

**Minutes of the Council Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, 24 Jetty Road, Brighton, on Wednesday, 22 March 2023 at 7:00 pm.**

**MEMBERS PRESENT**

Presiding Member – D Bailey  
Y Svensson  
S Reachill  
J Fleming  
B Snewin

**STAFF IN ATTENDANCE**

Development Services Lead – M Gates  
Development Officers Planning - A Stamatopolous  
Team Leader Development Administration - A Elliott

**1. OPENING**

D Bailey welcomed the people in the gallery and acknowledged the Kaurna people as the traditional owners and custodians of this land that we meet on.

**2. APOLOGIES**

Apologies Received – Nil  
Absent – Nil

**3. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

**4. CONFIRMATION OF MINUTES**

**Motion**

**That the minutes of the Council Assessment Panel held on 22 February 2023 be taken as read and confirmed.**

Moved by J Fleming, Seconded by S Reachill

## 5. APPLICATIONS ASSESSED UNDER THE PLANNING AND DESIGN CODE

### 5.1 Dwayne Scales, Lot 60 (Number 4) Giles Avenue, Glenelg (Report No 92/23)

<b>DEVELOPMENT NO.:</b>	23000878
<b>APPLICANT:</b>	Dwayne Scales
<b>ADDRESS:</b>	LOT 60 (NUMBER 4) GILES AV GLENELG SA 5045
<b>NATURE OF DEVELOPMENT:</b>	Variation to application ID 22040700 (two-storey detached dwelling and single storey pool house) - comprising the increase of the western garage boundary wall length from 11.5m to 13m. (4 Giles Avenue Glenelg)
<b>ZONING INFORMATION:</b>	Zones: <ul style="list-style-type: none"> <li>• General Neighbourhood</li> </ul> Overlays: <ul style="list-style-type: none"> <li>• Airport Building Heights (Regulated)</li> <li>• Affordable Housing</li> <li>• Building Near Airfields</li> <li>• Prescribed Wells Area</li> <li>• Regulated and Significant Tree</li> <li>• Stormwater Management</li> <li>• Urban Tree Canopy</li> </ul>
<b>LODGEMENT DATE:</b>	17 Jan 2023
<b>RELEVANT AUTHORITY:</b>	Assessment panel at City of Holdfast Bay
<b>PLANNING &amp; DESIGN CODE VERSION:</b>	22 December 2022
<b>CATEGORY OF DEVELOPMENT:</b>	Code Assessed - Performance Assessed
<b>NOTIFICATION:</b>	Yes
<b>RECOMMENDING OFFICER:</b>	Alexander Stamatopoulos Development Planner
<b>REFERRALS STATUTORY:</b>	Nil
<b>REFERRALS NON-STATUTORY:</b>	Nil

#### Motion

**220323/00009**

It is recommended that the Council Assessment Panel resolve 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
2. Development Application Number 23000878, by Dwayne Scales 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 existing conditions associated with Application ID 22040700 remain valid and still apply except where varied by this approval.

Moved Y Svensson, Seconded S Reachill

**Carried****5.2 Andrew Taplin, 28 Sturt Road, Brighton (Report No 93/23)**

<b>DEVELOPMENT NO.:</b>	23001870
<b>APPLICANT:</b>	Andrew Taplin
<b>ADDRESS:</b>	28 STURT RD BRIGHTON SA 5048
<b>NATURE OF DEVELOPMENT:</b>	Variation to application 22009838 - Variation to Condition 2 to remove three significant trees and one regulated tree, trees numbered 3, 4, 8 and 16
<b>ZONING INFORMATION:</b>	Zones: <ul style="list-style-type: none"> <li>• General Neighbourhood</li> </ul> Overlays: <ul style="list-style-type: none"> <li>• Airport Building Heights (Regulated)</li> <li>• Affordable Housing</li> <li>• Hazards (Flooding)</li> <li>• Hazards (Flooding - General)</li> <li>• Prescribed Wells Area</li> <li>• Regulated and Significant Tree</li> <li>• Stormwater Management</li> <li>• Traffic Generating Development</li> <li>• Urban Transport Routes</li> <li>• Urban Tree Canopy</li> </ul>
<b>LODGEMENT DATE:</b>	31 Jan 2023
<b>RELEVANT AUTHORITY:</b>	Council Assessment panel at City of Holdfast Bay
<b>PLANNING &amp; DESIGN CODE VERSION:</b>	2023.1
<b>CATEGORY OF DEVELOPMENT:</b>	Code Assessed - Performance Assessed
<b>NOTIFICATION:</b>	No
<b>RECOMMENDING OFFICER:</b>	Michael Gates Development Services (Planning and Building) Lead
<b>REFERRALS STATUTORY:</b>	None
<b>REFERRALS NON-STATUTORY:</b>	Arborist

**J Fleming left the meeting for due diligence to avoid any apprehension of bias at 7.06 pm****B Snewin joined the meeting at 7.06 pm**

**Motion****220323/00009**

It is recommended that the Council Assessment Panel resolve 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
2. Development Application Number 23001870, by Andrew Taplin is granted Development Approval subject to the following conditions:
  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).

**ADVISORY NOTES****Planning Consent****General Notes**

1. 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. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
4. Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
5. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
  - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
  - b. if an appeal is commenced—
    - i. until the appeal is dismissed, struck out or withdrawn; or
    - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

Moved S Reachill, Seconded D Bailey

**Carried**

**6. DEFERRED ITEMS - Nil**

**7. APPLICATIONS UNDER APPEAL - Nil**

**8. URGENT BUSINESS – Subject to the Leave of the Meeting**

**8.1 Message from the Presiding Member, David Bailey**

David Bailey, outgoing Presiding Member, expressed his appreciation for the Panel Members and the staff during his time on the City of Holdfast Bay Council Assessment Panel.

**9. APPEAL ITEMS UPDATE – Nil**

**10. CLOSURE**

The meeting closed at 7.47 pm.

**CONFIRMED Thursday, 27 April 2023**

**PRESIDING MEMBER**