



## COUNCIL ASSESSMENT PANEL

# Minutes

for the meeting

Monday, 26 September 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, 26 September 2022, at 5.31 pm,  
Colonel Light Room, Adelaide Town Hall

**Present -** Presiding Member - Nathan Cunningham  
Panel Members - Councillor Arman Abrahamzadeh (Deputy  
Lord Mayor), 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 - 22 August 2022

### Decision

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 22 August 2022 be taken as read and be confirmed as an accurate record of proceedings.

## 2 Item 2 - Declaration of Conflict of interest

Nil

## 3 Item 3 - Applications assessed under PDI Act 2016 (SA) with Representations [One]

### 4 Item 3.1 - 13 Gray Court, Adelaide SA 5000, Development No. 22002482

Representations Listed to be Heard and Heard

Representors:

Xuedong Peng, 24 Chatham Street, Adelaide [*Not present*]  
[*Pictures provided by the representor to accompany the representation and distributed to Panel Members and the applicant prior to the meeting were displayed*]

Graham Burns, Masterplan on behalf of Ray Ogilvie, 15 Gray Court, Adelaide

Applicant:

Mark Kwiatkowski on behalf of the applicant Tonia Sutch

### **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 22002482, by Tonia Sutch is granted Planning Consent subject to the following conditions and advices:

### **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).**
  - Job No. SD21.7179, dated 14.09.2022, titled 'Site Plan'
  - Job No. SD21.7179, dated 14.09.2022, titled 'Extg-Demo GF'
  - Job No. SD21.7179, dated 14.09.2022, titled 'Proposed Floor Plans-01'
  - Job No. SD21.7179, dated 14.09.2022, titled 'Proposed Floor Plans-02'
  - Job No. SD21.7179, dated 14.09.2022, titled 'Elevations 1-2'
  - Job No. SD21.7179, dated 14.09.2022, titled 'Elevations 3-4'
  - Job No. SD21.7179, dated 14.09.2022, titled 'Elevations 02'
2. **The applicant or the person having the benefit of this consent shall ensure that all storm water runoff 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 Relevant Authority.**
3. **Privacy screening surrounding the roof deck as depicted on 'Privacy Screen – Details' shown on Elevations 1-4, 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.**

### **ADVISORY NOTES**

1. **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.

---

## 2. 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 number 8204 0289).

---

## 3. Notifications

Pursuant to Regulation 93 of the Planning, Development and Infrastructure Act, 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](mailto:d.planner@cityofadelaide.com.au) or phone 8203 7185.

---

## 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.

---

## 5. Fencing

The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 8463 3555.

---

## 6. 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).

---

## 7. Other Requirements

In addition to notification and other requirements under the Planning, Development and Infrastructure Act and Fences Act, 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.

---

### 5 Item 4 - Applications assessed under PDI Act 2016 (SA) without Representations

Nil

### 6 Item 5 - Appeal to CAP for Assessment Manager's Decision Review

Nil

### 7 Item 6 - Other Business

#### 8 Item 6.1 - Other Business

Nil

#### 9 Item 6.2 - Other Business raised at Panel Meeting

Nil

#### 10 Item 6.3 - Next Meeting

24 October 2022

### Closure

The meeting closed at 6.08 pm

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

### Documents Attached:

Item 3.1 – Development No. 22002482 – Images displayed - Xuedong Peng



Be able to see the back double townhouse

13 Gray Court front

3 meter wide  
Gray Court

Representation

2482

3

min sites



Existing double level building

South side wall

Community paving

3 meter wide Petronella Lane

002482 - Xuec... - Representation





Back townhouses can only be able to get sunlight from set back balcony

Existing garage level & fence

North side building

Peng - Representation  
Document No 2200

Page 3

22

22



Dominating effects of 215 Wright Street extension







**Effects of 215 Wright street back extension**