

Council Assessment Panel Minutes

15 June 2026

Our Vision

*A City which values its heritage, cultural diversity,
sense of place and natural environment.*

*A progressive City which is prosperous, sustainable
and socially cohesive, with a strong community spirit.*

City of Norwood Payneham & St Peters
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City of
Norwood
Payneham
& St Peters

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VENUE Council Chambers, Norwood Town Hall

HOUR 6:30pm

PRESENT

Panel Members Mr Stephen Smith
Mr Mark Adcock
Mr Julian Rutt
Cr Sandy Wilkinson
Mr Paul Mickan

Staff Kieran Fairbrother, Team Leader, Development
Ned Feary, Senior Urban Planner
Tala Aslat, Administration Officer

APOLOGIES

ABSENT

1. **COMMENCEMENT AND WELCOME**

2. **APOLOGIES**

3. **CONFIRMATION OF THE MINUTES OF THE MEETING OF THE COUNCIL ASSESSMENT
PANEL HELD ON 1 JUNE 2026**

*Moved by Mr Adcock and Seconded by Mr Rutt
CARRIED*

4. **DECLARATION OF INTERESTS**

5. DEVELOPMENT APPLICATIONS – PDI ACT

5.1 DEVELOPMENT NUMBER ID 26005482 - THREESIXFIVE STUDIO - 48 SIXTH AVENUE
ST PETERS SA 5069

DEVELOPMENT NO.:	26005482
APPLICANT:	ThreeSixFive Studio
ADDRESS:	48 SIXTH AV ST PETERS SA 5069
NATURE OF DEVELOPMENT:	Variation of Development Application 24032150 comprising the removal of the balcony and the enclosure of this area to form part of the internal building area, and internal alterations
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) • Historic Area • 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 18m) • Minimum Site Area (Minimum site area for a detached dwelling is 600 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level) • Site Coverage (Maximum site coverage is 50 per cent)
LODGEMENT DATE:	12 Mar 2026
RELEVANT AUTHORITY:	Assessment panel at City of Norwood Payneham & St. Peters
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2026.5 12/03/2026
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Kieran Fairbrother, Senior Urban Planner
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Nil

CONTENTS:

APPENDIX 1: Relevant P&D Code Policies	ATTACHMENT 4: Representation Map
ATTACHMENT 1: Application Documents	ATTACHMENT 5: Representations
ATTACHMENT 2: Subject Land Map	ATTACHMENT 6: Response to Representations
ATTACHMENT 3: Zoning Map	ATTACHMENT 7: Existing Approved Plans & DNF

DETAILED DESCRIPTION OF PROPOSAL:

This application is a variation to an existing approval, the documents of which are contained in **Attachment 7**. The amendments have been highlighted on the drawings by the Applicant by red cloud annotations. Specifically, they include:

- The removal of the upper-level, northeast-facing balcony, which is instead to be enclosed and form part of the internals of the dwelling;
- Consequent changes to the northeast elevation of the dwelling (balcony replaced by walls and windows);
- Consequent changes to the roof of the dwelling in this section;
- The ensuite and walk-in-robe associated with Bedroom 4 (upper-level rear) being swapped (and consequent ensuite window location change); and
- Layout changes to the ground level powder room adjacent the swimming pool (and slight adjustment to door location).

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 48 SIXTH AV ST PETERS SA 5069

Title ref.: CT 5759/421	Plan Parcel: D796 AL597	Council: THE CITY OF NORWOOD PAYNEHAM AND ST PETERS
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Shape: regular

Frontage Width: 22.86 metres

Area: 1039m²

Topography: the site has significant fall in levels towards the north rear corner, with approximately 1.5m difference in ground levels

Existing structures: a single-storey sandstone bungalow circa 1925 and ancillary structures

Existing vegetation: heavily landscaped around the dwelling (front and rear) accounting for >50% of the site

Locality

The locality is considered to comprise the portion of Sixth Avenue that extends approximately 100m in both directions from the subject land and, also includes a small portion of dwellings on Seventh Avenue that are within 70m of the subject land.

This chosen locality is inherently residential in nature, is contained within both an Historic Area Overlay and a Character Area Overlay, and is characterised by a mix of dwelling types – predominantly traditional detached dwellings on larger sites, although there is one pair of semi-detached dwellings on Sixth Avenue and two residential flat buildings on Seventh Avenue within 50m of the subject site. Immediately adjacent to the subject land is a Council-owned public reserve.

This locality enjoys a very high level of amenity due to the low-density built environment, a wide road reserve, and consistent, established street tree plantings along both sides of the street.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
New housing
Other - Residential - Variation: Code Assessed - Performance Assessed
Detached dwelling: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**

Although a variation, the development still involves a building exceeding 1 storey in height and thus public notification is required

- **LIST OF REPRESENTATIONS**

Surname	First Name	Address	Position	Wishes to be heard?
Ben	George		Supportive, with concerns	No
Cardone	David		Opposed	Yes

- **SUMMARY**

Both representors raised concerns about aspects of the dwelling that are not the subject of this variation application, including the design of the front elevation, the height of the building, and concerns about overlooking.

Pursuant to section 128(2)(b) of the *Planning, Development and Infrastructure Act 2016*, the relevant authority can only consider the extent of the variations being proposed and cannot consider or re-assess other elements or aspects of the development or the existing authorisation that are not being sought to be varied.

PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

The proposed amendments are, in their majority, considered to be relatively uncontroversial. In particular, the following amendments do not affect the appearance of the property from Sixth Avenue or the adjacent public reserve, or result in any unreasonable impact to neighbours, and could've been considered as part of a minor variation if the change to the balcony was not included in this application.

1. The change to the roof over the section of the dwelling sought to be changed from a balcony to internal floor area
 - This change won't be visible from the public realm at all because the second level parapet will continue to conceal this section of roof behind. This change is therefore considered acceptable.
2. The swapping of the walk-in-robe and ensuite locations for Bedroom 4, including the adjustment of the window location
 - This change results in the ensuite window on the southwest elevation being relocated slightly, but the window remains obscured in accordance with the condition imposed by

the ERD Court order and this change won't lead to any unreasonable overlooking or an unreasonable visual outlook for the adjacent neighbour. Accordingly, this change is considered acceptable.

3. The layout changes to the ground level powder room

- As with the roof changes, this change does not substantially change the appearance of the development from the public reserve, and in any case the location of a ground level door on this elevation is largely inconsequential to a planning assessment and is hence considered acceptable.

The key amendment that required this application (i.e. could not be considered as a minor variation) is the change to the northeast elevation. The existing approval includes a balcony on the northeast elevation with an outlook to the adjacent reserve. This application now seeks to enclose that area to instead form part of the internal area of the dwelling.

The following policies are considered relevant in this regard.

Performance Outcome 2.1 of the Historic Area Overlay states:

The form and scale of new buildings and structures that are visible from the public realm are consistent with the prevailing historic characteristics of the historic area.

Performance Outcome 2.5 of the Historic Area Overlay states:

Materials are either consistent with or complement those within the historic area.

This new wall is comprised of the same cladding as the balance of the upper level, consistent with the existing approval, which accords with Performance Outcome 2.5 above. Fenestration is appropriately used to break up this section of walling, while also continuing to provide passive surveillance over the public reserve. This elevation is consistent with the balance of the second level already approved and is therefore considered to satisfy Performance Outcome 2.1 above.

The wall also maintains a setback of 9.2m from the side boundary shared with the reserve and so the enclosure of this area is not considered to materially change the impact that this development will have on the amenity of the reserve. In other words, sufficient setback is provided to the reserve such that this wall will not pose an unreasonable visual impact on users of the reserve or the visual amenity of the place.

Question of Seriously at Variance

Having considered the proposal against the relevant provisions of the Planning & Design Code (version 2026.5, dated 12/03/2026), the proposal is not considered to be seriously at variance with the provisions of the Planning & Design Code because dwelling alterations and additions are anticipated within the Established Neighbourhood Zone and the proposed amendments are considered to sufficiently comply with the Planning & Design Code.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. 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*.
2. Development Application Number 26005482, by ThreeSixFive Studio is granted Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

Condition 1

The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any), noting that all previous stamped plans and documentation, including conditions previously granted Planning Consent for Development Application 24032150 are still applicable except where varied by this authorisation.

ADVISORY NOTES

Planning Consent

Advisory Note 1

Appeal Rights - General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Advisory Note 2

This approval varies the original consent / approval to which it applies, but it does not extend nor vary the operative date of the original consent / approval. The consent / approval must be acted upon within the operative date applicable, unless extended by the relevant authority via separate submission.

Advisory Note 3

No work can commence on this development unless a Development Approval has been obtained. If one or more Consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Mr Cardone addressed the Council Assessment Panel from 6:32pm until 6:40pm

Moved by Mr Rutt

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Seconded by Mr Adcock
CARRIED

6. DEVELOPMENT APPLICATIONS – DEVELOPMENT ACT

7. REVIEW OF ASSESSMENT MANAGER DECISIONS

8. ERD COURT APPEALS

9. OTHER BUSINESS

- *Mr Fairbrother informed the panel that there may be two Council Assessment Panel meetings scheduled for July 2026, but this will be confirmed closer to the time.*

10. CONFIDENTIAL REPORTS

11. CLOSURE

The Presiding Member declared the meeting closed at 6:56pm

Stephen Smith
PRESIDING MEMBER

Kieran Fairbrother
TEAM LEADER, DEVELOPMENT