

Minutes of the Council Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 23 April 2025 at 7:00 pm.

MEMBERS PRESENT

Presiding Member – Y Svensson
S Reachill
R Bateup
T Pride
J Fleming

STAFF IN ATTENDANCE

Manager Development Services – A Marroncelli
Assessment Manager – M Gates
Development Officers Planning - D Spasic
Development Officers Planning – A Stamatopoulos
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 - Nil

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.

5. Confirmation Of Minutes

Motion

That the minutes of the Council Assessment Panel held on 26 March 2025 be taken as read and confirmed.

Moved J Fleming, Seconded S Reachill

Carried

6. Applications Assessed under the Planning and Design Code

6.1 John Vlachos, 25 Cygnet Court Glenelg North (Report No 106/25)

DEVELOPMENT NO.:	24039848
APPLICANT:	John Vlachos
ADDRESS:	25 CYGNET CT GLENELG NORTH SA 5045
NATURE OF DEVELOPMENT:	Partial demolition, alterations and 3 level additions to existing 2 level detached dwelling
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:	3 Dec 2024
RELEVANT AUTHORITY:	Assessment panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.21 21/11/2024
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning,

Speakers: Nil

Motion

230425/00015

That the proposed development is considered not to be 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 S Reachill

Carried

Motion

230425/00016

That Development Application Number 24039848, by John Vlachos is GRANTED Planning Consent subject to the following reserved matter and conditions:

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 Assessment Manager, prior to the granting of Development Approval:

A landscape plan be provided for further assessment to the satisfaction of the Assessment Manager, including suitable established species for a coastal environment focusing on marine frontage of the property.

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 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.
3. Upstairs balconies to the rear of the dwelling shall contain fixed screening up to a minimum height of 1.7 metres above the balcony floor level to prevent direct views into adjoining residences.

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 Y Svensson, Seconded T Pride

Carried

6.2 Thomas Treloar, 18 Gulf Pde South Brighton (Report No 107/25)

DEVELOPMENT NO.:	24038084
APPLICANT:	Thomas Treloar
ADDRESS:	18 GULF PDE SOUTH BRIGHTON SA 5048
NATURE OF DEVELOPMENT:	Variation of Development Application 24036704 to add rooftop terrace to each dwelling and additional screening the rear upper-level balcony and rooftop terrace.
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • General Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy
LODGEMENT DATE:	15 Nov 2024
RELEVANT AUTHORITY:	Assessment panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2025.4 27/2/2025
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Alexander Stamatopoulos Development Officer - Planning
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Nil

Speakers: David Hartman, Kylie Grigg and Gary Treloar

Motion

230425/00017

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

Development Application Number 24038084, by Thomas Treloar is refused Planning Consent for the following reasons:

1. The proposal fails to satisfy Performance Outcome 4.1 in that the development does not contribute to the prevailing character of the neighbourhood and exceeds two levels in height.

Moved J Fleming

Lapsed through want of a seconder

Motion

230425/00018

That Development Application Number 24038084, by Thomas Treloar is granted Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

1. All previous stamped plans and documentation, including conditions previously granted approval for Development Application ID 24036704 are still applicable except where varied by this application and conditions.
2. 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).
3. The privacy screens associated with the rear balcony and rooftop deck must be installed at 1.7m on all sides prior to occupation of the dwelling.

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 Y Svensson, Seconded R Bateup

Carried

7. APPEAL

Mr John and Elisha Tsoutsikos, 53 Marine Parade, Seacliff (Report No 108/25)

DEVELOPMENT NO.:	24034779
APPLICANT:	Mr John and Elisha Tsoutsikos
ADDRESS:	53 MARINE PDE SEACLIFF SA 5049
NATURE OF DEVELOPMENT:	Appeal Report Variation to Application ID 23037611 for the construction of a pair of two level detached dwellings, fences and retaining walls comprising the addition of a third level to both detached dwellings
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• Local Heritage Place• 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:	14 Oct 2024
RELEVANT AUTHORITY:	Assessment panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.18 10/10/2024
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

Speakers: James Levinson, Botten Levinson and James Hayter, Oxygen

Motion

230425/00019

That the Council Assessment Panel advise the Environment, Resources and Development Court in Case Number ERD 25/25 in the matter of John and Elisha Tsoutsikos v City of Holdfast Bay Council Assessment, that the Panel does not support the amended proposal.

Moved J Fleming, Seconded S Reachill

Carried

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

- 9.1 M Gates, Assessment Manager
The Panel thanked Michael Gates for his role as Assessment Panel Manager since 9 July 2021.

10. DATE AND TIME OF NEXT MEETING

The next meeting of the Council Assessment Panel will be held on Wednesday 28 May 2025 in the Kingston Room, Civic Centre, 24 Jetty Road, Brighton.

11. CLOSURE

The meeting closed at 9.06pm.

PRESIDING MEMBER