

Minutes of the Council Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 17 September 2025 at 7:00 pm.

MEMBERS PRESENT

Presiding Member – Y Svensson
T Pride
R Bateup
J Fleming
R Snewin

STAFF IN ATTENDANCE

General Manager Strategy & Corporate – A Filipi
Assessment Manager – B Victory
Manager Development Services – A Marroncelli
Development Officers Planning - D Spasic and D Egglestone
Development Administration Lead - A Elliott

1. Opening

The Presiding Member, Y Svensson declared the meeting open at 7.02pm.

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 – S Reachill

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.

J Fleming declared that she would be absent for parts of the meeting involving Items 6.1, 6.3 and 6.4. R Snewin will deputise for those items.

5. Confirmation Of Minutes

Motion

That the minutes of the Council Assessment Panel held on 23 July 2025 be taken as read and confirmed.

Moved J Fleming, Seconded T Pride

Carried

6. Applications Assessed under the Planning and Design Code

6.1 Paula Gray, 159B Esplanade Brighton (Report No 301/25)

DEVELOPMENT NO.:	25009679
APPLICANT:	Paula Gray
ADDRESS:	159B ESPLANADE BRIGHTON SA 5048
NATURE OF DEVELOPMENT:	Two level building comprising garage on ground level and ancillary accommodation on first level
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none">• Waterfront Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none">• Airport Building Heights (Regulated)• Affordable Housing• Coastal 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 3m AHD; Minimum finished floor level is 3.25m AHD)• Minimum Frontage (Minimum frontage for a detached dwelling is 5m; semi-detached dwelling is 5m; row dwelling is 5m; group dwelling is 5m; residential flat building is 5m)• Minimum Site Area (Minimum site area for a detached dwelling is 300 sqm; semi-detached dwelling is 250 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 3 levels)
LODGEMENT DATE:	13 Apr 2025
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay

PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2025.7 10/04/2025
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

J Fleming departed the meeting at 7.06 pm
R Snewin entered the meeting at 7.06 pm

Speakers: Greg Schultz (also spoke on behalf of Elfriede Driscoll), John Tanti, and Marc Duncan from Future Urban on behalf of the applicant

Motion

170925/00033

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 Pride, Seconded R Bateup

Carried

Motion

170925/00034

That Development Application Number 25009679, by Paula Gray 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.
2. That all upstairs windows shall have minimum window sill heights of 1.5 metres above finished floor level, or any glass below 1.5 metres shall be obscured and fixed shut, prior to occupation of the ancillary accommodation.

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 water table.

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 R Bateup, Seconded T Pride

Carried

R Snewin departed the meeting at 7.42 pm

J Fleming returned to the meeting at 7.42 pm

6.2 Michael Fogarty, 5 Percival Street Glenelg (Report No 302/22)

DEVELOPMENT NO.:	25014740
APPLICANT:	Michael Fogarty
ADDRESS:	Two level detached dwelling and swimming pool
ZONING INFORMATION:	Zones: <ul style="list-style-type: none">• Urban Renewal Neighbourhood Overlays:

	<ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Design • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 11.5m) • Maximum Building Height (Levels) (Maximum building height is 3 levels)
LODGEMENT DATE:	26 May 2025
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2025.9 15/05/2025
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

Speakers: Garth Heynen from Heynen Planning Consultants on behalf of the applicant

Motion

170925/00035

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 Pride, Seconded R Bateup

Carried

Motion

170925/00036

Development Application Number 25014740 by Michael Fogarty 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.
2. 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 obscured, fixed shut and be installed prior to occupation of the dwelling.
3. The pool filter pump must be enclosed in such a way that noise levels do not exceed 52 dB(A) between 7am and 10pm on the same day, and 45dB(A) between 10pm and 7am the next day, measured at adjoining property boundaries.
4. 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.
5. 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.
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. 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).

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 Pride, Seconded R Bateup

Carried

6.3 Abela Design & Drafting Turnbull Built (Report No 303/25)

DEVELOPMENT NO.:	25013655
APPLICANT:	Abela Design & Drafting Turnbull Built
ADDRESS:	3 SMITH AVENUE, HOVE
NATURE OF DEVELOPMENT:	Two storey detached dwelling, pool room and swimming pool
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• Prescribed Wells Area• Regulated and Significant Tree• Stormwater Management• Urban Tree Canopy

LODGEMENT DATE:	21 May 2025
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2025.9 15/05/2025
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

J Fleming departed the meeting at 7.57 pm

R Snewin entered the meeting at 7.57 pm

Speakers: Robert Morrison, and Adam Turnbull for the applicants

Motion

170925/00037

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 Pride, Seconded R Bateup

Carried

Motion

170925/00038

Development Application Number 25013655, by Abela Design & Drafting and Turnbull Built 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.
2. That all upstairs windows, other than facing the street, shall have minimum windowsill heights of 1.7 metres above finished floor level, or any glass below 1.7 metres shall be obscured, fixed shut and installed prior to occupation of the dwelling.
3. The rear balcony shall have fixed screens to a minimum height of 1.7 metres to all elevations so as to mitigate direct overlooking into neighbouring properties.

4. 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.
5. 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.
6. 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).
7. 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.
8. The pool filter pump must be enclosed in such a way that noise levels do not exceed 52 dB(A) between 7am and 10pm on the same day, and 45dB(A) between 10pm and 7am the next day measured at adjoining property boundaries.

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 water table.

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

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Moved R Bateup, Seconded T Pride

Carried

6.4 Tom Sagris, 11A Esplanade Somerton Park (Report No 304/25)

DEVELOPMENT NO.:	25017669
APPLICANT:	Tom Sagris
NATURE OF DEVELOPMENT:	Alterations and additions forward of existing dwelling and associated carports to side and rear of dwelling
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none">• Waterfront Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none">• Airport Building Heights (Regulated)• Affordable Housing• Building Near Airfields• Coastal 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)• Minimum Frontage (Minimum frontage for a detached dwelling is 5m; semi-detached dwelling is 5m; row dwelling is 5m; group dwelling is 5m; residential flat building is 5m)

	<ul style="list-style-type: none"> • Minimum Site Area (Minimum site area for a detached dwelling is 300 sqm; semi-detached dwelling is 250 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 3 levels)
LODGEMENT DATE:	18 Jun 2025
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2025.10 29/05/2025
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

Motion

170925/00039

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 R Bateup, Seconded T Pride

Carried

Motion

170925/00040

Development Application Number 25017669, by Tom Sagris 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).

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 water table.

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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 Pride, Seconded R Bateup

Carried

R Snewin departed the meeting at 8.18 pm

J Fleming returned to the meeting at 8.18 pm

6.5

**Platinum Homes (SA) Pty Ltd trading as Blag Homes, 75 Marine Parade Seacliff
(Report No 305/25)**

DEVELOPMENT NO.:	24032904
APPLICANT:	Platinum Homes (SA) Pty Ltd trading as Blag Homes
ADDRESS:	75 MARINE PDE SEACLIFF SA 5049
NATURE OF DEVELOPMENT:	Two level detached dwelling and swimming pool in rear yard
ZONING INFORMATION:	Zones: <ul style="list-style-type: none">• Established Neighbourhood

	Overlays: <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 Technical Numeric Variations (TNVs): <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:	3 Oct 2024
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.17 12/9/2024
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER	Dean Spasic Development Officer - Planning

Motion

170925/00041

That Development Application Number 24032904, by Platinum Homes (SA) Pty Ltd trading as Blag Homes is REFUSED Planning Consent for the following reasons:

1. The building does not contribute to the prevailing character of the neighbourhood with respect to the height of the nearby buildings (PO 4.1 ENZ). The second level component is large, dominating the streetscape. It is forward of the ground floor entry with its roof, verandah and Bedroom 1;
2. The garaging is a feature of the dwelling and 'stands out' contrary to PO 10.1 ENZ, which requests garages and carports to be sited and designed discreetly and not to dominate the appearance of the dwelling;

3. The proposal does not adequately address the Character Area Overlay PO 1.1, PO 2.1, PO 2.2 and PO 2.3 in terms of the form of the building, it is not consistent with the valued streetscape, building height and architectural detailing including roof form, is not low scale, and does not contain fine grain elements and high solid to void ratios.

Moved Y Svensson, Seconded J Fleming

Carried

7. APPLICATIONS APPEAL UPDATE – Nil

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

8.1 Landscaping conditions

R Bateup suggested that the condition relating to landscaping include the location and species selection based on the Suitable Native Plants list located on the City of Holdfast Bay's website.

9. DATE AND TIME OF NEXT MEETING

The next meeting of the Council Assessment Panel will be held on Wednesday 22 October 2025 in the Kingston Room, Civic Centre, 24 Jetty Road, Brighton.

10. CLOSURE

The meeting closed at 8.47 pm.

PRESIDING MEMBER