



# COUNCIL ASSESSMENT PANEL

# Minutes

for the meeting  
Wednesday, 29 January 2025  
at 5.30 pm  
in the Colonel Light Room, Adelaide Town Hall



# Minutes of the Meeting of the Council Assessment Panel

Held on Wednesday, 29 January 2025, at 5.30 pm,  
Colonel Light Room, Adelaide Town Hall

<b>Present -</b>	Presiding Member -	Nathan Cunningham
	Panel Members -	Councillor Arman Abrahamzadeh, Mark Adcock and Robert Gagetti
<b>Apology -</b>	Panel Member -	Colleen Dunn

## 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 Confirmation of Minutes

### Decision

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 18 November 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 77 Kingston Terrace, North Adelaide

#### Representations listed to be heard

Representor:

- Joanne Barker, PO Box 3043, North Adelaide SA 5006 (not in attendance)

Applicant:

- Stewart Hocking of MasterPlan on behalf of the applicant – Keith Teagle and Simon Brown (did not address the Panel)

### 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 24021714 by Keith Teagle and Simon Brown is GRANTED Planning Consent subject to the following reserved matter, conditions and advices:

### RESERVED MATTER

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

1. A full schedule or sample of external materials, finishes and colours of the development.

Pursuant to Section 127 of the *Planning, Development and Infrastructure Act 2016*, Council's Assessment Manager reserves a decision on the form and substance of any further condition/s of Planning Consent considered appropriate to impose in respect of the Reserved Matter outlined above.

### 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):
  - Drawing No's. S01F, S02F, S03F and S04F by Billson & Sawley Architects.

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2. The cantilevered screening to the rear balcony shall be installed prior to the occupation of the dwelling and thereafter shall be maintained to the reasonable satisfaction of the Relevant Authority at all times. The screening shall comprise a maximum 20% openings.

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3. Upper level windows facing the side boundaries shared with a residential use or lawfully approved residential use shall have sill heights greater than or equal to 1.7 metres above finished floor level.

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4. **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.**
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#### **ADVISORY NOTES**

1. **Development Approval Required**

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.

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2. **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.

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3. **Commencement and Completion**

Pursuant to Regulation 93 of the Planning, Development and Infrastructure (General) Regulations 2017, 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.

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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).

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**5. 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.

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**6. Fences Act 1975**

The applicant is reminded of the requirements of the *Fences Act 1975*. Should the proposed works include work involving a shared boundary, a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 8463 3555.

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**7. 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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**8. 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

**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 CAP Annual Report 2024

#### Decision

The Council Assessment Panel resolves that the Panel:

1. Endorses the submission of the Council Assessment Panel Annual Report 2024 to Council, included in the Agenda for the Council Assessment Panel meeting held on 29 January 2025.
2. Notes the reduced number of development applications being assessed by the Panel and Panels generally across South Australia. As the planning system continues to evolve, changes resulting in Panels being the Relevant Authority for a greater number of appropriate developments are encouraged.

These changes are expected to align with community expectations regarding the role of a Council Assessment Panel, which includes Accredited Professionals assembled to assess and determine complex applications.

### 6.2 Planning Policy Updates including Suggestions from Panel

- Historic Area Statement Code Amendment progressing
- Draft submission being prepared for Accommodation Diversity Code Amendment
- Festival Plaza Code Amendment finalised in early January 2025
- Local Design Review pilot with ODASA commenced in December 2024 and will continue throughout 2025

### 6.3 Other Business raised at Panel Meeting

Nil

### 6.4 Next Meeting - Monday 24 February 2025

## 7 Exclusion of the Public from attendance to Receive, Discuss or Consider Information/Matter on a Confidential Basis

Item 8.1 – 108 Gilbert Street, Adelaide

Section 13(2) (a) (ix) information relating to actual litigation, or litigation that the assessment panel believes on reasonable grounds will take place [*Planning, Development and Infrastructure (General) Regulations 2017 (SA)*]

#### Decision

That the public be excluded from this part of the meeting of the City of Adelaide Council Assessment Panel dated 29 January 2025, (with the exception of members of Corporation staff who are hereby permitted to remain) to enable the Panel to receive, discuss or consider information relating to actual litigation, or litigation that the assessment panel believes on reasonable grounds will take place associated with Item 8.1 – 108 Gilbert Street, Adelaide.

Members of City of Adelaide staff not directly involved with the matter and members of the public left the Colonel Light Room at 6.11pm.

**8 Matters for Consideration on a Confidential Basis**

**8.1 108 Gilbert Street, Adelaide**

Section 13(2) (a) (ix) information relating to actual litigation, or litigation that the assessment panel believes on reasonable grounds will take place [*Planning, Development and Infrastructure (General) Regulations 2017 (SA)*]

**Confidentiality Order**

**Item 8.1** – 108 Gilbert Street, Adelaide

**Decision**

The Council Assessment Panel resolves that:

1. Item 8.1 having been dealt with on a confidential basis (information relating to actual litigation, or litigation that the panel believes on reasonable grounds will take place) remain confidential until the matter has been finalised.
2. Item 8.1 be excluded from the Minutes [Regulation 14(4) *Planning, Development and Infrastructure (General) Regulations 2017 (SA)*]

**Closure**

The meeting closed at 6.27 pm

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

Documents Attached:

Nil