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I hereby give notice that a Council Assessment Panel will be held on:

Date: Thursday, 18 July 2019
Time: 5.45 p.m.
Location: Committee Room, Level 1
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Council Assessment Panel 18 July 2019

**Andrew Meddle
Chief Executive Officer**

11 July 2019

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1 ACKNOWLEDGEMENT OF COUNTRY

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF THE LAND WHERE WE MEET TODAY. WE RESPECT THEIR SPIRITUAL RELATIONSHIP WITH THE LAND AND RECOGNISE THE DEEP FEELINGS OF ATTACHMENT OUR INDIGENOUS PEOPLES HAVE WITH THIS LAND.

2 APOLOGY(IES)

Nil

3 CONFIRMATION OF MINUTES

Council Assessment Panel - 20 June 2019

RECOMMENDATION

That the minutes of the Council Assessment Panel meeting held on 20 June 2019 be confirmed as an accurate record of the proceedings of the meeting.

4 INVITEES

The Presiding Member read the following statement to the Applicant/Owner/Representor that attended the meeting:

- As from 1 October 2017, every Council is required to establish an Assessment Panel under provisions within the new Planning, Development and Infrastructure Act 2016 to determine and make decisions on development applications as delegated to the Panel.
- The Assessment Panel continues to operate under the Development Act, until such time as the new Planning, Development and Infrastructure Act 2016 is fully functional.
- When the Panel is considering an application, it must assess the proposal against Council's Development Plan.
- The meeting itself is informal, however, all decisions made by the Assessment Panel are formal.
- Representors will be allocated 5 minutes to make their presentation, after which, Panel Members may ask questions to clarify any issues. It is solely a question and answer session. There will be no debate entered into.
- Once the Panel has heard all representations, you will be asked to leave as the Assessment Panel holds its discussions and reaches its decision in confidence.
- Council Officer's will advise you of the decision as soon as practical after the meeting.

Development Application 381/0103/2019 – (Item 5.1)

- Mr Shaun McPherson, the Applicant has been invited for Item 5.1, DA 381/0103/2019

Development Application 381/0126/2019 – (Item 5.2)

- Mr Tony Duggin, the Applicant has been invited for Item 5.2, DA 381/0126/2019

Development Application 381/085/2019 – (Item 5.3)

- Ms Lisa Barker, the Applicant has been invited for Item 5.3, DA 381/085/2019
- Mr Frank Brennan, Planning Consultant has been invited for Item 5.3, DA 381/085/2019



Development Application 381/0159/2019 – (Item 5.4)

- Mr Geoff Shaw the Applicant has been invited for Item 5.4, DA 381/159/2019

Development Application 381/132/2019 – (Item 5.5)

- Nil

Development Application 381/0151/2019 – (Item 5.6)

- Nil

Development Application 381/078/2019 – (Item 5.7)

- Nil

Development Application 381/0178/2019 – (Item 5.8)

- Nil

Development Application 381/053/2019 – (Item 5.9)

- Mr Sam Ryan, Applicant has been invited for Item 5.9, DA 381/053/2019
- Mr Frank Brennan, Planning Consultant has been invited for Item 5.9, DA 381/053/2019



5 REPORTS

5.1 17-19 ANNIEFIELD LANE, MOUNT GAMBIER – REPORT NO. AR19/20723

Development No:	381/0103/2019
Applicant:	Shaun McPherson
Property Address:	17-19 Anniefield Lane
Property Owner:	Shaun McPherson
Report No:	AR19/20723
CM9 Reference:	AF18/470
Author:	Simon Wiseman, Senior Planning Officer
Authoriser:	Tracy Tzioutziouklaris, Manager Development Services
Nature of Development:	Consent/ Category 1
Description:	To construct a dwelling and an associated freestanding garage
Zoning:	Country Living
Policy Area:	N/A
Heritage:	N/A

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR19/20723 titled '17-19 Anniefield Lane, Mount Gambier' as presented on 18 July 2019 be noted.
2. The applicant and owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is considered to be at serious variance with the Council's Development Plan and Development Plan Consent be refused.
3. The Applicant and Owner be advised that the reasons for refusal are;
 1. The wall height, total height and overall floor area of the garage is excessive and at serious variance with Council's Development Plan in regard to garages;
 2. The proposed garage won't be sympathetic to the scale of development in the locality.



5.2 10 SHAUGHNESSY COURT, MOUNT GAMBIER – REPORT NO. AR19/23823

Development No: 381/0126/2019
Applicant: Tony Duggin
Property Address: 10 Shaughnessy Court, Mount Gambier
Property Owner: J & T Duggin
Report No: AR19/23823
CM9 Reference: AF18/470
Author: Emily Ruffin, Planning Officer
Authoriser: Tracy Tzioutziouklaris, Manager Development Services
Nature of Development: Consent/Category 1
Description: To construct a carport in association with an existing residential dwelling
Zoning: Residential
Policy Area: N/A
Heritage: N/A

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR19/23823 titled '10 Shaughnessy Court, Mount Gambier' as presented on 18 July 2019 be noted.
 - (a) The Applicant and Owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is considered to be at serious variance with Council's Development Plan and Development Plan Consent be refused for the following reasons:
 1. The proposed carport will visually dominate the dwelling and the streetscape character of the locality
 2. The setback of the proposed carport from the front property boundary is considered to be unacceptable as it will result in the carport being located closer to Shaughnessy Court than the dwelling with which it is associated.



5.3 179 PENOLA ROAD, MOUNT GAMBIER – REPORT NO. AR19/28431

Development No: 381/085/2019
Applicant: Lisa Barker & Adam Carpenter
Property Address: 179 Penola Road
Property Owner: A G & M A Harrington
Report No: AR19/28431
CM9 Reference: AF18/470
Author: Simon Wiseman, Senior Planning Officer
Authoriser: Tracy Tzioutziouklaris, Manager Development Services
Nature of Development: Consent/ Category 3
Description: To change the use from a dwelling and associated garaging to that of a dwelling and a dance studio and associated car parking
Zoning: Residential
Policy Area: N/A
Heritage: Local Heritage Place



REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR19/28431 titled '179 Penola Road, Mount Gambier' as presented on 18 July 2019 be noted.
2. The Applicant and Owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is considered not to be at serious variance with Council's Development Plan and be granted Development Plan Consent subject to the following condition:
 - (a) The development shall be carried out in accordance with the Plan/s as approved by Council.
 - (b) The building and land should not be used for purposes other than those approved by Council.
 - (c) Storm water run-off shall be collected on-site and discharged without jeopardizing the integrity and safety of Penola Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.
 - (d) Dense planting shall be established along the rear property boundary of the site so as to provide a screen/buffer between the development and the adjacent properties.
 - (e) The use of the property shall not create a nuisance and/or disturbance for any person/s and/or property in the immediate area
 - (f) All vehicles shall enter and exit the site in a forward direction
 - (g) The access shall be widened to a minimum of 6 metres in width, be maintained at this width for at least 6 metres prior to tapering down to the existing driveway width and be suitably flared to the kerb line. The widening shall occur within the road reserve, on the southern side of the existing access and be sealed between the kerb line and the property boundary.
 - (h) All parking, pick-up and drop-off activities shall occur on-site and not on Penola Road. The off-street car parking area shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009
3. The applicant and Owner be advised that the reasons for Council's Condition of Consent are:
 - (a) To ensure orderly and proper development
 - (b) It is not at serious variance with Council's Development Plan



5.4 3 BETHPAGE PLACE, WORROLONG – REPORT NO. AR19/32920

Development No:	381/0159/2019
Applicant:	Thomson Bilt
Property Address:	3 Bethpage Place, Worrolong
Property Owner:	Nicola Barrows
Report No:	AR19/32920
CM9 Reference:	AF18/470
Author:	Simon Wiseman, Senior Planning Officer
Authoriser:	Tracy Tzioutziouklaris, Manager Development Services
Nature of Development:	Consent / Category 1
Description:	To construct a freestanding garage in association with an existing detached dwelling.
Zoning:	Residential Zone
Policy Area:	Attamurra Golf Course Policy Area 3
Heritage:	N/A

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR19/32920 titled '3 Bethpage Place, Worrolong' as presented on 18 July 2019 be noted.
2. The Applicant and Owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is considered to be at serious variance with Council's Development Plan and Development Plan Consent be refused.
3. The Applicant and Owner be advised that the reasons for Council's Refusal:
 - (a) The wall height and total height of the garage is excessive and is a serious variance with Council's Development Plan in relation to wall heights and total heights of garages;
 - (b) The proposed garage won't be sympathetic to the scale of development in the locality.



5.5 88 WEHL STREET SOUTH, MOUNT GAMBIER – REPORT NO. AR19/33824

Development No: DA 381/0132/2019
Applicant: Kimberly McMillian
Property Address: 88 Wehl Street South, MOUNT GAMBIER
Property Owner: Stuart Cooper
Report No: AR19/33824
CM9 Reference: AF18/470
Author: Emily Ruffin, Planning Officer
Authoriser: Tracy Tzioutziouklaris, Manager Development Services
Nature of Development: Consent/Category 1
Description: To reconfigure the roofing over the existing garage and to construct a pergola to the rear property boundary
Zoning: Residential
Policy Area: Wehl Street South Historic Conservation Policy Area
Heritage: Contributory Place

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR19/33824 titled '88 Wehl Street South, Mount Gambier' as presented on 18 July 2019 be noted.
2. The Council Assessment Panel move that that having regard to the Development Plan provisions and all supporting documentation, the proposed development is not considered to be at serious variance with the Council's Development Plan, and the Council Assessment Panel grant Development Plan Consent subject to the following conditions;
 - (a) The northern end of the pergola area shall not be infilled and shall remain open
Reason for conditions;
 - (a) So as to reduce the visual impact of the pergola area of the streetscape



5.6 294 COMMERCIAL STREET WEST, MOUNT GAMBIER – REPORT NO. AR19/34115

Development No:	381/0151/2019
Applicant:	Thomson Bilt – Geoff Shaw
Property Address:	294 Commercial Street West, Mount Gambier
Property Owner:	Steven Reid
Report No:	AR19/34115
CM9 Reference:	AF18/470
Author:	Simon Wiseman, Senior Planning Officer
Authoriser:	Tracy Tzioutziouklaris, Manager Development Services
Nature of Development:	Consent/ Category 1
Description:	To demolish existing stone outbuildings and to construct a new freestanding garage in association with an existing dwelling
Zoning:	Residential
Policy Area:	N/A
Heritage:	N/A

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR19/34115 titled '294 Commercial Street West, Mount Gambier' as presented on 18 July 2019 be noted.
2. The Applicant and Owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is considered not to be at serious variance with Council's Development Plan and be granted Development Plan Consent subject to the following condition:
 - (a) The development shall be carried out in accordance with the Plan/s as approved by Council.
 - (b) The development shall be carried out in accordance with the Plan/s as approved by Council.
 - (c) The garage shall only be used for purposes associated with the existing residential land use of the subject property.
3. The applicant and Owner be advised that the reasons for Council's Condition of Consent are:
 - (a) To ensure orderly and proper development
 - (b) It is not at serious variance with Council's Development Plan



5.7 58-60 BAY ROAD, MOUNT GAMBIER – REPORT NO. AR19/34193

Development No:	Da 381/078/2019
Applicant:	Ryan and Kristy Turner
Property Address:	58-60 Bay Road, Mount Gambier
Property Owner:	Ryan and Kristy Turner
Report No:	AR19/34193
CM9 Reference:	AF18/470
Author:	Emily Ruffin, Planning Officer
Authoriser:	Tracy Tzioutziouklaris, Manager Development Services
Nature of Development:	Category 1/ Consent
Description:	To construct a detached garage, pergola and deck in association with the existing residential dwelling
Zoning:	Residential
Policy Area:	Bay Road Historic Conservation Area
Heritage:	Local Heritage Place

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR19/34193 titled '58-60 Bay Road, Mount Gambier' as presented on 18 July 2019 be noted.
2. The Council Assessment Panel move that that having regard to the Development Plan provisions and all supporting documentation, the proposed development is not considered to be at serious variance with the Council's Development Plan, and should be granted Development Plan Consent subject to the following conditions;
 - (a) The development shall be carried out in accordance with the Plan/s as approved by Council
 - (b) The garage shall only be used for purposes associated with the existing residential land use of the subject property.

Reasons for Condition:

- (a) The development is not seriously at variance with the provisions of the Council Development Plan.
- (b) To promote orderly and proper development.
- (c) To maintain the amenity of the location in which the subject land is situated.



5.8 22 TWEED CRESCENT, MOUNT GAMBIER – REPORT NO. AR19/34196

Development No: DA 381/0178/2019
Applicant: Russell Fox
Property Address: 22 Tweed Crescent, Mount Gambier
Property Owner: Russell Fox
Report No: AR19/34196
CM9 Reference: AF18/470
Author: Emily Ruffin, Planning Officer
Authoriser: Tracy Tzioutziouklaris, Manager Development Services
Nature of Development: Category 1/Consent
Description: To construct a pergola to the boundary in association with the existing residential dwelling
Zoning: Residential
Policy Area: N/A
Heritage: N/A

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR19/34196 titled '22 Tweed Crescent, Mount Gambier' as presented on 18 July 2019 be noted.
2. The Applicant and Owner be advised that having regard to the Development Plan provisions and all supporting documentation, the proposed development is not considered to be at serious variance with the Council's Development Plan, and the applicant be granted Development Plan Consent subject to the following conditions;
 - (a) The development shall be carried out in accordance with the Plan/s as approved by Council, and maintained thereafter.
3. The applicant and owner be advised of the following reasons for Council's conditions of approval;
 - (a) The development is not seriously at variance with the provisions of the Council Development Plan.



5.9 116 JUBILEE HIGHWAY WEST, MOUNT GAMBIER – REPORT NO. AR19/34549

Development No: 381/053/2019
Applicant: Adam Fosdike
Property Address: 116 Jubilee Highway West, Mount Gambier
Property Owner: Sam Ryan
Report No: AR19/34549
CM9 Reference: AF18/470
Author: Simon Wiseman, Senior Planning Officer
Authoriser: Tracy Tzioutziouklaris, Manager Development Services
Nature of Development: Consent/ Category 1
Description: To construct a garage in association with an existing dwelling.
Zoning: Residential
Policy Area: N/A
Heritage: N/A

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR19/34549 titled '116 Jubilee Highway West, Mount Gambier' as presented on 18 July 2019 be noted.
2. The applicant and owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is considered to be at serious variance with the Council's Development Plan and Development Plan Consent be refused.
3. The Applicant and Owner be advised that the reasons for refusal are;
 1. The wall height and the total height of the garage is excessive and at variance with Council's Development Plan in relation to wall heights of garages;
 2. The garage will dominate the streetscape due to its height and size; and
 3. The proposed garage won't be sympathetic to the scale of development in the locality.



6 URGENT MOTIONS WITHOUT NOTICE

7 MEETING CLOSE

