

**MINUTES OF CITY OF MOUNT GAMBIER
COUNCIL ASSESSMENT PANEL
HELD AT THE COMMITTEE ROOM, LEVEL 1, CIVIC CENTRE, 10 WATSON TERRACE,
MOUNT GAMBIER
ON THURSDAY, 20 JUNE 2019 AT 5.45 P.M.**

PRESENT: Mr Ian Von Stanke, Cr Paul Jenner (arrived 5.57 p.m.), Mr Mark Teakle, Mr Peter Seebohm

OFFICERS IN	Manager Development Services	-	Mrs T Tzioutziouklaris
ATTENDANCE:	Senior Planning Officer	-	Mr S Wiseman
	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: Peter Seebohm

Seconded: Mark Teakle

That the minutes of the Council Assessment Panel meeting held on 22 May 2019 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 INVITEES

Development Application 381/053/2019 – (Item 5.1)

- Mr Sam and Ms Amy Ryan, Owners spoke in relation to this item at 5.48 p.m.
- Mr Frank Brennan, on behalf of the applicant spoke in relation to this item at 5.48 p.m.

Cr Paul Jenner arrived at 5.57 p.m. due to his attendance at the Special Meeting of Council.

Development Application 381/092/2019 – (Item 5.3)

- Mr David Hutchison, the Applicant spoke in relation to this item at 6.00 p.m.

Development Application 381/039/2019 – (Item 5.5)

- Mr Lou Fantasia, the Applicant spoke in relation to this item at 6.10 p.m.
- Mr Frank Brennan, the Representor spoke in relation to this item at 6.05 p.m.



5 REPORTS

5.1 116 JUBILEE HIGHWAY WEST, MOUNT GAMBIER

COMMITTEE RESOLUTION

Moved: Council Assessment Panel

1. That Council Assessment Panel Report No. AR19/16331 titled '116 Jubilee Highway West, Mount Gambier' as presented on 20 June 2019 be noted.
2. The Applicant be advised:
 - (i) The Council Assessment Panel is willing to accept the amended plan illustrating a reduction in the wall height of the garage to 3.5 metres in height;
 - (ii) However, the Council Assessment Panel still have concerns with the total height of the garage to the top of the Apex and requests that the total height, namely the roof pitch of the garage be reconsidered to reduce the total height of the garage.

CARRIED

5.2 6 LAKES PARK DRIVE, OB FLAT

COMMITTEE RESOLUTION

Moved: Council Assessment Panel

1. That Council Assessment Panel Report No. AR19/28367 titled '6 Lakes Park Drive, OB Flat' as presented on 20 June 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.
 - (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 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.
 - (b) To promote orderly and proper development.
 - (c) To maintain the amenity of the location in which the subject land is situated.

CARRIED



5.3 DA 381/092/2019 - SHOP (FAST FOOD RESTAURANT) - 182-202 PENOLA ROAD MOUNT GAMBIER

COMMITTEE RESOLUTION

Moved: Council Assessment Panel

1. That Council Assessment Panel Report No. AR19/28371 titled 'DA 381/092/2019 - Shop (Fast Food Restaurant) - 182-202 Penola Road MOUNT GAMBIER' as presented on 20 June 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 is granted Development Plan Consent (subject to the concurrence of the State Commission Assessment Panel (SCAP) along with any additional condition applied), with the following conditions;
 1. The development shall be carried out in accordance with the plan/s as approved by the Council and with the Conditions of Approval, and maintained thereafter.
 2. The building and land shall not be used for purposes other than those approved by Council.
 3. The carparking, driveway and footpath areas as shown on the plan approved by council, shall be graded, paved and sealed with an all-weather surface and maintained in a useable condition at all times.
 4. The car parking spaces shall be line marked and maintained in a usable condition at all times.
 5. Direction signs for traffic shall be placed on the site of the proposed development.
 6. Provision shall be made for all loading and unloading of goods on the subject land.
 7. Landscaping shall be carried out in accordance with the approved plans. Should any tree, shrub, groundcover or other plant die, become diseased or otherwise fail to thrive at any time, it shall be forthwith replaced.
 8. All commercial wastes accumulated on the subject site shall be removed on a regular basis.
 9. The advertising sign/s shall be maintained in a state of good repair and tidy condition at all times.
 10. The building/s and surroundings shall be maintained in a state of good repair and tidy condition at all times.
 11. Provision shall be made for the onsite disposal of stormwater and surface drainage.
 12. Illuminated signage associated with the development shall be permitted to use LED lighting for internal illumination of a lightbox only.
 13. Illuminated signs associated with the development shall be limited to a low level of illumination so as to minimize distraction to motorists (< 150Cd/m2)
 14. Signage associated with the development shall not contain any element that flashed, scrolls, moves, changes or imitates a traffic control device.
 15. Any floodlighting associated with the development shall be appropriately located and shielded in order to minimize the potential for driver distraction or discomfort.



16. No stormwater from this development shall be permitted to discharge on-surface to the adjacent road. In addition, any existing drainage of the roads is to be accommodated in this development and any alterations to the road drainage infrastructure as a result of this development are to be at the expense of the applicant.

(c) The Applicant and Owner be advised that the reasons for Councils Conditions of Consent are:

1. The proposed development is not at serious variance to the relevant Development Plan.
2. To ensure the proposed development does not detract from the amenity and character of the subject site and the area.
3. To ensure orderly and proper development.

(d) All relevant plans, reports and documentation be forwarded to the State Commission Assessment Panel seeking their concurrence for the granting of the Development Plan Consent of the development application.

CARRIED

5.4 22-30 MCCORMICK ROAD, OB FLAT

COMMITTEE RESOLUTION

Moved: Council Assessment Panel

1. That Council Assessment Panel Report No. AR19/28561 titled '22-30 McCormick Road, OB Flat' as presented on 20 June 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 shall not be used for purposes other than those 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

CARRIED



5.5 166-168 JUBILEE HIGHWAY WEST, MOUNT GAMBIER

COMMITTEE RESOLUTION

Moved: Council Assessment Panel

1. That Council Assessment Panel Report No. AR19/29097 titled '166-168 Jubilee Highway West, Mount Gambier' as presented on 20 June 2019 be noted.
2. Having regard to the provisions of the relevant Development Plan and all supporting documentation, Development Plan Consent be granted upon receipt of concurrence from the State Commission Assessment Panel subject to the following Conditions (and including any DAC conditions that may be applicable):
 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. Provision shall be made for all loading and unloading of goods on the subject land.
 3. All commercial wastes accumulated on the allotment shall be removed on a regular basis to the reasonable satisfaction of Council.
 4. The building/s and surroundings shall be maintained in a state of good repair and tidy condition at all times.
 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.
 6. All vehicles shall enter and exit the site in a forward direction
 7. All obsolete crossovers (and/or any portion thereof) shall be reinstated to Council's kerb and gutter standards at the applicant's expense prior to operation of the development.
 8. All off-street parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009. Additionally, clear sightlines as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.
 9. All off-street commercial vehicle facilities shall be designed in accordance with AS 2890.2:2018. The largest vehicle permitted to service the completed development shall be a MRV as defined in AS 2890.2:2018. Furthermore, loading and refuse collection shall occur outside of operating hours for the development.
 10. No stormwater from this development shall be permitted to discharge on-surface to the adjacent roads. In addition, any existing drainage of the roads is to be accommodated in the development and any alterations to road drainage infrastructure as a result of this development are to be at the expense of the applicant.
 11. The Applicant shall submit a Works and Service application to establish the new invert and crossover between the subject land and the road carriageway in accordance with the plan approved by Council at the Applicant's expense.

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
- (c) The development enhances the amenity of the locality

CARRIED

6 MOTIONS WITHOUT NOTICE

Nil

7 MEETING CLOSE

The Meeting closed at 7.10 p.m.

The minutes of this meeting were confirmed at the Council Assessment Panel held on 18 July 2019.

.....
PRESIDING MEMBER

