

15 March 2019

COUNCIL ASSESSMENT PANEL MEMBERS

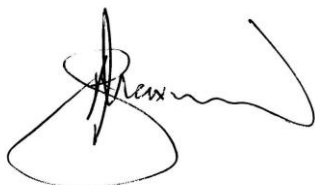
NOTICE is given that the Council Assessment Panel will meet in the following Meeting Room on the day, date and time as follows:

Council Assessment Panel
(Conference Room - Level 1):

Thursday, 21 March 2019 at 5:45 p.m.

Meeting entry will be via the Ferrers Street Carpark through the glass door to the Level 1 Conference Room. The door will be opened 15 minutes before the start of the meeting.

An agenda for the meeting is enclosed.



Graeme MAXWELL
CHIEF EXECUTIVE OFFICER

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AGENDA OF COUNCIL ASSESSMENT PANEL MEETING

Meeting to be held in the Conference Room, Civic Centre, 10 Watson Terrace, Mount Gambier on
Thursday, 21 March 2019 at 5:45 p.m.

PRESENT Mr I Von Stanke (Presiding Member)
Cr P Jenner
Mr P Seebohm

COUNCIL OFFICERS Manager Development Services - Mrs T Tzioutziouklaris
Senior Planner - Mr S Wiseman
Planning Officer - Mrs E Ruffin

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.

1. APOLOGY(IES)

Apology received from Mr Mark Teakle.

That the apology from Mark Teakle be received.

Moved:

Seconded:

2. CONFIRMATION OF COUNCIL ASSESSMENT PANEL MINUTES

Meeting held on 21 February 2019.

That the minutes of the Council Assessment Panel meeting held on 21 February 2019 be confirmed.

Moved:

Seconded:

3. INVITES

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.
- This will involve a judgement based on whether or not the proposed development meets and satisfies planning principles.
- The Council Assessment Panel consists of four Independent Members and one Elected Council Member.
- 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 your representation, you will be asked to leave as the Assessment Panel holds its discussions and reaches its decision in confidence.
- You may ring the Council tomorrow afternoon to find out the result of tonight's meeting.

3.1. Development Application No. 381/0317/2018 - (Item 4.1)

- Mr Frank Brennan, the Representor, has been invited for Item 4.1 DA 381/0317/2018

4. COUNCIL ASSESSMENT PANEL REPORTS

Council Assessment Panel Reports commence on the following page.



4.1. Council Assessment Panel Report No. AR19/9970

DEVELOPMENT NUMBER	381/0317/2018	
APPLICANT	Whitehead Timber Sales Pty. Ltd.	
OWNER	D.J. & M.A., K.A. & S.E. Whitehead	
DESCRIPTION	To construct a wood fired steam boiler facility on the site of an existing timber processing yard.	
ADDRESS	2 Eucalypt Drive, Mount Gambier	
NATURE OF DEVELOPMENT	Consent	/ Category 3
ZONING	General Industry	
POLICY AREA	N/A	
HERITAGE	N/A	N/A

REPORT RECOMMENDATION
<p>(a) That Council Assessment Panel Report No. AR19/9970 be noted.</p> <p>(b) The Applicant and owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is not considered to be at serious variance with Council's Development Plan and other relevant documentation and be granted Development Plan Consent subject to the following conditions;</p> <ol style="list-style-type: none"> (1) The development shall be carried out in accordance with the Plan/s as approved by the Council and with the Conditions of Approval. (2) The building and land shall not be used for purposes other than those approved by Council. (3) Prior to operation of the wood fired boiler, the associated dust control devices described in the specifications provided by Dettinger Project Management and dated 22 July 2018 must be installed and operational. (4) Dense planting shall be established along the Southern property boundary of the site so as to provide a screen/buffer between the development and the adjacent properties. (5) The use of the property shall not create a nuisance and/or disturbance for any person/s and/or property in the immediate area. <p>The following notes provide important information for the benefit of the applicant and are to be included in any approval:</p> <ul style="list-style-type: none"> • The applicant is reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment



in a way which causes or may cause environmental harm.

- An environmental authorisation in the form of a license is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements.
- The applicant is reminded that dust from excavation and construction activities will need to be controlled and minimised through implementation of dust suppression measures, including watering and screening where required similarly polluted stormwater and other construction waste should not leave the site or enter waters. The EPA's Stormwater Pollution Prevention: Code of Practise for the Building and Construction Industry (1999) can provide further guidance.
- The applicant is reminded that construction will need to be undertaken in accordance with Division 1 of Part 6 of the Environment Protection (Noise) Policy 2007 at all times. Activities, which include the operation of machinery, resulting in noise with adverse impact on amenity need to be restricted to between 7:00am and 7:00pm Monday to Saturday and, if necessary, on Sunday between 9:00am and 7:00pm to minimise the potential for complaint from noise nuisance.
- EPA information sheets, guidelines documents, codes of practise, technical bulletins etc. can be accessed on the following website: <http://www.epa.sa.gov.au>.

Moved:

Seconded:



4.2. Council Assessment Panel Report No. PR19/2425

DEVELOPMENT NUMBER	DA 381/0365/2018	
APPLICANT	Toorminamatta Pty Ltd	
OWNER	Propertydev Jubilee Pty Ltd	
DESCRIPTION	To construct a petrol filling station and associated shop including fuel tanks, car parking and signage	
ADDRESS	193-195 Jubilee Highway, Mount Gambier	
NATURE OF DEVELOPMENT	Non-Complying	/ Category 3
ZONING	Commercial	
POLICY AREA	N/A	
HERITAGE	N/A	N/A

REPORT RECOMMENDATION
<p>(a) That Council Assessment Panel Report No. PR19/2425 be noted.</p> <p>(b) The Council Assessment Panel resolves to proceed with an assessment of the application</p>

Moved:

Seconded:



4.3. Council Assessment Panel Report No. PR19/2364

DEVELOPMENT NUMBER	DA 381/048/2019	
APPLICANT	Empak Homes	
OWNER	K & D Hill	
DESCRIPTION	To construct a detached dwelling	
ADDRESS	15 Rustic Court, Mount Gambier	
NATURE OF DEVELOPMENT	Consent	/ Category 1
ZONING	Residential	
POLICY AREA	N/A	
HERITAGE	N/A	N/A

REPORT RECOMMENDATION
<p>(a) That Council Assessment Panel Report No. PR19/2364 be noted.</p> <p>(b) The Applicant and owner be advised that having regard to the Development</p> <p>Plan and all supporting documentation, the proposed development is not considered to be at serious variance with the Development Plan and other relevant documentation and that;</p> <ul style="list-style-type: none"> - upon provision of provision of a revised plan showing a reduction in driveway crossover to a double width, or the incorporation of a landscaped garden bed within the existing proposed driveway width. <p>Development Plan Consent be granted subject to the following conditions;</p> <p>(1) The development shall be carried out in accordance with the Plan/s as approved (plan reference as per revised to be inserted into condition of approval) by the Council and maintained thereafter.</p>

Moved:

Seconded:



4.4. Council Assessment Panel Report No. PR19/2365

DEVELOPMENT NUMBER	DA 381/042/2019	
APPLICANT	Adam Fosdike (Mates Rates Mount Gambier)	
OWNER	Anthony Wilkinson	
DESCRIPTION	To construct a residential outbuilding (garage) in association with a detached dwelling	
ADDRESS	17 Mallee Street, Mount Gambier	
NATURE OF DEVELOPMENT	Consent	/ Category 1
ZONING	Residential	
POLICY AREA	N/A	
HERITAGE	N/A	N/A

REPORT RECOMMENDATION
<p>(a) That Council Assessment Panel Report No. PR19/2365 be noted.</p> <p>(b) 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 application be granted Development Plan Consent subject to the following conditions;</p> <ol style="list-style-type: none"> 1. The development shall be carried out in accordance with the Plan/s approved by Council and with the Conditions of Approval, and maintained thereafter. 2. The established landscaping to the Leray Avenue frontage be maintained in good health, should any tree or shrub die it will be replace forthwith, so as to reduce the visual impact of the garage from the Leray Avenue frontage. 3. The garage shall only be used for purposes associated with the existing residential land use of the subject property.

Moved:

Seconded:



5. MOTION(S) - With Notice

Nil Submitted

6. MOTION(S) - Without Notice

Meeting closed at p.m.

AR19/10375

