

**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, 18 JUNE 2020 AT 5.45 P.M.**

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

**OFFICERS IN ATTENDANCE:** Manager Development Services - Mrs T Tzioutziouklaris  
Planning Officer - Mrs E Ruffin

**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 21 May 2020 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**

**4 INVITEES**

Mr Jason Lucas and Andrew Lucas the owner spoke in relation to Item 5.3, DA 381/0173/2020 at 5.57 p.m.

Mr Frank Brennan the Planning Consultant spoke in relation to Item 5.5, DA 381/048/2020 at 6.02 p.m. by telephone.



## 5 REPORTS

### 5.1 31 ST ANDREWS DRIVE, WORROLONG

#### COMMITTEE RESOLUTION

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR20/35254 titled '31 St Andrews Drive, Worrolong' as presented on 18 June 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.
  - (b) No access to the outbuilding (garage) shall occur from Kennedy Avenue
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 outbuilding has an acceptable streetscape impact

**CARRIED**

### 5.2 L/201 JARDINE STREET, MOUNT GAMBIER

#### COMMITTEE RESOLUTION

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR20/35259 titled 'L/201 Jardine Street, Mount Gambier' as presented on 18 June 2020 be noted.
2. The Applicant and Owner be advised that having regard to the Development Plan provisions and all supporting documentation, the proposed variation to condition of approval is not considered to be at serious variance with the Council's Development Plan, and the applicant be granted Development Plan Consent and Development Approval subject to the following conditions;
  - (a) Condition four (4) of DA 381/0280/2018 be varied to reflect;  
*Fencing shall be established along the Mitchell Street frontage in consultation with Council. A final detailed plan will be provided and approved by Council before construction.*
3. The applicant and owner be advised of the following reasons for Council's conditions of approval;
  - (a) To ensure that the proposed development improves and enhances the established amenity and character of the area

**CARRIED**



### 5.3 10 GEMSTONE COURT, MOUNT GAMBIER

#### COMMITTEE RESOLUTION

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR20/35494 titled '10 Gemstone Court, Mount Gambier' as presented on 18 June 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 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 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 reason for Council's Condition of Consent is:
  1. To ensure orderly and proper development.
  2. To ensure the development does not detract from the residential character of the area.

**CARRIED**

### 5.4 48 BAY ROAD, MOUNT GAMBIER

#### COMMITTEE RESOLUTION

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR20/35608 titled '48 Bay Road, Mount Gambier' as presented on 18 June 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 Council's Development Plan and other relevant documentation and be granted Development Plan Consent subject to the following conditions;
  1. The short term accommodation shall be undertaken in accordance with the approved plan/s as submitted to Council on 28/04/2020; and maintained herewith and with the Conditions of Approval
  2. At all times whomsoever may be occupying the property, shall take all measures to ensure that the residential amenity of the immediate area is not affected by nuisance or disturbance associated with the operation of the short term accommodation.
  3. All the commercial wastes accumulated on the allotment shall be removed on a regular basis.
  4. The building and land shall be maintained in a state of good repair and tidy condition at all times.
3. The applicant and owner be advised of the following reasons for Councils conditions of approval:



- (a) The development is not seriously at variance with the provisions of the Council Development Plan.
- (b) To promote orderly and proper development.

**CARRIED**

## **5.5 13-17 LAKE TERRACE WEST, MOUNT GAMBIER**

### **COMMITTEE RESOLUTION**

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR20/35662 titled '13-17 Lake Terrace West, Mount Gambier' as presented on 18 June 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 to be at serious variance with Council's Development Plan and Development Plan Consent be refused for the following reasons:
  1. The scale, siting and character of the advertising sign is not consistent with the desired character of the zone.
  2. The advertising sign does not contribute to the residential character and amenity of the location.
  3. The advertising sign will be visually dominate in the Residential Location.

**CARRIED**

Mr Mark Teakle declared an actual Conflict of Interest in respect to Item 5.6, left the room at 6.14 p.m. and did not participate in the discussion and determination of the Development Application.

## **5.6 16 BENGALEE CRESCENT, MOUNT GAMBIER**

### **COMMITTEE RESOLUTION**

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR20/36900 titled '16 Bengalee Crescent, Mount Gambier' as presented on 18 June 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 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 only be used for purposes associated with the existing residential land use of the subject property
  - (c) Stormwater shall be directed to the Council's drainage system, or managed onsite, and shall not be discharged onto land in other occupation.
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 maintain the amenity of the location in which the subject land is situated.

4. The applicant and owner be advised that whilst the 'short access easement' is intended by the applicant and owner to provide temporary access only to the subject property. Council is aware of the intent to further develop the land to include a road reserve to this frontage, Council cannot guarantee any level of development will occur on the access easement, nor that the developer will deliver any further development in the locality. Council will not be responsible for development of, or management of the land subject to the easement providing access to the subject allotment as this land will not be under the care and control of Council at any time.

**CARRIED**

Mr Mark Teakle resumed his attendance at the meeting after Item 5.6 had been determined at 6.17 p.m.

**6 MOTIONS WITHOUT NOTICE**

Nil

**7 MEETING CLOSE**

**The Meeting closed at 6.20 p.m.**

**The minutes of this meeting were confirmed at the Council Assessment Panel held on 16 July 2020.**

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**PRESIDING MEMBER**

