

Minutes of the Council Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 27 September 2023 at 7:00 pm.

MEMBERS PRESENT

Presiding Member – S Reachill
Y Svensson (via Teams)
C Dunn
J Fleming

STAFF IN ATTENDANCE

Manager Development Services – A Marroncelli
Development Services Lead – M Gates
Development Officers Planning - A Stamatopolous
Development Administration Lead - A Elliott

APPOINTMENT OF PRESIDING MEMBER

J Fleming nominated S Reachill to be Presiding Member for this meeting.

Moved by J Fleming, Seconded by C Dunn

Carried

1. OPENING

S Reachill 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 – T Sutcliffe

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 23 August 2023 be taken as read and confirmed.

Moved by C Dunn, Seconded by Y Svensson

Carried

5. APPLICATIONS ASSESSED UNDER THE PLANNING AND DESIGN CODE

5.1 Scott Bell, 51 Kauri Parade, Seacliff (Report No 300/23)

DEVELOPMENT NO.:	23016314
APPLICANT:	Scott Bell
ADDRESS:	51 KAURI PDE SEACLIFF SA 5049
NATURE OF DEVELOPMENT:	2 x Two-storey detached dwellings with swimming pools
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 Hazards (Flooding - General) Prescribed Wells Area Regulated and Significant Tree Stormwater Management Traffic Generating Development 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:	6 Jun 2023
RELEVANT AUTHORITY:	Assessment panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	2023.7
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Alexander Stamatopoulos Development Planner
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Nil

Motion**270923/00026**

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 23016314, by Scott Bell is REFUSED Planning Consent for the following reasons:
 1. Does not satisfactorily meet the DO1 of Character Overlay- Valued streetscapes characteristics and development patterns are reinforced through contextually responsive development, design and adaptive reused that responds to the attributes expressed in the Character Area Statement.
 2. The proposal is not consistent with the Architectural styles listed in HoBC1 – mainly does not achieve Low Scale, Deep Verandahs and Porches, High Degree of modulation and articulation, fine grain details, and Building Height of single storey.
 3. Does not meeting Established Neighbourhood Zone PO 4.1 Building Height. Does not contribute to the prevailing character of the neighbourhood and complements the height of nearby buildings.
 4. Does not meet Established Neighbourhood Zone 10. 1- Garages and carports are designed to be discreet and dominate the appearance of the associated dwelling when viewed from street.

Moved Y Svensson, Seconded J Fleming

Carried

5.2 Peter Meline, 91 Brighton Road, Glenelg South (Report No 301/23)

DEVELOPMENT NO.:	23012997
APPLICANT:	Peter Meline
ADDRESS:	91 BRIGHTON RD GLENELG SOUTH SA 5045
NATURE OF DEVELOPMENT:	Change of use from shop to consulting room
ZONING INFORMATION:	Zones: • Employment Overlays: • Airport Building Heights (Regulated) • Advertising Near Signalised Intersections • Building Near Airfields • Hazards (Flooding - General) • Major Urban Transport Routes • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development

	Technical Numeric Variations (TNVs): • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	7 Jun 2023
RELEVANT AUTHORITY:	Assessment panel
PLANNING & DESIGN CODE VERSION:	2023.6
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

Motion**270923/00027**

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 23012997, by Peter Meline is GRANTED Planning Consent 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).
 2. That the development herein approved shall operate between the hours of 9am to 9pm Monday to Friday and 9am to 5pm Saturday inclusive unless written approval to vary the times is given by council.

Moved C Dunn, Seconded J Fleming

Carried

6. APPEAL UPDATE

Update noted.

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

8. ITEM IN CONFIDENCE**8.1 Amplitel Pty Ltd - 151-151A Brighton Road, Glenelg South
(Report No 302/23)****Motion****270923/00028**

Pursuant to Section 13(2)(a)(ix) of the Planning, Development and Infrastructure Regulations, the Panel resolve to exclude the public from attendance for the deliberation of Report No: 302/23 Amplitel Pty Ltd, 151-151A Brighton Road, Glenelg South in confidence.

Moved J Fleming, Seconded C Dunn

Carried

7.27 pm C Dunn declared that she could not participate in discussion or decision for this matter due to not being a Panel member at the time the representors were heard by the Panel.

Motion**270923/00029**

That the Environment, Resources and Development Court be advised that the Council Assessment Panel does not support the compromise in the Appeal Matter of ERD 23-37 Amplitel Pty Ltd v City of Holdfast Bay Assessment Panel and the decision of the Panel be made public.

Moved J Fleming, Seconded Y Svensson

Carried**Motion****270923/00030****RETAIN IN CONFIDENCE**

The Council Assessment Panel having considered this matter in confidence under Section 13(2)(a)(ix) of the Planning, Development and Infrastructure Regulations determined that the legal advice on this item be kept confidential and not available for public inspection until such time that appeal ERD 23-37 is concluded.

Moved J Fleming, Seconded C Dunn

Carried

Meeting re-opened to the public at 7.36 pm

9. CLOSURE

The meeting closed at 7.37 pm.

CONFIRMED Wednesday, 25 October 2023

PRESIDING MEMBER