

Minutes of the Council Assessment Panel of the City of Holdfast Bay held in the Kingston Room, Civic Centre, Jetty Road, Brighton, on Wednesday, 25 June 2025 at 7:00 pm.

MEMBERS PRESENT

Presiding Member – Y Svensson
S Reachill
T Pride
J Fleming

STAFF IN ATTENDANCE

Assessment Manager – B Victory
Manager Development Services – A Marroncelli
Development Officers Planning - D Spasic
Development Administration Lead - A Elliott

1. Opening

The Presiding Member, Y Svensson declared the meeting open at 7.05pm.

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 - R Bateup

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 meeting held on 28 May 2025 be taken as read and confirmed.

Moved T Pride, Seconded J Fleming

Carried

6. Applications Assessed under the Planning and Design Code

6.1 Anthony Caruso, 8 Goldsworthy Cr Glenelg North (Report No 182/25)

DEVELOPMENT NO.:	25004623
APPLICANT:	Anthony Caruso
ADDRESS:	8 GOLDSWORTHY CR GLENELG NORTH SA 5045
NATURE OF DEVELOPMENT:	Variation of DA 22003871 – Increase Boundary Wall Height of Alfresco and Garage 2 from 3m to 3.6m from the Top of Footing
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none">• General Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none">• Aircraft Noise Exposure• Airport Building Heights (Regulated)• Affordable Housing• Building Near Airfields• Hazards (Flooding - General)• Prescribed Wells Area• Regulated and Significant Tree• Stormwater Management• Urban Tree Canopy
LODGEMENT DATE:	20 Feb 2025
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2025.3 13/2/2025
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning,

Motion

250625/00024

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 S Reachill, Seconded T Pride

Carried

Motion

250625/00025

That Development Application Number 25004623, by Anthony Caruso is REFUSED Planning Consent for the following reasons:

The proposed development fails to satisfy:

1. General Neighbourhood Zone Performance Outcome 7.1 seeks walls on boundaries that are limited in height and length to manage visual and overshadowing impacts on adjoining properties. The proposed wall heights exceed~~s~~ the height guided by Designated Performance Feature 7.1 and are considered to have an unreasonable impact on the adjoining property.
2. Design in Urban Areas, Desired Outcome 1(a) seeks development that is contextual by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality. The proposed wall heights are not considered to carefully respond to this context and does not contribute positively to the character of the locality.
3. Design in Urban Areas Performance Outcome 12.1 seeks that buildings positively contribute to the character of the local area by responding to local context. The proposed wall heights are not considered to positively contribute to the character of the local area or respond to local context. They exceed the heights sought in the Code and previously approved.
4. Design in Urban Areas Performance Outcome 20.3 seeks that the visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets. The visual mass of this building is not reduced when viewed from the adjoining allotment and public street, and when compared with the original approval.

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).

Moved S Reachill, Seconded T Pride

Carried

**6.2 Divercity Construction Pty Ltd, 598 Brighton Rd South Brighton
(Report No 183/25)**

DEVELOPMENT NO.:	25009716
APPLICANT:	DIVERCITY CONSTRUCTION PTY LTD
ADDRESS:	598 BRIGHTON RD SOUTH BRIGHTON SA 5048
NATURE OF DEVELOPMENT:	Addition to the existing crash repair building with wall located on the eastern side boundary
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) • Advertising Near Signalised Intersections • Affordable Housing • Hazards (Flooding - General) • Major Urban Transport Routes • 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"> • 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:	10 Apr 2025
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2025.6 27/3/2025
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

Motion

250625/00026

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 S Reachill

Carried

Motion

250625/00027

That Development Application Number 25009716, by DIVERCITY CONSTRUCTION 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.

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 any alterations to infrastructure located within the road reserve (i.e. area between the kerb and allotment boundary) should be designed and constructed (including modified) in accordance with relevant / current Council/DIT 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 S Reachill, Seconded T Pride

Carried

7. Applications Appeal Update

The Assessment Manager and Manager Development Services provided a verbal update of the status of current appeals relating to previous decisions of the Panel.

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

9. DATE AND TIME OF NEXT MEETING

The next meeting of the Council Assessment Panel will be held on Wednesday, 23 July 2025 in the Kingston Room, Civic Centre, 24 Jetty Road, Brighton.

10. CLOSURE

The meeting closed at 7.30pm.

PRESIDING MEMBER