
  - Drawing No WD13 – Lighting & Electrical
  - Drawing No WD14 – Internal Hall Elevation 1
  - Drawing No WD15 - Internal Hall Elevation 2
  - Drawing No WD16 – Window and Door Details
  - Drawing No WD17 – Window and Door Details

- **Drawing No WD18 – Floor Framing**
- **Drawing No WD19 – Window and Door Schedule**

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

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- 2. The hours of operation for performance the arts centre on the Land shall be limited to 9am to 9pm on any day.**

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  - 3. Patron numbers shall be limited to up to 40 patrons at any one time.**

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  - 4. The acoustic attenuation measures proposed for installation within the Development as detailed on page 8 of the Report prepared by Resonate dated 9 December 2021 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 the occupation or use of the Development.**
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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 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.

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#### **3. Operative Date**

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

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#### 4. Advertisements

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

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#### 6 Item 4.2 - Subject Site - 270 Wright Street, Adelaide SA 5000, Development No. 21042393

##### Representations Heard

Representors:

Ms Anita Smith of 8-10 White Lane, Adelaide

Mr Damien Stevens of 8-10 White Lane, Adelaide

Applicant:

Angie Ng for Ms Xujiao Pu (Fiona) – on behalf of the Applicant of 270 Wright Street Adelaide

##### Decision

That 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
2. Development Application Number 21042393, by Ho Shing Luk 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:**

- **Additional Information document, including sign image and proposed floor plan**

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

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2. **The hours of operation for the shop on the Land shall be limited to 12pm and 8pm every day.**
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3. **Patron and staff numbers combined shall be limited to up to ten people at any one time.**

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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 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.

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**3. Operative Date**

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

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**7 Applications assessed under Development Act 1993 (SA) without Representations**

**8 Item 5.1 - Subject Site - 266 Melbourne Street, North Adelaide SA 5006, DA/174/2021**

**DA/174/2021 - Declaration of Conflict of Interest**

Emily Nankivell disclosed a pecuniary interest in DA/174/2021 – 266 Melbourne Street, North Adelaide SA 5006, as she has an employment relationship with Future Urban which is representing the applicant, left the meeting held in the Colonel Light Room at 6.27pm and did not take part in any hearings, deliberations or decision of the Panel on the matter.

**Decision**

That the recommendation, the subject of the application from The Sunshine Life Pty Ltd to demolish the existing building and construct a four level residential flat building containing 15 apartments with ground level car parking at 266 Melbourne Street, NORTH ADELAIDE SA 5006 as shown on plans designated DA/174/2021:

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

matters, conditions and advices:

### **Reserved Matters**

A decision on the following matters is reserved for further assessment pending the provision of additional information (and must be resolved prior to granting of Development Approval):

- The applicant or the person(s) having the benefit of this consent is/are requested to provide a Waste Management Report from a recognised waste management company which details how waste will be stored and collected. Council reserves the right to impose further conditions in relation to this reserved matter following receipt of the said report.
- Details of the material, colour and design of the perforated roller door shall be provided and shall be of a high quality and incorporate decorative elements to the reasonable satisfaction of Council.

### **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 Dash Architects numbered 02 (Revision B), 03 (Revision E), 04 (Revision A), 05 (Revision D), 06 (Revision D), 07 (Revision D), 08 (Revision C), 11 (Revision C), 12 (Revision C), 13 (Revision C), 14 (Revision D), 17 (Revision E), 18 (Revision E), 19 (Revision C), 20 (Revision C), 21 (Revision C), 22 (Revision C), 23 (Revision B), 24 (Revision B).
- Letter from Future Urban dated February 2 2022
- Letter from Future Urban dated April 7 2022
- Letter from Future Urban dated April 14 2022
- Design Statement from Dash Architects dated 28.01.22 Issue A
- Arborman Tree Solutions Report ATS522-266MelStDIR R1 dated 2 February 2022

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**2. A Structural and Geotechnical Engineering report shall be submitted prior to seeking Development Approval. The Report shall be prepared by a suitably qualified Engineer and shall address the excavation within the zone of influence of the adjacent road reserve and adjacent land.**

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**3. External materials, surface finishes and colours of the Development shall be consistent with the description hereby granted consent and shall be to the**

reasonable satisfaction of the Council.

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4. **The finished floor level of the ground floor level at the entry points to the development including the car park entry and exit points shall match the existing footpath unless otherwise agreed to by the Council in writing.**

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5. **Clear sight lines for users of the car park entry shall be provided to ensure pedestrian safety along the Melbourne Street footpath and at all times in accordance with AS/NZS 2890.1:2004 Off-street Car Parking.**

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6. **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.**

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7. **Where stormwater disposal is required, the following requirements shall be complied with:**
  - **All car parks, driveways and vehicle manoeuvring areas shall be graded to ensure that no surface water or rubble from within the property is transported across the footpath**
  - **The applicant must ensure that storm water run-off is contained within the property boundaries, collected and discharged to either the Melbourne Street or Old Street road reserves**
  - **Collected drainage water from any landscaped areas, planter boxes, seepage collection systems, water features, swimming pools and/or air conditioning units shall be discharged to the sewer.**

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8. **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' to the reasonable satisfaction of the Council.**

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9. **External lighting shall be provided to building entries and shall be operational during the hours of darkness at all times and/or fitted with motion detectors to the reasonable satisfaction of Council**

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10. **Ancillary activities such as deliveries, collection, movement of private waste bins, goods, empty bottles and the like shall not occur:**

- I. **after 10.00pm any day; and**
  - II. **before 7.00am Monday to Saturday or before 9.00am on a Sunday or Public Holiday.**
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11. **Photovoltaic panels located on the roof shall not be elevated on tilt frames and shall only be laid flat, parallel to the roof.**

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12. **Landscaping at the Melbourne entrance and fronting Old Street shall be comprised of significant groundcover and tree species that provide shade and visual amenity for occupants and visitors to the reasonable satisfaction of Council and shall be maintained to provide visibility and safety to the residential foyer from Melbourne Street at all times.**

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### **Advisory Notes**

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#### **2. Expiration Time of Approval**

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#### **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.

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**4. Residential Parking Permits**

Residential parking permits to allow parking on-street, adjacent the proposed development will not be considered as an appropriate means of providing parking for residents staying in the apartments.

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**5. 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
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**6. Damage to Council footpath / kerbing / road pavement / verge**

Section 779 of the Local Government Act provides that where damage to Council footpath / kerbing / road pavement / verge occurs as a result of the development, the owner / applicant shall be responsible for the cost of Council repairing the damage.

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**7. Vehicle Crossing Place**

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

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**8. 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.adelaidecitycouncil.com](http://www.adelaidecitycouncil.com)

When applying for a City Works Permit you will be required to supply the following information with the completed application form:

- A Traffic Management Plan (a map which details the location of the works, street, property line, hoarding/mesh, lighting, pedestrian signs, spotters, distances etc.);
- Description of equipment to be used;
- A copy of your Public Liability Insurance Certificate (minimum cover of \$20 Million required);
- Copies of consultation with any affected stakeholders including businesses or residents.

**Please note:** Upfront payment is required for all city works applications.

Applications can be received by Council via the following:

Email: [cityworks@adelaidecitycouncil.com](mailto:cityworks@adelaidecitycouncil.com)

Fax: 8203 7674

In Person: 25 Pirie Street, Adelaide

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

Nil

Emily Nankivell re-entered the meeting at 6.31pm

10 Other Business raised at Panel Meeting

Nil

11 Closure

The meeting closed at 6.31 pm

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

Documents Attached:

Nil