

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 July 2023 at 7:00 pm.

MEMBERS PRESENT

Presiding Member – Y Svensson
S Reachill (via Teams)
T Sutcliffe
C Dunn
B Snewin

STAFF IN ATTENDANCE

Manager Development Services – A Marroncelli
Development Services Lead – M Gates
Development Officers Planning - A Stamatopolous and D Spasic
Team Leader Development Administration - A Elliott

1. OPENING

Y Svensson 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 – J Fleming
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 28 June 2023 be taken as read and confirmed.

Moved T Sutcliffe, Seconded C Dunn

Carried

5. APPLICATIONS ASSESSED UNDER THE PLANNING AND DESIGN CODE

5.1 Clint Girardi, 7 Marine Parade, Seacliff (Report No 231/23)

DEVELOPMENT NO.:	23006863
APPLICANT:	Clint Girardi
ADDRESS:	7 MARINE PDE SEACLIFF SA 5049
NATURE OF DEVELOPMENT:	Two storey detached dwelling garage wall located on the southern side boundary
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Established Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Character Area • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Minimum Frontage (Minimum frontage for a detached dwelling is 12m; semi-detached dwelling is 12m; row dwelling is 12m; group dwelling is 12m; residential flat building is 12m) • Minimum Site Area (Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 400 sqm; row dwelling is 350 sqm; group dwelling is 350 sqm; residential flat building is 350 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level)
LODGEMENT DATE:	17 Mar 2023
RELEVANT AUTHORITY:	Council Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	2023.4
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Alexander Stamatopoulos Development Planner
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Nil

Speakers: Ken Smith, Phillip Brunning and Marcus Rolfe, URPS

Motion**260723/00020**

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 23006863, by Clint Girardi 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. 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.
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 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. That a fixed screen that prevents outward views shall be erected on the northern end of the first-floor balcony to a minimum height of 1.7 metres above finished floor level.

Moved T Sutcliffe, Seconded C Dunn

Carried

**5.2 White Rabbit Group Pty Ltd, 530 – 532 Anzac Highway, Glenelg East
(Report No 232/23)**

DEVELOPMENT NO.:	23009720
APPLICANT:	White Rabbit Group Pty Ltd
ADDRESS:	530 – 532 ANZAC HWY GLENELG EAST SA 5045
NATURE OF DEVELOPMENT:	Alterations and additions to the existing building, advertising and a change of use to a child care centre
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Housing Diversity Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Future Road Widening • Hazards (Flooding - Evidence Required) • Key Railway Crossings • Major Urban Transport Routes • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy • Water Resources <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 9m) • Minimum Frontage (Minimum frontage for a detached dwelling is 9m; semi-detached dwelling is 9m; row dwelling is 7m; group dwelling is 7m; residential flat building is 7m) • Minimum Site Area (Minimum site area for a detached dwelling is 250 sqm; semi-detached dwelling is 200 sqm; row dwelling is 200 sqm; group dwelling is 200 sqm; residential flat building is 200 sqm) • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	11 Apr 2023
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	2023.5
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes

RECOMMENDING OFFICER:	Alexander Stamatopoulos Development Planner
REFERRALS STATUTORY:	Commissioner of Highways
REFERRALS NON-STATUTORY:	City Assets - Traffic & Stormwater

Motion**260723/00021**

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 23009720, by White Rabbit Group Pty Ltd is granted Planning Consent subject to the following Reserved Matters and Conditions:

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 the relevant authority, prior to the granting of Development Approval:

- That a civil site works plan be submitted to the Council showing the increased landscape areas in the car park consistent with the architectural plans.
- Landscaping & carparking to meet "Design in Urban Areas" PO 7.4. DTF 7.4 Street level vehicle parking areas incorporate tree planting to provide shade, reduce solar heat absorption and reflection.

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.
3. That the proposal incorporates all the recommendations from the associated BESTEC report, including:

- A 1,800mm high colourbond fence be constructed to the eastern and western boundaries of the carpark as illustrated with blue line on Figure 2.
 - A 2,100mm high colourbond fence be constructed around boundaries of the outdoor play areas as illustrated with red line on Figure 2.
 - Façade – framed construction consisting of 9mm fibre cement to the external side of minimum 92mm steel studs and 1 layer of 13mm plasterboard to the internal side with cavity infill of 75mm, 11kg/m³ glasswool;
 - Roof – conventional profiled steel roof decking (0.42mm BMT) over 100mm thick foil faced insulation blanket with minimum density of 16kg/m³ (ANTICON 100HP or equivalent) and suspended ceiling of perforated plasterboard backed with non-woven acoustic tissue and overlaid with 75mm, 32kg/m³ polyester; and
 - Glazing – 10.38mm laminated glass or as required structurally be used for external glazing and sliding doors.
4. That the rubbish collection service must be collected on site, and within the hours of 7am to 5pm Monday to Friday.

Conditions imposed by Commissioner of Highways under Section 122 of the Act

5. Access to Anzac Highway shall be constructed as shown on Site Plan WD01, Issue A dated 22/02/2023 and be consistent with Frank Siow & Associates, Traffic and Parking Assessment, dated 3 April 2023. The access shall be 6 metres wide at the property boundary and be suitably flared to the road. The remaining portion of the existing access to house no 534 Anzac Highway shall be 3 metres wide and provide physical separation from the childcare centre access. The residential access shall also maximise separation from the stobie pole located to the west. The footpath area shall be modified to Council's satisfaction with all costs borne by the applicant.
6. The largest vehicle permitted on site shall be a 10m long truck (refuse vehicle). Vehicles larger than a B99 passenger vehicle shall only access the site during off peak periods for the development.
7. All vehicles shall enter and exit the site in a forward direction.
8. Any fencing/landscaping adjacent to the access to the subject site shall be designed or located to ensure that the pedestrian sightlines in Major Urban Transport Routes Overlay DTS/DPF 5.1, a) and b) are achieved.

9. The access and parking areas shall be line marked and signed to reinforce the desired flow through the site and to ensure that the staff parking operates as per the Frank Siow & Associates, Traffic and Parking Assessment.
10. Stormwater run-off shall be collected on-site and discharged without impacting the integrity and safety of Anzac Highway. Any alterations to the road drainage infrastructure required to facilitate this development shall be at the applicant's cost.

ADVISORY NOTES

Advisory Notes imposed by Commissioner of Highways under Section 122 of the Act

The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 4.5 metres in width from the Anzac Highway frontage of this site (Lot 44 in DP 5149 and Lot 7 in FP 12497) for future upgrading of the Anzac Highway / Morphett Road intersection. The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act 1972 is required to all building works on or within 6.0 metres of the possible requirement. The subject development is clear of the above requirement and consent is not required in this instance.

Moved S Reachill, Seconded T Sutcliffe

Carried

5.3 Con Rollas, 43 Marine Parade, Seacliff (Report No 233/23)

DEVELOPMENT NO.:	22011704
APPLICANT:	Con Rollas
ADDRESS:	43 MARINE PDE SEACLIFF SA 5049
NATURE OF DEVELOPMENT:	Construct a shed
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Established Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Character Area • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Minimum Frontage (Minimum frontage for a detached dwelling is 12m; semi-detached dwelling is 12m; row dwelling is 12m; group dwelling is 12m; residential flat building is 12m) • Minimum Site Area (Minimum site area for a detached dwelling is 450 sqm; semi-detached

	dwelling is 400 sqm; row dwelling is 350 sqm; group dwelling is 350 sqm; residential flat building is 350 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level)
LODGEMENT DATE:	8 Apr 2022
RELEVANT AUTHORITY:	Assessment Manager of the City of Holdfast Bay – Delegated to the Assessment Panel at the City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	31 March 2022 2022.6
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	No
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

David Billington requested to address the Council Assessment Panel. Request denied.

Motion

Development Application Number 22011704 by Con Rollas is REFUSED due to the following reasons:

1. Does not satisfactorily meet the Character Overlay DO and particularly PO 4.1 Ancillary development, including carports, outbuildings and garages complements the character of the area and associated buildings.
2. Does not satisfactorily meet Established Neighbourhood Po 11.1. Residential ancillary buildings and structures are to be sited and designed to not detract from the streetscape or appearance of buildings on the site or neighbouring properties.
3. Does not satisfactorily meet Established Neighbourhood PO 10.1. Garages are designed and sited to be discrete and not dominate the appearance of the associated dwelling when view from the street.

Moved Y Svensson, Seconded B Snewin

Lost

Motion

260723/00022

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 22011704, by Con Rollas 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 landscaping as detailed in the approved plans shall be planted prior to occupation and shall be maintained in good health and condition at all times. Any such vegetation shall be replaced if and when it dies or becomes seriously diseased.

Moved T Sutcliffe, Seconded C Dunn

Carried

6. DEFERRED ITEMS - Nil

7. APPLICATIONS UNDER APPEAL

The Council Assessment Panel noted the appeals update.

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

Deputy Presiding Member

M Gates advised that the Council Assessment Panel members consider appointing a Deputy Presiding Member.

S Reachill nominated T Sutcliffe to the position of Deputy Presiding Member.

Motion

260723/00023

T Sutcliffe be appointed to the position of Deputy Presiding Member.

Moved Y Svensson, Seconded C Dunn

Carried

9. CLOSURE

The meeting closed at 8.19 pm.

CONFIRMED Wednesday, 23 August 2023

PRESIDING MEMBER