

## **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  
Raelene Telfer – Council Member

## **1.3 APOLOGIES**

Nil

## **1.4 IN ATTENDANCE**

Alex Wright – CAP Assessment Manager – Planning  
Nicholas Timotheou – Acting Team Leader – Planning  
Harry Stryker – Development Officer – Planning  
Warwick Deller-Coombs - Manager - Development & Regulatory Services  
Ilia Houridis – General Manager – City Development

## **2. GENERAL OPERATIONS**

No items listed for discussion

## **3. DEVELOPMENT ACT 1993 APPLICATIONS**

No items listed for discussions

## **4. PDI ACT APPLICATIONS**

### **4.1 DEVELOPMENT NO 21022140**

#### **142-144 MORPHETT ROAD, GLENGOWRIE**

Variation to Application ID 21011513 (DA 100/2020/1028): Partial change of use from shop (pharmacy) to consulting room (dental practice); alterations to the use of rooms within the general medical consulting room component; and alterations to advertisements, including additional attached signage, enlarged freestanding sign and hoarding including LED display, and internal illumination to selected signage

**Report Reference: CAP031121 - 4.1 ..... 3**

### **4.2 DEVELOPMENT NO 21012625**

#### **10-12 RENOWN AV, CLOVELLY PARK**

Construction of a child care centre with associated advertising, masonry walls and ancillary storage shed.

**Report Reference: CAP031121 - 4.2 ..... 5**

#### **4.3 DEVELOPMENT NO 21012619**

##### **1-3 FREYA AVENUE, HALLETT COVE**

Change in land use from two detached dwellings to pre-school (childcare centre) with associated advertisements and advertising hoarding, outbuilding, earthworks, retaining walls and fencing

**Report Reference: CAP031121 - 4.3 ..... 6**

## **5. APPEALS UPDATE**

Verbal Update Provided

### **5.1 APPEALS AGAINST PANEL DECISIONS**

Verbal Update Provided

### **5.2 APPEALS AGAINST DELEGATED APPLICATIONS**

## **6. POLICY OBSERVATIONS**

Verbal Update Provided

## **7. OTHER BUSINESS**

Verbal Update Provided

## **8. CONFIRMATION OF THE COUNCIL DEVELOPMENT ASSESSMENT PANEL MEETING HELD ON 03 NOVEMBER 2021**

## **9. 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  
Raelene Telfer – Council Member

**1.3 APOLOGIES**

Nil

**1.4 IN ATTENDANCE**

Alex Wright – CAP Assessment Manager – Planning  
Nicholas Timotheou – Acting Team Leader – Planning  
Harry Stryker – Development Officer – Planning  
Warwick Deller-Coombs - Manager - Development & Regulatory Services  
Iliia Houridis – General Manager – City Development

**2. GENERAL OPERATIONS**

No items listed for discussion

**3. HEARING OF DEVELOPMENT ACT APPLICATIONS**

No items listed for discussion

## CAP

**4. HEARING OF PDI ACT APPLICATIONS****4.1 Report Reference: CAP031121 - 4.1****Application No: 21022140****Site Location: 142-144 MORPHETT ROAD, GLENGOWRIE**

- No persons addressed the panel

The Council Assessment Panel resolved that;

**RECOMMENDATION**

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

- (a) The Panel notes this report and concur with the findings and reasons for the recommendation;
- (b) The Panel concurs that the proposed development is not seriously at variance to the Planning and Design Code, in accordance with Section 126(1) of the Planning, Development and Infrastructure Act 2016; and
- (c) That Planning Consent for Development Application ID: 21022140 Variation to Application ID 21011513 (DA 100/2020/1028): Partial change of use from shop (pharmacy) to consulting room (dental practice); alterations to the use of rooms within the general medical consulting room component; and alterations to advertisements, including additional attached signage, enlarged freestanding sign and hoarding including LED display, and internal illumination to selected signage at 142 and 144 Morphet Road, Glengowrie be GRANTED subject to the following Conditions.

**CONDITIONS**

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).

***DIT Conditions***

2. Vehicular access and configuration to serve the site shall be in accordance with the Site Plan by Zummo Design (Rev C03, dated 22 September 2021).
3. All vehicles shall enter and exit the site in a forward direction.
4. The redundant crossovers on Morphet Road shall be closed and reinstated to Council's kerb and gutter standards.
5. The illuminated signage shall be limited to a low level of illumination so as to minimise distraction to motorists ( $\leq 150 \text{cd/m}^2$ ).
6. The signage shall not contain any element that flashes, scrolls, moves or imitates a traffic control device.
7. Stormwater run-off shall be collected on-site and discharged without impacting the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

**NOTES**

1. All previous stamped plans and documentation, including conditions previously granted Development Approval for Development Application ID No. 21011513 are still applicable except where varied by this application.

**4.2 Report Reference: CAP031121 - 4.2****Application No: 21012625****Site Location: 10-12 RENOWN AV, CLOVELLY PARK**

- Marc Duncan on behalf of Future Urban Pty Ltd (Applicant) and Ben Wilson of Cirqa answered questions of the Panel

The Council Assessment Panel resolved that;

**RECOMMENDATION**

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 Planning and Design Code, in accordance with Section 126(1) of the Planning, Development and Infrastructure Act 2016; and
- (c) That Planning Consent for Development Application ID: 21012625 for the construction of a child care centre with associated advertising, masonry walls and ancillary storage shed at 10 Renown Avenue Clovelly Park and 12 Renown Avenue Clovelly Park be REFUSED for the following reasons.

**REASONS FOR REFUSAL**

- 1) Does not satisfactorily meet the desired outcome of the General Neighbourhood Zone as expressed in DO 1 and PO 1.1;
- 2) Does not satisfactorily take into consideration Design in Urban Areas DO 1 (a), (c) and (d);
- 3) Building footprint and site coverage is not consistent with the character and pattern of a low density suburban neighbourhood as expressed in General Neighbourhood Zone PO 3.1;
- 4) Building does not contribute to the low rise suburban character and does not compliment the height of nearby buildings as expressed in General Neighbourhood Zone PO 1.3 and 4.1;
- 5) Does not provide sufficient detail on landscaping to reduce urban heat Design in Urban Areas PO 3.1;
- 6) The size, scale of the proposed development and vehicle access point to Renown Place will compromise the safety of pedestrian and road users, thus conflicting with General Policies - Transport, Access and Parking DO 1 and PO 3.4.

**CAP****4.3 Report Reference: CAP031121 - 4.3****Application No: 21012619****Site Location: 1-3 FREYA AVENUE, HALLETT COVE**

- Marc Duncan on behalf of Future Urban Pty Ltd (Applicant) and Ben Wilson of Cirqa answered questions of the Panel

The Council Assessment Panel resolved that;

**RECOMMENDATION**

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 Planning and Design Code, in accordance with Section 126(1) of the Planning, Development and Infrastructure Act 2016; and
- (c) That Planning Consent for Development Application ID: 21012619 for a change in land use from two detached dwellings to pre-school (childcare centre) with associated advertisements and advertising hoarding, outbuilding, earthworks, retaining walls and fencing at 1-3 Freya Avenue, Hallett Cove be **REFUSED** for the following reasons.

**REASONS FOR REFUSAL**

- 1) The proposed development fails to satisfy Hills Neighbourhood Zone Performance Outcomes 1.1, 1.4 and 4.1, in addition to Design in Urban Areas DO 1, as the proposed non-residential development is not sited and designed to complement the residential character and amenity of the neighbourhood.
- 2) The proposed development fails to satisfy Hills Neighbourhood Zone Performance Outcome 3.1 as the building footprint of the upper level is not consistent with the character and pattern of a low-density suburban neighbourhood and does not provide sufficient space around the building to limit visual impact, provide an attractive outlook or access to light and ventilation.
- 3) The proposed development fails to satisfy Hills Neighbourhood Zone Performance Outcome 9.1 as the upper level of the proposed building will not be sufficiently set back from the rear boundaries to provide separation between dwellings in a way that complements the established character of the locality, access to natural light and ventilation for neighbours and space for landscaping and vegetation.



**5. APPEALS UPDATE**

**5.1 APPEALS AGAINST PANEL DECISIONS**

**5.2 APPEALS AGAINST DELEGATED APPLICATIONS**

**6. POLICY OBSERVATIONS**

The Panel noted 4 Code Amendments are underway by City of Marion.

**7. OTHER BUSINESS**

Noted staff assessment style possibly focuses more heavily on Designated Performance Features, than on Performance Outcome Assessment.

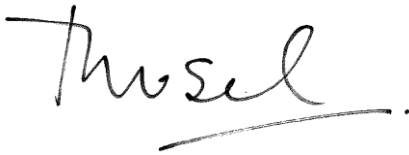
**8. CONFIRMATION OF MINUTES**

The minutes of this meeting held Wednesday 03 November 2021 taken as read and confirmed this third day of November 2021.

**9. MEETING CLOSURE**

- |   |                    |
|---|--------------------|
| • <b>Length of meeting:</b>                                 | 1 hour, 55 minutes |
| • <b>Number of Representors appearing before the Panel:</b> | Nil                |
| • <b>Number of Applicants appearing before the Panel:</b>   | 2 (two)            |

**MEETING DECLARED CLOSED AT 8:25PM**

A handwritten signature in black ink, appearing to read 'Terry Mosel', with a horizontal line underneath.

***Terry Mosel***  
***Presiding Member***