



- 1.1 OPEN MEETING**
- 1.2 PRESENT**
- 1.3 APOLOGIES**
- 1.4 IN ATTENDANCE**
- 2. GENERAL OPERTIONS**
- 3. APPLICATIONS**
- 3.1 373 DIAGONAL ROAD, STURT & 45 MILLER STREET, STURT**
Change in the use of land and subsequent construction of a petrol filling station and shop, associated control building, freestanding canopy with 12 pumps, carwash including four manual bays, two automatic bays, three covered vacuum bays with dog wash, drive-through, three x 100,000 litre fuel tanks, two freestanding pylon signs and advertising signage with ancillary car parking, fencing, and landscaping
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- 7. CONFIRMATION OF THE COUNCIL DEVELOPMENT ASSESSMENT PANEL MEETING HELD ON SECOND DAY OF SEPTEMBER 2020**
- 8. MEETING CLOSURE**

1.1 OPEN MEETING

The Meeting commenced at 6.30pm

1.2 PRESENT

Terry Mosel – Presiding Member
Yvonne Svensson – Independent Member
Michael Davis – Independent Member
Bryn Adams – Independent Member
Matthew Shilling – Council Member (Deputy Council Member)

1.3 APOLOGIES

Raelene Telfer – Council Member

1.4 IN ATTENDANCE

Alex Wright – CAP Assessment Manager; Team Leader - Planning
Adrian Skull – Chief Executive Officer
Ilia Houridis – General Manager - City Development
Warwick Deller-Coombs – Manager - Development & Regulatory Services
Craig Clarke – Unit Manager Communications
Andrew Houlihan – Senior Development Officer - Planning
Kai Wardle – Development Officer - Planning
Nicholas Timotheou – Development Officer - Planning
Mitchell Mavrillac – Development Officer - Planning Assistant

2. GENERAL OPERATIONS

Given the public interest in Item 3.1, and considering the COVID-SAFE restrictions on the maximum number of patrons permitted within the Council Administration Centre, the Panel RESOLVES to permit the meeting to be webcast via Zoom.

3. HEARING OF APPLICATIONS

3.1 Report Reference: CAP020920 - 3.1

Application No: 100/2020/568

Site Location: 373 Diagonal Road, Sturt & 45 Miller Street, Sturt

- Abraham Palakat (Representor) represented by Marko Separovic addressed the Panel
- Mark Linn (Representor) addressed the Panel
- Florence Speziale (Representor) represented by Councillor Bruce Hull addressed the Panel
- Adelaide Earmoulds (SA) Pty Ltd (Representor) represented by Bill Close and Simon Close addressed the Panel
- Christina Sampson (Representor) represented by Geoff Bridgland addressed the Panel
- George Watling (Representor) represented by Jeff Betts addressed the Panel
- Maria Lefteriotou (Representor) represented by Rob Lang addressed the Panel
- Henry Shafik (Representor) addressed the Panel
- Robert Lee (Representor) represented by Gary Hazel addressed the Panel
- Debra Ryan (Representor) represented by Janice Bowes addressed the Panel
- Paul Mathe (Representor) represented by Jerry Vallance addressed the Panel
- Sarah Clarke (Representor) represented by Abraham Palakat addressed the Panel
- Andrash Management Pty Ltd (Applicant) represented by Mark Kwiatkowski – APDS, Melissa Mellen – MFY Traffic, Jason Turner – Sonus and Tom Game (Botten Levinson Lawyers) addressed and answered questions of the Panel

The Council Assessment Panel resolved that;

Having considered all relevant planning matters in relation to the subject development application:

- (a) The Panel notes this report;**
- (b) The Panel concurs that the proposed development is not seriously at variance to the Marion Council Development Plan, in accordance with Section 35 (2) of the Development Act 1993; and**
- (c) That Development Plan Consent for a change in the use of land and subsequent construction of a petrol filling station and shop, associated control building, freestanding canopy with 12 pumps, carwash including four manual bays, two automatic bays, three covered vacuum bays with dog wash, drive-through, three x 100,000 litre fuel tanks, two freestanding pylon signs and advertising signage with ancillary car parking, fencing, Development Application No: 100/2020/568 at 373 Diagonal Road, Sturt & 45 Miller Street, Sturt be REFUSED for the following reasons:**

REASONS FOR REFUSAL

- 1. The development is inconsistent with Objectives 1, 3 and 4, and Principles of Development Control 4 and 8 of the Neighbourhood Centre Zone.**

2. The development is inconsistent with the Desired Character statement of the Neighbourhood Centre Zone, by failing to meet the envisaged built form, street activation, setbacks, built form edge, demonstrating inconsistency with the desire for a pedestrian-friendly environment.
3. The development fails to meet the guidelines in the Desired Character which expressly require densely planted landscaping along the boundary between the Neighbourhood Centre Zone and the Residential Zone.
4. The development is inconsistent with Design and Appearance Principles of Development Control 1, 13, and 15.

09:01 PM The Panel paused for a short intermission.

09:09 PM The Panel resumed.

4. APPEALS UPDATE**4.1 APPEALS AGAINST PANEL DECISIONS****4.2 APPEALS AGAINST DELEGATED APPLICATIONS**

Team Leader - Planning provided the Panel with an update on active appeals.

5. POLICY OBSERVATIONS

Nil

6. OTHER BUSINESS

Nil

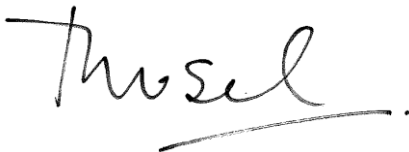
7. CONFIRMATION OF MINUTES

The minutes of this meeting held Wednesday 2 September 2020 taken as read and confirmed this second day of September 2020

8. MEETING CLOSURE

- | | |
|---|---------------------|
| - Length of Meeting: | 2 hours, 34 minutes |
| - Number of applicants who appeared before the Panel: | 1 Applicant |
| - Number of representors who appeared before the Panel: | 12 Representors |
| - Summary of Decisions | 1 Refusal |

MEETING DECLARED CLOSED AT 09.15PM



Terry Mosel
Presiding Member