



COUNCIL ASSESSMENT PANEL

Minutes

for the meeting
Monday, 27 February 2023
at 5.30 pm
in the Colonel Light Room, Adelaide Town Hall



Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 27 February 2023, at 5.30 pm,
Colonel Light Room, Adelaide Town Hall

Present -	Presiding Member -	Nathan Cunningham
	Panel Members -	Mark Adcock, Colleen Dunn and Councillor Phillip Martin (Deputy Lord Mayor)
	Deputy Panel Member -	Prof Mads Gaardboe
Apology -	Panel Member -	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 - 30 January 2023

Decision

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 30 January 2023, 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

4 Item 3.1 - Subject Site 120 East Terrace, Adelaide SA 5000 Development No. 22022935

The Presiding Member acknowledged additional photos from the Applicant would be

displayed and a revised plan and elevation drawing from Advantage Planning Services distributed to Panel Members and the applicant prior to the meeting would be displayed.

Representations listed to be Heard and Heard

Representor

Marcus Rolfe from URPS accompanied by and on behalf of Frank Maiolo of 18 Nil Street, Adelaide

Applicant

Simon Grose from Advantage Planning Services on behalf of the Applicant Lili Manos [Photos displayed]

Decision

The Council Assessment Panel resolve 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 22022935, by Lili Manos 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).**
 - **Site Plan from Advantage Planning Services**
 - **Plan and elevation drawings from Advantage Planning Services dated 27 February 2023**
 - **Planning Report from Advantage Planning Services dated 4 July 2022**
 - **Letter from Advantage Planning Services dated 19 December 2023**

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. **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.**

- 4. The studio is only to be used by occupants of the existing dwelling and shall be ancillary to the associated dwelling on the Land at all times and to the reasonable satisfaction of the Relevant Authority.**
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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. 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 palnning@cityofadelaide.com.au or phone 8203 7185.

- 3. 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).

- 4. Requirements of the Aboriginal Heritage Act 1988**

If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) is to be notified under Section 20 of the *Aboriginal Heritage Act 1988*.

- 5. Requirements of the Heritage Places Act 1993**

If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity must cease and the SA Heritage Council must be notified.

Where it is known in advance (or there is reasonable cause to suspect) that

significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works. For further information, contact the Department for Environment and Water.

Any changes to the proposal for which Planning Consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department for Environment and Water, or an additional referral to the Minister for Climate, Environment and Water. Such changes would include for example (a) an application to vary the Planning Consent, or (b) Building Rules documentation that incorporates differences from the proposal as documented in the development application.

6. 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.

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.

8. 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.

9. 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.

10. 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.

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

Nil

6 Appeal to CAP for Assessment Manager's Decision Review

Nil

7 Other Business

8 Item 6.1 - CAP Annual Report 2022

Decision

That the City of Adelaide Council Assessment Panel endorses for submission to Council, the City of Adelaide Council Assessment Panel Annual Report 2022 included as Attachment A to Item 6.1 on the Agenda for the meeting of the City of Adelaide Council Assessment Panel held on 27 February 2023.

9 Other Business raised at Panel Meeting

Panel Members acknowledged that a Supreme Court Judicial Review in relation to 100 East Terrace was proceeding.

10 Next Meeting - 27 March 2023

Closure

The meeting closed at 6.31 pm

Nathan Cunningham
Presiding Member
City of Adelaide Council Assessment Panel

Documents Attached:

Item 3.1 – Development No. 22022935 – Photos displayed by Applicant

Item 3.1 – Development No. 22022935 – Tabled Plan and Elevation Drawing

Images provided by Applicant for Display

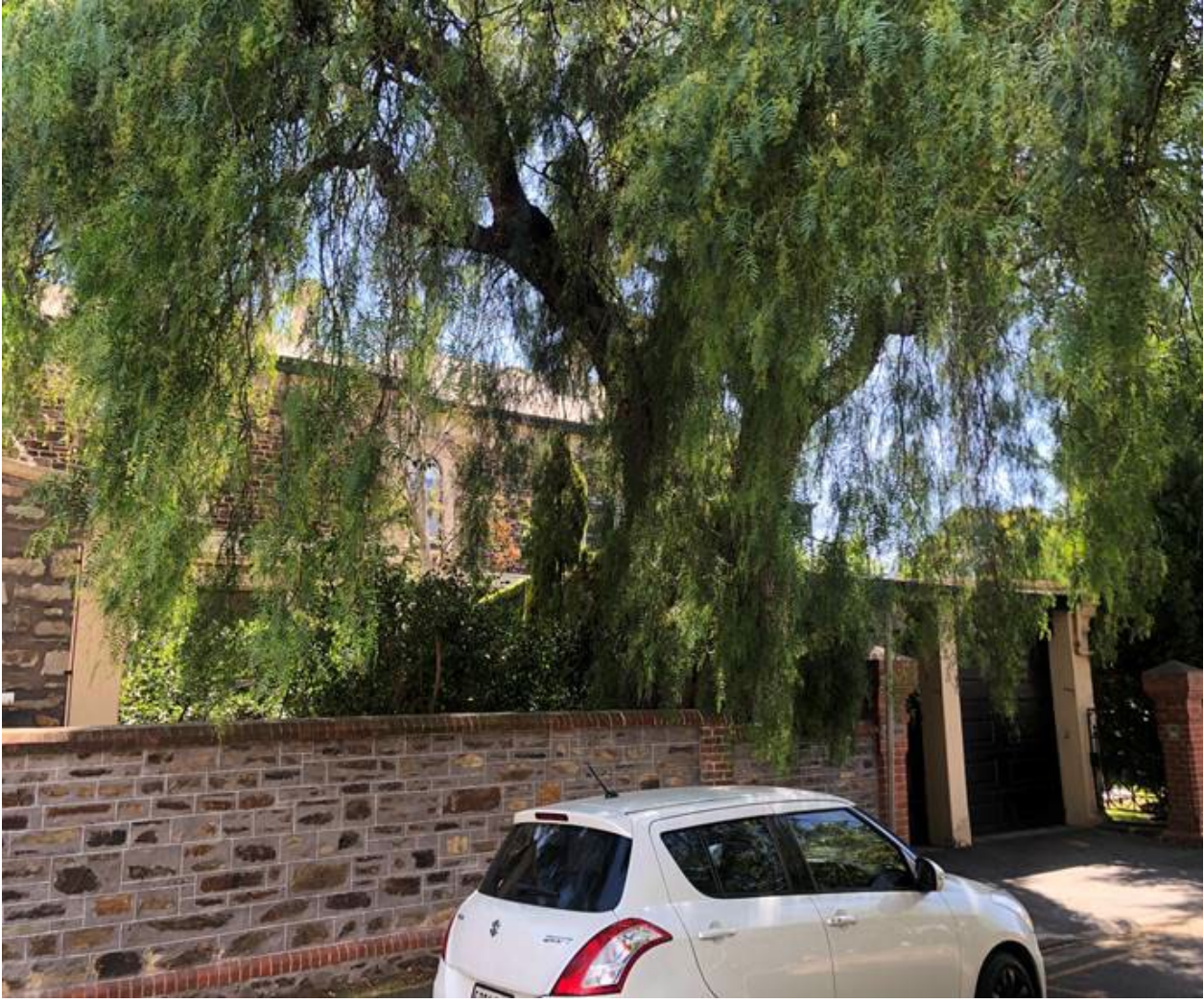
CAP Meeting on 27 February 2023

120 East Terrace Adelaide

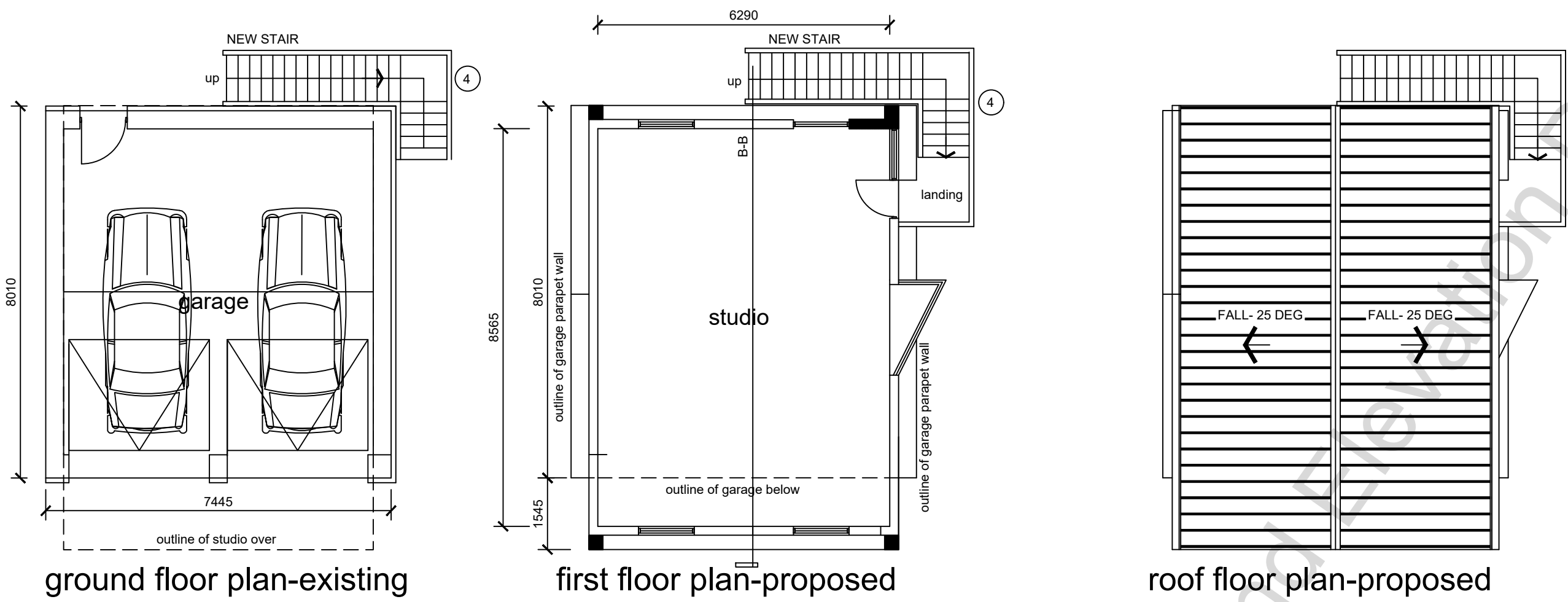






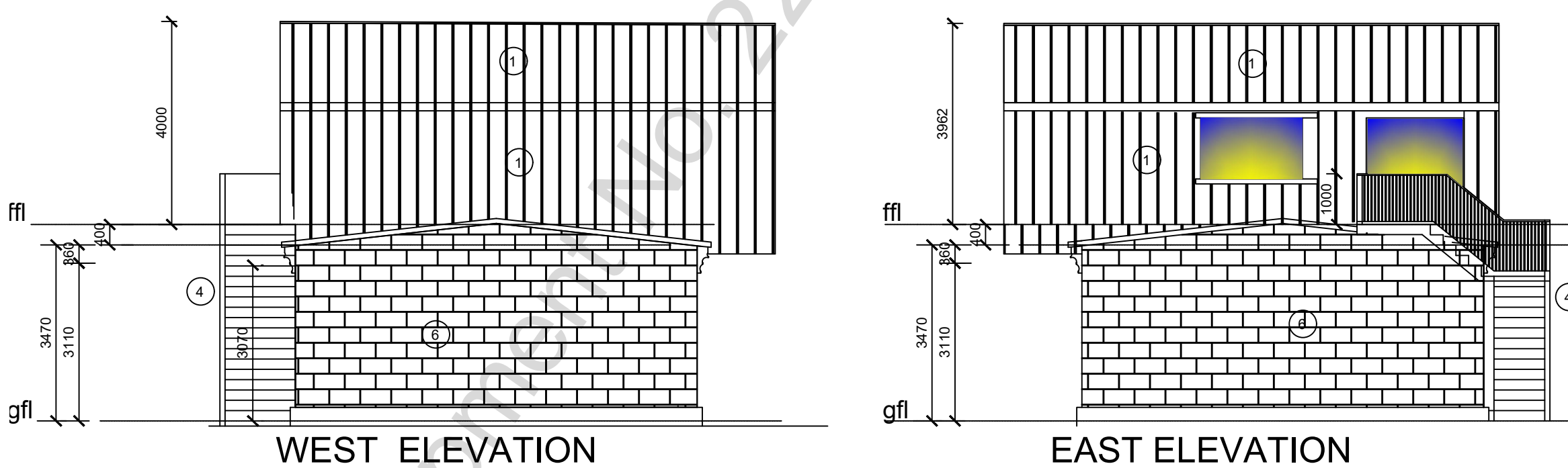
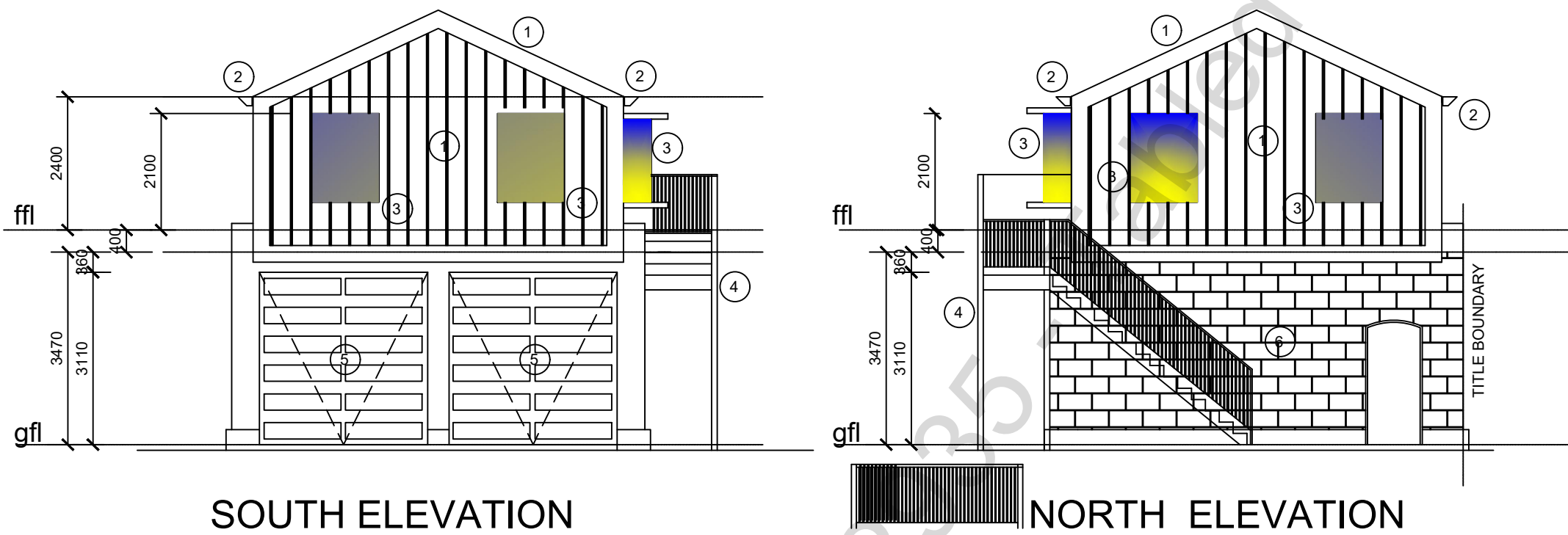


preliminary concept



shedule of materials

1. wall and roof - lysaght longline 305 steel cladding , colorbond finish, colour black
2. gutters and downpipes- colorbond finish colour Fielders monument
3. windows - anodised aluminium, powder coated finish, colour black
4. external stair- steel framed, painted , colour black
5. garage lift up sectional door, painted , colour black
6. existing stone external wall to remain



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ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO COMMENCEMENT OF WORKS

ALL REFERENCES TO THE AUSTRALIAN STANDARDS TO BE READ IN CONJUNCTION WITH THE RELEVANT VERSION OF THE LEGISLATION OF RELEVANT STANDARD

DATE
16/12/2022

CLIENT
LILI/DAMIAN

PROJECT
PROPOSED STUDIO A1
EAST TERRACE
ADELAIDE SA

PROJECT No.
DIMORA

DRAWING
PLANS/ELEVATIONS
AND SECTIONS
PLOT DATE

27/02/ 2023

DRAWN
SP

DRAWING No.
1 OF 01

SCALE
1:100 @ A2
REV

