

**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, 21 MAY 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
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: Cr Paul Jenner

That the minutes of the Council Assessment Panel meeting held on 16 April 2020 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 INVITEES

Mr Heath Mitchell the Applicant spoke in relation to Item 5.5, DA 381/0138/2020 at 5.47 p.m.



5 REPORTS

5.1 2/1A LEUMEAH STREET, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR20/28446 titled '2/1A Leumeah Street, Mount Gambier' as presented on 21 May 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 carport 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

Cr Paul Jenner declared a material conflict in relation to Item 5.2 as he voted on this matter on the floor of Council and vacated the room at 6.08 p.m. and did not participate in the discussion.

5.2 138 LAKE TERRACE EAST, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR20/28511 titled '138 Lake Terrace East, Mount Gambier' as presented on 21 May 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 Commission Assessment Panel (SCAP) along with any additional condition/s 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.
 2. The mural shall be maintained in a good state of repair and tidy condition at all times
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) To ensure that the proposed development improves and enhances the amenity and character of the area.

CARRIED

Cr Paul Jenner returned to the meeting at 6.11 p.m.

5.3 26 POWER STREET, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR20/28883 titled '26 Power Street, Mount Gambier' as presented on 21 May 2020 be noted.
2. The Manager Development Services in consultation with the Presiding Member of the Council Assessment Panel be delegated the power, function and duty to grant Development Plan Consent upon the receipt of revised plans addressing the articulation of the garaging roofing to the Southern boundary as 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 - subject to the following conditions;
 - (a) The development shall be carried out in accordance with the Plan/s as approved by Council, and maintained in good condition thereafter.
 - (b) The garage(s) shall only be used for purposes associated with the residential land use of the subject property and be used in association with the dwelling.
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.

CARRIED

5.4 4 GWENDOLINE STREET, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR20/29044 titled '4 Gwendoline Street, Mount Gambier' as presented on 21 May 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 in good condition thereafter.
 - (b) Before the dwelling(s) are occupied landscaping shall be established in accordance with the Plan as approved by Council, and shall be maintained in good health at all times.

- (c) The footpath crossover area/s shall be constructed in accordance with Council Policy F175 - Footways & Crossovers
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 that the proposed development improves and enhances the amenity and the character of the area
- 4 Council Officers draw to the attention of the Applicant the issue of the dividing party wall between the two dwellings in respect to the process for undertaking any land division of the dwellings and the site in the future.
- CARRIED**

5.5 L/201 JARDINE STREET, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Council Assessment Panel moved

1. That Council Assessment Panel Report No. AR20/30293 titled 'L/201 Jardine Street, Mount Gambier' as presented on 21 May 2020 be noted.
2. The applicant, Empak Homes be made aware that the Council Assessment Panel (CAP) is disappointed that the CAP concerns with the levels of site development submitted as part of the land division assessment and the encouragement of "consideration of smaller dwellings to improve the amenity and functionality, and to enable delivery of the development plan provisions," as per the 20 December 2018 meeting resolution, has been disregarded in this application.

The CAP does note the willingness to deliver sympathetically designed fencing to the Mitchell Street Frontage, and to articulate dwelling primary facades to the Jardine Street frontage as part of the land division approval has mitigated concerns in relation to the impact of the overall development on the established character of the locality. The CAP also notes that dwellings to be constructed within the internal bounds of the overall development, will impact on the amenity and character of the subdivision, and not on the character of existing development within the subject locality including the existing Local and State heritage places.

3. 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 conditions and note:
- (a) The development shall be carried out in accordance with the Plan/s as approved by Council, except where varied by the following conditions of approval, and maintained in a good condition thereafter.
- (b) Stormwater from the site shall be managed in accordance with the report prepared by Tim Wright, as submitted to and approved by Council.
- (c) Fencing detail as shown on plans submitted to and approved by Council addressing the Mitchell Street frontage does not form part of this approval.

Note: Stormwater from the subject site is to be managed in accordance with the stormwater design as approved by Council as part of the land division approval that created this allotment (DA 381/0280/2018 - 381/C008/2018). The level of site development on this

site is greater than the average as assumed in the detailed design for the land division, and thus this may result in limitation on future levels of site development within the community title land division in respect to stormwater generated within the locality.

4. 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.
5. The Applicant be advised:
 - (a) Before final Development Approval can be issued the common access driveway as identified on plans submitted to Council shall be sealed with concrete, bitumen or other similar material, and associated stormwater infrastructure completed so as to ensure sealed all weather access is provided to the subject property and that stormwater runoff generated onsite is appropriately managed.

CARRIED

6 MOTIONS WITHOUT NOTICE

Nil

7 MEETING CLOSE

The Meeting closed at 6.37 p.m.

The minutes of this meeting were confirmed at the Council Assessment Panel held on 18 June 2020.

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PRESIDING MEMBER

