

**MINUTES OF CITY OF MOUNT GAMBIER
COUNCIL ASSESSMENT PANEL
HELD AT THE COUNCIL CHAMBER, LEVEL 4, CIVIC CENTRE,
10 WATSON TERRACE, MOUNT GAMBIER
ON THURSDAY, 16 APRIL 2020 AT 5.45 P.M.**

PRESENT: Presiding Member Ian Von Stanke, Cr Paul Jenner, Mr Mark Teakle, Mr Peter Seebohm

OFFICERS IN ATTENDANCE: Chief Executive Officer - Mr A Meddle
Manager Development Services - Mrs T Tzioutziouklaris

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

COMMITTEE RESOLUTION

Moved: Cr Paul Jenner
Seconded: Mark Teakle

That the minutes of the Council Assessment Panel meeting held on 19 March 2020 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 INVITEES

Nil

5 REPORTS

5.1 2 SHEPHERDSON ROAD, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR20/18427 titled '2 Shepherdson Road, Mount Gambier' as presented on 16 April 2020 be noted.
2. 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 to the provisions of the Development Plan and the application 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.
 - (b) The garage shall be used in association with the residential land use of the subject property.
3. The applicant and owner be advised of the following reasons for Council's conditions of approval;
- (a) To promote orderly and proper development.
 - (b) To ensure the proposed development does not detract from the residential amenity within the subject locality.

CARRIED

5.2 14 CHEROKEE COURT, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR20/20556 titled '14 Cherokee Court, Mount Gambier' as presented on 16 April 2020 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 except as amended by the condition (b) as below.
 - (b) The carport shall be constructed either on the property boundary or with a setback no less than 600mm from the western (side) property boundary so as to ensure compliance with the National Construction Code.
 - (c) The carport is to remain open to all sides, with no infill of any side walls, or installation of gates or garage doors or the like to occur.
3. The applicant and owner be advised of the following reasons for Council's conditions of approval;
 - (a) To promote orderly and proper development.
 - (b) To ensure the carport has an acceptable streetscape impact, and does not dominate the dwelling or the streetscape character of the locality.
4. The Applicant/Builder be advised of the setback requirements of the National Construction Code as it relates to the setbacks of carports and garages from the property boundary and be requested that all customers/clients be advised of this requirement. Council is unable to approve the construction of buildings where they do not satisfy the requirements of the National Construction Code.

CARRIED



5.3 1 PICK AVENUE, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR20/21512 titled '1 Pick Avenue, Mount Gambier' as presented on 16 April 2020 be noted.
2. 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 the Council's Development Plan, the application be granted Development Plan Consent for a period of twelve months from the 16th of April 2020, subject to the following conditions;
 - 1 The development shall be carried out in accordance with the Plan/s as approved by Council and with the Conditions of Approval.
 - 2 The maximum number of self-contained camping sites being used at any one time is to 30 camping sites and does not include the site for the Campground Manager.
 - 3 Landscaping comprised of established and evergreen trees and shrubs shall be planted along the southern property boundary so as to provide a screen/buffer between the development and the adjacent properties and be maintained at all times.
 - 4 All waste materials and refuse accumulated as part of the operation of the camp sites shall be contained within a screened holding place and shall be removed on a regular basis.
 - 5 The hours of operation of the campsites and the use of the property shall not cause a nuisance and/or disturbance for any person/s and/or property in the immediate area.
 - 6 No floodlighting shall be installed on the subject site associated with the campsites.
 - 7 All wastewater (including black and/or grey water) shall be managed and contained so as to ensure no wastewater is disposed of onto the ground at all times.
 - 8 The buildings and surroundings shall be maintained in a state of good repair and tidy condition at all times.
 - 9 (i) The camp sites are to be used for self-contained RV (Recreational Vehicles), self-contained caravans and self-contained campers.
(ii) No camping in tents, camping 'camper' trailers or similar is permitted.
3. The Applicant be advised the reasons for the conditions of consent are:
 - (a) To ensure the development does not detract from the amenity of the area.
 - (b) To promote orderly and proper development
 - (c) To provide an appropriate area for the location of campsites within the Mount Gambier Agricultural and Horticultural showgrounds.
4. The Applicant be further advised:
 - (i) The Council Assessment Panel does not support the construction of a 65 metre long 1800mm high colourbond fence along the southern property boundary as this will detract from the visual amenity of the area. As this application is on a temporary trial basis, the Council Assessment Panel requires landscaping to be planted along the southern property boundary in lieu of the fence so as to improve the visual impact of the proposed development within the subject locality.



- (ii) The Council Assessment Panel wishes to express disappointment and concern that the Mount Gambier Agricultural and Show Society have enabled the use of additional campsites at the showgrounds without first obtaining the necessary Development Approvals from Council. This is a breach of the Development Act 1993 where prosecution action is able to be taken to correct the breach of the Act and seek a financial penalty to be issued by the Environment, Resources and Development Court. Council will regularly monitor the site to ensure continual compliance with the approval and will not hesitate to undertake future enforcement action should the facility operate at variance to the Development Approval as granted.
- (iii) The Council Assessment Panel is aware that the shipping container that was used as an office was placed on the subject land without first obtaining the necessary Development Approvals from Council. This is also a breach of the Development Act 1993. The Council Assessment Panel requests that either the shipping container be removed from the subject land or alternatively a Development Application be lodged seeking approval for the shipping container to remain on the subject land within twenty eight (28) days of the date of this letter or Council will commence enforcement action to correct the breach of the act.

CARRIED

5.4 10 CARRISON ROAD, SUTTONTOWN

COMMITTEE RESOLUTION

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR20/22775 titled '10 Carrison Road, Suttontown' as presented on 16 April 2020 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 is granted Development Plan Consent (subject to the concurrence of the State Commissioner Assessment Panel along with any additional condition/s applied), with the following conditions;
 - (a) The development shall be carried out in accordance with the Plan/s as approved by Council, and maintained in a good condition thereafter.
Reason: To ensure the proposed development contributes to the amenity and character of the area
 - (b) The store shall only be used for purposes in association with the existing residential land use of the subject property by the occupants of the subject property, and not for commercial purposes.
Reason: To ensure orderly and proper development

CARRIED

6 MOTIONS WITHOUT NOTICE

Nil



7 MEETING CLOSE

The Meeting closed at 6.40 p.m.

The minutes of this meeting were confirmed at the Council Assessment Panel held on 21 May 2020.

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PRESIDING MEMBER

