

Minutes of the Council Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 23 October at 7:00 pm.

MEMBERS PRESENT

Presiding Member – Y Svensson
S Reachill
T Sutcliffe
C Dunn
J Fleming

STAFF IN ATTENDANCE

Manager Development Services – A Marroncelli
Assessment Manager – M Gates
Development Administration Lead - A Elliott

1. Opening

The Presiding Member, Y Svensson declared the meeting open at 7.00pm.

2. Kaurna Acknowledgement

We acknowledge Kaurna people as the traditional owners and custodians of this land.

We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kaurna People today.

3. Apologies

Apologies received - Nil

Absent - Nil

4. Declaration Of Interest

If a Panel Member has an interest (within the terms of the Local Government Act 1999 and Planning, Development and Infrastructure Act 2016) in a matter before the Panel they are asked to disclose the interest to the Panel and provide full and accurate details of the relevant interest. Panel Members are reminded to declare their interest before each item.

5. Confirmation Of Minutes

Motion

That the minutes of the Council Assessment Panel held on 25 September 2024 be taken as read and confirmed.

Moved S Reachill, Seconded T Sutcliffe

Carried

6. Applications Assessed under the Planning and Design Code

6.1 Thomas Treloar, 18 Gulf Pde, South Brighton (Report No 237/24)

DEVELOPMENT NO.:	24025197
APPLICANT:	Thomas Treloar
ADDRESS:	18 GULF PDE SOUTH BRIGHTON SA 5048
NATURE OF DEVELOPMENT:	Two (2) double storey detached dwellings with rooftop terraces, retaining walls up to 1.4m high and swimming pools.
ZONING INFORMATION:	Zones: <ul style="list-style-type: none"> • General Neighbourhood Overlays: <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy
LODGEMENT DATE:	27 Aug 2024
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.15 15/8/2024
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Alexander Stamatopoulos Development Officer - Planning
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Council Arborist

Speakers: Janet Maitland, James Hilditch, Hilditch Lawyers on behalf of Kylie Grigg and Syd McDonald Botten Levinson Lawyers on behalf of the Applicant

Motion

231024/00035

That the Council Assessment Panel resolve that Development Application Number 24025197, by Thomas Treloar is refused Planning Consent for the following reasons:

1. Does not sufficiently meet the general neighbourhood zone 8.1 as the buildings are not satisfactorily separated between each other, particularly with regards to the second level separations. Does not contribute to the suburban character and does not provide sufficient light for windows.

2. Does not sufficiently meet the general urban design PO 10.2. Does not sufficiently mitigate the overlooking from upper level balconies to habitable rooms and private open space of adjoining properties.
3. General Neighbourhood zone 4.1 and wall heights exceed 7m.

Moved Y Svensson, Seconded S Reachill

Carried

6.2 Ulyya Drozdoff, 62 Paringa Avenue, Somerton Park (Report No 238/24)

DEVELOPMENT NO.:	24025414
APPLICANT:	Ulyya Drozdoff
ADDRESS:	62 PARINGA AV SOMERTON PARK SA 5044
NATURE OF DEVELOPMENT:	Change of use from a store to light industry (motor trimmer)
ZONING INFORMATION:	Zones: • Employment Overlays: • Airport Building Heights (Regulated) • Building Near Airfields • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development
LODGEMENT DATE:	5 Sept 2024
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.16 29/8/2024
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Alexander Stamatopoulos Development Officer - Planning
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Traffic

Motion

231024/00036

That the Council Assessment Panel resolve that the proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

Moved T Sutcliffe, Seconded C Dunn

Carried

Motion

231024/00037

That Development Application Number 24025414, by Uliya Drozdoff is granted Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

1. The development granted approval shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).
2. That the development herein approved shall operate between the hours of 7am to 6pm Monday to Friday and 7am to 3pm Saturdays, inclusive unless written approval to vary the times is given by the Council.

Moved C Dunn, Seconded S Reachill

Carried

Meeting adourned at 8.15 pm

Meeting resumed at 8.18 pm

6.3 Mark Revink, 5A Kingston Cr Kingston Park (Report No 239/24)

DEVELOPMENT NO.:	24025590
APPLICANT:	Mark Revink
ADDRESS:	5A KINGSTON CR KINGSTON PARK SA 5049
NATURE OF DEVELOPMENT:	Two-storey detached dwelling
ZONING INFORMATION:	Zones: <ul style="list-style-type: none"> • General Neighbourhood Overlays: <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Hazards (Flooding) • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy • Water Resources
LODGEMENT DATE:	22 Aug 2024
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.15 15/8/2024
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Alexander Stamatopoulos Development Officer - Planning
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Nil

Motion

231024/00038

That the Council Assessment Panel resolve that the proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

Moved T Sutcliffe, Seconded C Dunn

Carried

Motion

231024/00039

That the Council Assessment Panel resolve that Development Application Number 24025590, by Mark Revink is granted Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

1. The development granted approval shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).
2. The stormwater disposal system shall cater for a 5 year rainfall event with discharge to the street not to exceed 10 litres per second. Any excess above this flow is to be detained on site. All stormwater collected on the site must only be discharged to the street and not on to any adjacent properties
3. Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).
4. Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.
5. That all upstairs windows, other than those on the southern front façade, shall have minimum window sill heights of 1.5 metres above finished floor level, or any glass below 1.5 metres shall be obscure and fixed shut and be installed prior to occupation of the dwelling.

Moved S Reachill, Seconded T Sutcliffe

Carried

6.4 JAM Constructions Pty Ltd Trading as James Michael Homes Pty Ltd, 10 Crosby Street, South Brighton (Report No 240/24)

DEVELOPMENT NO.:	24019750
APPLICANT:	JAM Constructions Pty Ltd Trading as James Michael Homes Pty Ltd
ADDRESS:	10 CROSBY ST SOUTH BRIGHTON SA 5048
NATURE OF DEVELOPMENT:	Construct a 2 Storey Dwelling, with retaining walls up to 1.6m
ZONING INFORMATION:	Zones: <ul style="list-style-type: none"> • General Neighbourhood Overlays: <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy
LODGEMENT DATE:	8 Jul 2024
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.12 04/07/2024
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Michael Gates Development Services (Planning and Building) Lead
REFERRALS STATUTORY:	None
REFERRALS NON-STATUTORY:	None

Motion

231024/00040

That the Council Assessment Panel resolve that the proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

Moved C Dunn, Seconded S Reachill

Carried

Motion

231024/00041

That the Council Assessment Panel resolve that Development Application Number 24019750, by JAM Constructions Pty Ltd Trading as James Michael Homes Pty Ltd is granted Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

1. The development granted approval shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).
2. Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).
3. Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.
4. That the finished level of the crossover at the property boundary shall be a minimum of 75mm above the top of kerb in accordance with AS2890.1, and the maximum gradient of the driveway shall not be greater than 5% across the footpath, with the invert profile conforming to AS2876. Furthermore, the footpaths on either side shall be graded to the driveway preventing tripping hazards at this junction, without any steep grades along the footpath. The provision for vehicle crossovers and inverts, and reinstatements of existing crossovers not required by the development, be constructed at the owner's expense.
5. That all upstairs windows, other than facing the street, shall have minimum window sill heights of 1.5 metres above finished floor level, or any glass below 1.5 metres shall be obscure and fixed shut and be installed prior to occupation of the dwelling.
6. The stormwater disposal system shall cater for a 5 year rainfall event with discharge to the street not to exceed 10 litres per second. Any excess above this flow is to be detained on site. All stormwater collected on the site must only be discharged to the street and not on to any adjacent properties.

Moved C Dunn , Seconded S Reachill

Carried

7. DEFERRED ITEMS - Nil

8. APPLICATIONS APPEAL UPDATE
Noted.

9. URGENT BUSINESS – Subject to the Leave of the Meeting - Nil

10. DATE AND TIME OF NEXT MEETING

The next meeting of the Council Assessment Panel will be held on Wednesday, 11 December 2024 in the Kingston Room, Civic Centre, 24 Jetty Road, Brighton.

11. CLOSURE

The meeting closed at 8.35 pm.

PRESIDING MEMBER