

Minutes of the Council Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Thursday, 27 April 2023 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
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 – 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 March 2023 be taken as read and confirmed.

Moved by J Fleming, Seconded by S Reachill

Carried

5. APPLICATIONS ASSESSED UNDER THE PLANNING AND DESIGN CODE

5.1 John and Elisha Tsoutsikos, 53 Marine Parade, Seacliff (Report No 118/23)

DEVELOPMENT NO.:	22035973
APPLICANT:	John and Elisha Tsoutsikos
ADDRESS:	53 MARINE PDE SEACLIFF SA 5049
NATURE OF DEVELOPMENT:	Demolition of a Local Heritage Place
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 • Local Heritage Place • 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:	25 Oct 2022
RELEVANT AUTHORITY:	Assessment panel
PLANNING & DESIGN CODE VERSION:	13 October 2022 2022.19
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

Speakers: James Wigzell and James Levinson (on behalf of the applicant)

Motion

That the Council Assessment Panel resolve that:

Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of Development Application 22035973 against the Planning and Design Code, the application is seriously at variance with the provisions of the Planning and Design Code and is REFUSED Development Approval . Specifically, the application fails to adhere to the following Planning and Design Code provisions:

Local Heritage Place Overlay

Desired Outcome 1

In that the proposal does not maintain the heritage and cultural value of the Local Heritage Place through conservation, ongoing use and adaptive reuse

Performance Outcome

Demolition

Performance Outcome 6.1

In that the proposal involves the demolition a Local Heritage Place, no portion of which is either excluded from the extent of the listing that is of heritage value or structurally unsound.

Performance Outcome 6.2

In that the proposal involves the removal of a building that contributes to the heritage values of the Local Heritage Place.

Moved J Fleming, Seconded S Reachill

Lost

Motion

270423/00010

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 22035973, by John and Elisha Tsoutsikos is granted. Development Approval.

Moved T Sutcliffe, Seconded C Dunn

Carried

5.2 Amplitel Pty Ltd C/O Ventia Pty Ltd, 12-16 King George Avenue, North Brighton (Report No 119/23)

DEVELOPMENT NO.:	22041996
APPLICANT:	Amplitel Pty Ltd C/O Ventia Pty Ltd
ADDRESS:	12-16 KING GEORGE AV NORTH BRIGHTON SA 5048
NATURE OF DEVELOPMENT:	Telecommunications facility in the form of a 26.7 metre monopole and associated plant equipment enclosed in a shed located to the north of Sir Josiah Symon Avenue
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Urban Renewal Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Hazards (Flooding) • Hazards (Flooding - General) • Local Heritage Place • Prescribed Wells Area • Regulated and Significant Tree • State Heritage Place • State Heritage Place • State Heritage Place • Stormwater Management • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Finished Ground and Floor Levels (Minimum finished ground level is 3.2m AHD; Minimum finished floor level is 3.45m AHD) • Maximum Building Height (Metres) (Maximum building height is 22m) • Concept Plan (Concept Plan 4 - Minda Incorporated Brighton Campus - North Brighton) • Maximum Building Height (Levels) (Maximum building height is 6 levels)
LODGEMENT DATE:	18 Jan 2023
RELEVANT AUTHORITY:	Assessment panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	2022.24
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Alexander Stamatopoulos Development Officer - Planning
REFERRALS STATUTORY:	Nil

REFERRALS NON-STATUTORY:	Nil
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Speakers: Michael Fenech

Motion

270423/00011

Planning consent

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

Development Application Number 22041996, by Amplitel Pty Ltd C/O Ventia 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. That the tree protection recommendations listed in the Arborman Tree Solutions report dated 6 October 2022 be adhered to during the construction of the telecommunications facility.
3. To allow the structure to blend into its surroundings, the proposed telecommunications facility to be coloured mid-grey.

Moved S Reachill, Seconded T Sutcliffe

Carried

5.3 Anthony Donato, 33 Cygnet Court, Glenelg North (Report No 120/23)

DEVELOPMENT NO.:	23003390
APPLICANT:	Anthony Donato
ADDRESS:	33 CYGNET CT GLENELG NORTH SA 5045
NATURE OF DEVELOPMENT:	Upper level addition with walls located on the western and eastern side boundaries
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Waterfront Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Aircraft Noise Exposure • Airport Building Heights (Regulated) • Building Near Airfields • Coastal Areas • Coastal Flooding • Hazards (Flooding) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Finished Ground and Floor Levels (Minimum finished ground level is 3.2m AHD; Minimum finished floor level is 3.45m AHD) • Maximum Building Height (Levels) (Maximum building height is 3 levels)
LODGEMENT DATE:	13 Feb 2023
RELEVANT AUTHORITY:	Assessment panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	2023.2
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Alexander Stamatopoulos Development Officer - Planning
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Nil

Motion**270423/00012**

Planning consent

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 23003390, by Anthony Donato 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).

Moved C Dunn, Seconded S Reachill

Carried

6. DEFERRED ITEMS - Nil

7. APPLICATIONS UNDER APPEAL

Appeal lodged for Development Application 22038963 - Telecommunications tower
151-151A Brighton Road, Glenelg South

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

9. APPEAL ITEMS UPDATE - Nil

10. CLOSURE

The meeting closed at 8.09 pm.

CONFIRMED Wednesday, 24 May 2023

PRESIDING MEMBER