

**MINUTES OF CITY OF MOUNT GAMBIER
COUNCIL ASSESSMENT PANEL
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON THURSDAY, 16 DECEMBER 2021 AT 5.45 P.M.**

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

OFFICERS IN ATTENDANCE: General Manager City Growth - Mr T Coote
Assessment Manager - Mrs T Tzioutziouklaris
Executive Administrator City Growth - Ms T Chant

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: Mark Teakle
Seconded: Cr Paul Jenner

That the minutes of the Council Assessment Panel meeting held on 21 October 2021 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil

5 INVITEES

- As from 1 October 2017, every Council is required to establish an Assessment Panel under provisions within the Planning, Development and Infrastructure Act 2016 to determine and make decisions on development applications as delegated to the Panel.
- When the Panel is considering an application, it must assess the proposal against the Planning and Design Code.
- 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.
- Council Officers will advise you of the decision as soon as practical after the meeting.

Invitees for Item 6.1 DA 21031979 – 7C Calula Drive, Mount Gambier

The Applicant – Mr Frank Brennan, consulting on behalf of the Applicant spoke in relation to this item at 5:54p.m.

Third Party Representor – Mr Kym Sutherland, spoke in relation to this item at 5:47p.m.

Invitees for Item 6.2 DA 21034443 – 90 Crouch Street North, Mount Gambier

The Applicant – Mr Frank Brennan, consulting on behalf of the Applicant, spoke in relation to this item at 6:14p.m.

Third Party Representor – Michael van der Linden spoke in relation to this item at 6:05p.m.

6 REPORTS

Cr Paul Jenner disclosed a Conflict of Interest in Item 6.1 as he is an Elected Member of Council and the City of Mount Gambier owns and operates a crematorium and left the room for this item.

Cr Jenner left the meeting at 5:47p.m.

6.1 DA 21031979 - TO CONSTRUCT A CREMATORIUM - 7C CALULA DRIVE

COMMITTEE RESOLUTION

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR21/79488 titled 'DA 21031979 - To construct a crematorium - 7C Calula Drive' as presented on 16 December 2021 be noted.
2. Pursuant to Section 108(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code and warrants the granting of Planning Consent subject to the following conditions:
 - (a) The development shall be carried out in accordance with the Plan/s as approved by the Council Assessment Panel and the Conditions of Approval.
 - (b) The car parking and driveway area and footpath crossover as shown on the plan and approved by Council shall be graded, paved and sealed with bitumen or other similar material.
 - (c) The carparking spaces shall measure not less than 2.6 metres in width and 5.5 metres in length and shall be linemarked, with the accessible car parking space appropriately identified.
 - (d) The remainder of the yard areas shall be surfaced to ensure maximum dust suppression at all times.
 - (e) All loading and off-loading of vehicles associated with the use of the crematorium shall be conducted within the building.
 - (f) Stormwater shall be managed and appropriately disposed of on site and shall not run onto the adjoining properties, with a stormwater treatment device installed to ensure



that all surface run off, stormwater or other liquid, discharging from the site, is free of site contaminants prior to being discharged to the bore.

- (g) All waste materials and refuse shall be contained within the proposed building or alternatively a screened holding place for waste materials and refuse containers shall be provided and maintained on site, with the waste and refuse being removed on a regular basis.
- (h) The use of the property shall not create a nuisance and/or disturbance for any person/s and/or property in the immediate area.
- (i) The building and surroundings shall be maintained in a state of good, tidy and attractive repair and condition at all times.
- (j) The use of the land shall not be used/occupied for the purposes approved by Council until conditions (b), (c) and (f) are completed.
- (k) The Kleenburn Systems cremator with a secondary chamber to operate with a secondary chamber operating temperature of at least 850 degrees Celsius and with a residence time of at least two seconds must be installed prior to operation.
- (l) Prior to operation, an opacity monitor must be installed in the cremator stack to ensure that visible emissions in excess of 20% opacity are able to be effectively detected and controlled.
- (m) Prior to operation, an adequately sized back up generator must be installed to ensure that cremation can be effectively controlled during power outages.

3. The following notes be attached to the approval:

- a) The applicant / owner / operator are reminded of its general duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.
- b) An environmental authorisation (licence) is required for this development. Before commencing operation, the applicant / operator should contact the Environment Protection Authority on (08) 8204 2058 or email EPALicensing@sa.gov.au for the information about the licensing application process and requirements.
- c) A licence application may be refused where conditions of Development Approval directed by the Environment Protection Authority have not been complied with.
- d) More information about the Environment protection Authority and the Environment protection Act and policies can be found at: www.wpa.sa.gov.au .

CARRIED

Cr Paul Jenner returned to the meeting at 6:04p.m.

6.2 DEVELOPMENT APPLICATION 21034443 - TO CONSTRUCT A CHILD CARE CENTRE - 90 CROUCH STREET NORTH

COMMITTEE RESOLUTION

The Council Assessment Panel moved:



1. That Council Assessment Panel Report No. AR21/79862 titled 'Development Application 21034443 - To construct a Child Care Centre - 90 Crouch Street North' as presented on 16 December 2021 be noted.
2. Pursuant to Section 108(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code and warrants the granting of Planning Consent subject to the following conditions:
 - (a) The development shall be carried out in accordance with the Plan/s as approved by the Council Assessment Panel and with the Conditions of Approval.
 - (b) The carparking and driveway areas and footpath crossover as shown on the plan/s approved by the Council Assessment Panel, shall be graded, paved and sealed with bitumen or other similar material and maintained in a useable condition at all times.
 - (c) The carparking spaces shall measure not less than 2.6 metres in width and 5.5 metres in length and shall be linemarked, with the accessible car parking space appropriately identified.
 - (d) The Applicant shall submit a Works and Service application to establish the new invert and crossover between the subject land and the road carriageway, and close the existing invert/crossover in accordance with the plan approved by the Council Assessment Panel and reinstate the footpath at the Applicant's expense.
 - (e) The Applicant shall be required to make arrangements with Council in relation to the disposal of stormwater and surface drainage, which may involve the connection to existing street drain and incorporate and inspection/access pit, at the Applicant's expense.
 - (f) Landscaping shall be undertaken and maintained at all times and shall incorporate the use of established and evergreen trees and shrubs.
 - (g) All boundary fencing shall be constructed to a height of not less than 1800mm of colour coated metal or similar material.
 - (h) All commercial waste and refuse generated on the subject site shall be contained within the screened holding place and be removed one regular basis.
 - (i) Whomsoever may be making use of this planning consent, shall take all measures that are reasonably possible to keep within the boundaries of the subject land all noise associated with the operation of the business or the coming and going of persons to the subject land, the sound of voices, vehicle noises, radio set or other amplified music, so as to not intrude upon the residential component of the locality.
 - (j) Any lights on the subject land must be directed and screened so that overspill of light into nearby residential premises is avoided and drivers are not distracted.
 - (k) The building and surroundings shall be maintained in a state of good repair and tidy condition at all times.
 - (l) The subject land shall not be used/occupied for the purposes approved by Council until conditions (b), (c), (d), (e), (f) and (g) are completed.

CARRIED



7 MOTIONS WITHOUT NOTICE

Nil

8 MEETING CLOSE

The Meeting closed at 6:40p.m.

The minutes of this meeting were confirmed at the Council Assessment Panel held on 20 January 2022.

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PRESIDING MEMBER

