



COUNCIL ASSESSMENT PANEL

Minutes

for the meeting
Monday, 24 June 2024
at 5.30 pm
in the Colonel Light Room, Adelaide Town Hall



Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 24 June 2024, at 5.30 pm,
Colonel Light Room, Adelaide Town Hall

Present - Presiding Member - Nathan Cunningham
Panel Members - Mark Adcock, Colleen Dunn, Robert Gagetti
and Deputy Lord Mayor Councillor Keiran Snape

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.’

1 Confirmation of Minutes

Decision

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 29 April 2024, 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

3.1 184 Gilbert Street, Adelaide SA 5000

Representations listed to be heard

Representor:

- Diana Staple of 32 Hamley Street, Adelaide (not in attendance)

Applicant:

- Michael Buchtmann of Taylor Buchtmann Architecture on behalf of Applicant Anne Taylor (responded to Panel Member questions)

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 23037888, by Anne Taylor is granted Planning Consent subject to the following reserved matters, 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).
 - Survey Plan by 360 Surveying, dated 18 April 2023
 - Taylor Buchtmann Architecture – Plans and Details, dated 12 December 2023 and 22 March 2024 – Drawing No. A001, A200, A301, A201, A302, A015, A016

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 runoff shall be installed within the property boundaries of the Land to the reasonable satisfaction of the Relevant Authority.

3. The privacy screening as depicted on the plans granted consent shall:
 - have a maximum 25% transparency/openings; and
 - be installed prior to the occupation or use of the Development; and
 - be maintained thereafter to the reasonable satisfaction of the Relevant Authority at all times.

4. The upper level planter as depicted on the plans granted consent shall be installed prior to the occupation/use of the development and thereafter shall be maintained to the reasonable satisfaction of the Relevant Authority at all times.

ADVISORY NOTES

1. Development Approval Required Prior to Commencement of Works

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 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.

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 d.planner@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. 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. Right of Way

The applicant should ensure that any right of way on the land is not blocked or access restricted during the construction of the development herein approved.

7. Fences Act 1975

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.

8. Consultation With Adjoining Owners

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. 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.

10. 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

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

- Adult Entertainment Premises Code Amendment consultation will close 23 July 2024.
- City Plan – Adelaide 2036 consultation will close 16 July 2024.
- Encroachment Policy adopted by Council on 11 June 2024.
- Historic Area Statements Code Amendment expected to be presented to Council in August 2024.

6.2 Other Business raised at Panel Meeting

Nil

6.3 Next Meeting - 22 July 2024

Closure

The meeting closed at 5.59 pm

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