

Minutes of the Council Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 26 March 2025 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 Officers Planning - D Spasic
Development Administration Lead - A Elliott

1. Opening

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

2. Kurna Acknowledgement

We acknowledge Kurna 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 Kurna 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 26 February 2025 be taken as read and confirmed.

Moved S Reachill, Seconded J Fleming

Carried

6. Applications Assessed under the Planning and Design Code

6.1 Peter Tynan, 11 Brighton Road, Glenelg (Report No 74/25)

DEVELOPMENT NO.:	24037064
APPLICANT:	Peter Tynan
ADDRESS:	11 BRIGHTON RD GLENELG SA 5045
NATURE OF DEVELOPMENT:	Construct two storey additions to the rear of an existing consulting rooms, car park and landscaping
ZONING INFORMATION:	Zones: <ul style="list-style-type: none"> • Employment Overlays: <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Building Near Airfields • Future Road Widening • Hazards (Flooding - General) • Major Urban Transport Routes • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development Technical Numeric Variations (TNVs): <ul style="list-style-type: none"> • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	6 Nov 2024
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.19 24/10/2024
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Michael Gates Development Services (Planning and Building) Lead
REFERRALS NON-STATUTORY:	Development Engineer

Speakers: Henry Mitchell and Peter Tynan

Motion

260325/00009

That the Council Assessment Panel resolve that the proposed development is considered not to be 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

260325/00010

That the Council Assessment Panel resolve that Development Application Number 24037064, by Peter Tynan 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 each car parking space shall conform to the applicable Australian Standard. Such car parking spaces shall be line marked with continuous white lines along the whole of each side of each car parking space prior to the use of the development herein approved and such line marking shall be maintained in good condition at all times to the reasonable satisfaction of the Council.
3. That the development herein approved shall operate between the hours of 7am to 7pm Monday to Saturday inclusive unless written approval to vary the times is given by council.
4. 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

ADVISORY NOTES

Planning Consent

Advisory Note 1

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).

Advisory Note 2

The owner/applicant is advised that infrastructure located within Council road reserve (i.e. area between the kerb and allotment boundary) should be designed and constructed (including modified) in accordance with relevant / current Council standards. This includes, but is not limited to, driveway crossovers, alterations to kerbing and footpaths, stormwater easement connections and domestic stormwater connection to the street watertable.

Advisory Note 3

If you are a developer or owner-builder, there are important Commonwealth telecommunications rules you need to comply with. For more information visit www.infrastructure.gov.au/tind

Advisory Note 4

The owner/applicant is advised that consent from any relevant easement or encumbrance owner may be required prior to any construction.

Easements may include, but are not limited to: drainage, Council easements (i.e. stormwater, encroachments, access etc), power transmission (SA Power Networks), telecommunications, or other forms of access (such as vehicle) rights of way.

Easements and encumbrances would be registered on the relevant Certificate of Title. The location of easements on the land would be shown on the Deposited Plan. A copy of the Certificate of Title and Deposited Plan can be obtained from the South Australian Integrated Land Information System (SAILIS) at: <https://sailis.lssa.com.au/home/auth/login>

Advisory Note 5

If excavating, it is recommended you contact Before You Dig Australia (BYDA) (www.byda.com.au) to keep people safe and help protect underground infrastructure.

Moved S Reachill, Seconded T Sutcliffe

Carried

6.2 Emily Beaumont, 15 Gower Street, Glenelg East (Report No 75/25)

DEVELOPMENT NO.:	25000115
APPLICANT:	Emily Beaumont
ADDRESS:	15 GOWER ST GLENELG EAST SA 5045
NATURE OF DEVELOPMENT:	Alterations to single storey detached dwelling including two level addition to rear
ZONING INFORMATION:	Zones: <ul style="list-style-type: none">• Established Neighbourhood Overlays: <ul style="list-style-type: none">• Airport Building Heights (Regulated)• Affordable Housing• Building Near Airfields• Character Area• Prescribed Wells Area• Regulated and Significant Tree• Stormwater Management• Urban Tree Canopy Technical Numeric Variations (TNVs): <ul style="list-style-type: none">• Minimum Frontage (Minimum frontage for a detached dwelling is 14m; semi-detached dwelling is 14m)

	<ul style="list-style-type: none"> • Minimum Site Area (Minimum site area for a detached dwelling is 600 sqm; semi-detached dwelling is 600 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level)
LODGEMENT DATE:	10 Jan 2025
RELEVANT AUTHORITY:	Assessment panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.23 19/12/2024
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

Motion

260325/00011

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

260325/00012

That the Council Assessment Panel resolve that Development Application Number 25000115, by Emily Beaumont 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 privacy screens on the upper level must be installed prior to occupation of the upper level.

ADVISORY NOTES

Planning Consent

Advisory Note 1

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).

Advisory Note 2

The owner/applicant is advised that infrastructure located within Council road reserve (i.e. area between the kerb and allotment boundary) should be designed and constructed (including modified) in accordance with relevant / current Council standards. This includes, but is not limited to, driveway crossovers, alterations to kerbing and footpaths, stormwater easement connections and domestic stormwater connection to the street watertable.

Advisory Note 3

If you are a developer or owner-builder, there are important Commonwealth telecommunications rules you need to comply with. For more information visit www.infrastructure.gov.au/tind

Advisory Note 4

The owner/applicant is advised that consent from any relevant easement or encumbrance owner may be required prior to any construction.

Easements may include, but are not limited to: drainage, Council easements (i.e. stormwater, encroachments, access etc), power transmission (SA Power Networks), telecommunications, or other forms of access (such as vehicle) rights of way.

Easements and encumbrances would be registered on the relevant Certificate of Title. The location of easements on the land would be shown on the Deposited Plan. A copy of the Certificate of Title and Deposited Plan can be obtained from the South Australian Integrated Land Information System (SAILIS) at: <https://sailis.lssa.com.au/home/auth/login>

Advisory Note 5

If excavating, it is recommended you contact Before You Dig Australia (BYDA) (www.byda.com.au) to keep people safe and help protect underground infrastructure.

Moved T Sutcliffe, Seconded S Reachill

Carried

6.3 Steve and Heidee Merkel, 72 College Road, Somerton Park (Report No 76/25)

DEVELOPMENT NO.:	24032901
APPLICANT:	Steve Merkel Heidee Merkel
ADDRESS:	72 COLLEGE RD SOMERTON PARK SA 5044
NATURE OF DEVELOPMENT:	Proposed new detached dwelling, concrete swimming pool and pavilion, retaining walls and removal of two regulated trees
ZONING INFORMATION:	Zones: <ul style="list-style-type: none"> • General Neighbourhood Overlays: <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Heritage Adjacency • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy
LODGEMENT DATE:	9 Dec 2024
RELEVANT AUTHORITY:	Assessment panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.22 05/12/2024
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Michael Gates Development Services (Planning and Building) Lead

Motion

260325/00013

That the Council Assessment Panel resolve that the proposed development is considered not to be 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

260325/00014

That the Council Assessment Panel resolve that Development Application Number 24032901, by Steve Merkel and Heidee Merkel is granted Planning Consent subject to the following reserved matter and conditions:

Pursuant to section 102 (3) of the Planning, Development and Infrastructure Act of 2016, the following matter shall be reserved for further assessment prior to the granting of Development Approval

- 1 Provide a detailed landscape plan identifying species and location of replacement trees and additional trees including extent and type of paving.

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
7. That the associated pool filter pump must be enclosed in such a way that noise levels do not exceed 52 d(a) between 7am and 10pm on the same day, and 45db(a) between 10pm and 7am the next day measured at adjoining property boundaries.
8. Replacement trees must be planted within 12 months of completion of the development at the following rates: i. if the development relates to a regulated tree—2 trees to replace a regulated tree ii. if the development relates to a significant tree—3 trees to replace a significant tree.

Replacement trees cannot be within a species specified under regulation 3F(4)(b) of the Planning, Development and Infrastructure (General) Regulations 2017.

ADVISORY NOTES

Planning Consent

Advisory Note 1

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Moved C Dunn, Seconded S Reachill

Carried

7. APPLICATIONS APPEAL UPDATE

Noted.

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

9.1 Council Assessment Panel Members

Y Svensson thanked C Dunn and T Sutcliffe for their work and time on the Panel and wished them well for their futures.

10. DATE AND TIME OF NEXT MEETING

The next meeting of the Council Assessment Panel will be held on Wednesday 23 April 2025 in the Kingston Room, Civic Centre, 24 Jetty Road, Brighton.

11. CLOSURE

The meeting closed at 8.04 pm.

PRESIDING MEMBER