



COUNCIL ASSESSMENT PANEL

Minutes

for the meeting
Monday, 22 July 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, 22 July 2024, at 5.30 pm,
Colonel Light Room, Adelaide Town Hall

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

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 24 June 2024, be taken as read and be confirmed as an accurate record of proceedings.

2 Declaration of Conflict of interest

Robert Gagetti declared an indirect pecuniary conflict of interest in relation to Development No. 23037864 – Item 3.1 – 185 Melbourne Street, North Adelaide.

The conflict of interest relates to a client submitting a representation regarding Item 3.1.

Robert Gagetti notified the Presiding Member of the conflict of interest prior to the meeting and was not in attendance at the meeting so did not take part in any hearings, discussion or decision of the Panel on the matter.

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

3.1 185 Melbourne Street, North Adelaide

Representations listed to be heard

Representors:

- Jason Hughes of 21 Edith Place, North Adelaide (not in attendance)
- Damian Marriott of 21A Edith Place, North Adelaide (spoke on behalf of Jason Hughes and Victoria Soden)
- Victoria Soden of 15/19 Edith Place, North Adelaide (not in attendance)

Applicant:

- Marc Duncan of Future Urban on behalf of applicant, Chris Diamantis

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

The Council Assessment Panel resolves that:

2. Development Application Number 23037864, by Chris Diamantis is granted Planning Consent subject to the following reserved matter, conditions and advices:

RESERVED MATTERS

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

- **Landscape plan providing further details of plant species for screening at level 2 and the roof terraces to ensure views into adjacent properties will be adequately mitigated in accordance with the sightline sections**
- **A final schedule of external materials, surface finishes and colours**

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 Genworth Group, job no. R0093, drawing nos. SK01 to SK14 inclusive dated 27/6/2024**
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2. **First floor windows facing the side or rear boundaries shared with a residential use or lawfully approved residential use shall be permanently obscured to a height of 1.5 metres above finished floor level and be fixed or not capable of being opened more than 125mm.**
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3. **The privacy screening and measures depicted on the plans granted consent 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.**
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ADVISORY NOTES

1. **Expiration of Consent**

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. **Commencement and Completion**

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 planning@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. **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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6. **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.

7. **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.

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 closes 23 July 2024
- City Plan – Adelaide 2036 consultation closed 16 July 2024 and the planning policy team is currently working through the responses
- Historic Area Statements Code Amendment workshop with Council planned for August and consultation to potentially commence at the end of October

6.2 Other Business raised at Panel Meeting

Nil

6.3 Next Meeting - 26 August 2024

Closure

The meeting closed at 6.23 pm

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

Documents Attached:

Nil