

## COUNCIL ASSESSMENT PANEL

Meeting held on Thursday, 18 January 2018 at 5.45 p.m. in the  
Conference Room, Level One - Operational Services, Civic Centre

### MINUTES

<u>PRESENT:</u>	Mrs E Travers (Presiding Member) Mrs M Trotter and Mr P Seebohm
<u>NOT PRESENT:</u>	Cr I Von Stanke
<u>APOLOGY/IES:</u>	Nil
<u>COUNCIL OFFICERS:</u>	General Manager City Growth, Dr Judy Nagy Planning Officer, Jessica Porter Administration Officer - City Infrastructure, Sarah Moretti

**WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF 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 THE LAND.**

MINUTES: Mrs Trotter moved that the minutes of the Meeting held on Thursday, 21 December 2017 be taken as read and confirmed.

Mr Seebohm seconded

Carried

REPRESENTATIONS: The Presiding Member read the following statement to the Representors and Applicant that attended the meeting:

- As from 1 October 2017, every Council is required to establish an Assessment Panel under provisions within the new Planning, Development and Infrastructure Act 2016 to determine and make decisions on development applications as delegated to the Panel.
- The Assessment Panel continues to operate under the Development Act, until such time as the new Planning, Development and Infrastructure Act 2016 is fully functional.
- When the Panel is considering an application, it must assess the proposal against Council's Development Plan.
- This will involve a judgement based on whether or not the proposed development meets and satisfies planning principles.
- The Council Assessment Panel consists of four Independent Members and one Elected Council Member.
- 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.
- The Applicant may be given up to 10 minutes if necessary to speak about their application and answer any issues raised by the representors. Panel Members may ask questions to clarify any issues, and again, there will be no debate entered into.
- Once the Panel has heard your representation, you will be asked to leave as the Assessment Panel holds its discussions and reaches its decision in confidence.
- You may ring the Council tomorrow afternoon to find out the result of tonight's meeting.

Development Application No: 381/0180/2017 (Item 1)

- Mr Frank Brennan (via phone), the Planning Consultant, and Mr Aaron Heemskerk, the Owner, spoke in relation to this matter at 5:50 p.m.

Development Application No: 381/0400/2017 (Item 2)

- Mr Ron Howe, the Owner, spoke in relation to this matter at 6:02 p.m.

Development Application No: 381/0297/2017 (Item 3)

- Mr John Merrett, the Representor, spoke in relation to this matter at 6:06 p.m.
- Mr David Connell, the Representor, spoke in relation to this matter at 6:12 p.m.
- Mr David Hutchison, the Contact Person, spoke in relation to this matter at 6:18 p.m.

# 1 COUNCIL ASSESSMENT PANEL REPORT NO.

AR17/51137

<b>DEVELOPMENT NUMBER</b>	381/0180/2017	
<b>APPLICANT</b>	Blackbird Industries	
<b>OWNER</b>	A Heemskerk	
<b>DESCRIPTION</b>	To demolish four (4) existing outbuildings and to construct an outbuilding (15.27m x 9.0m x 3.4m) in association with an existing shop and dwelling	
<b>ADDRESS</b>	62 Wehl Street South, Mount Gambier	
<b>NATURE OF DEVELOPMENT</b>	Consent / Category 1	
<b>ZONING</b>	Residential	
<b>POLICY AREA</b>	N/A	
<b>HERITAGE</b>	N/A	Wehl Street South Historic (Conservation) Policy Area

<b>REPORT RECOMMENDATION</b>
<p>(a) That Council Assessment Panel Report No. AR17/51137 be noted.</p> <p>(b) 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:</p> <ol style="list-style-type: none"> <li>1. The development shall be carried out in accordance with the Plan/s as approved by Council.</li> <li>2. The outbuilding shall only be used for purposes associated with the existing residential land use of the subject property.</li> </ol> <p>(c) The Applicant and Owner be advised that the reasons for Council's Condition of Consent are:</p> <ol style="list-style-type: none"> <li>1. To ensure orderly and proper development.</li> <li>2. It is not at serious variance with Council's Development Plan.</li> </ol>

The Council Assessment Panel moved:

Carried

**2 COUNCIL ASSESSMENT PANEL REPORT NO.****AR18/383**

<b>DEVELOPMENT NUMBER</b>	381/0400/2017	
<b>APPLICANT</b>	R D Howe	
<b>OWNER</b>	R D Howe & J M Brown	
<b>DESCRIPTION</b>	To construct a two storey dwelling	
<b>ADDRESS</b>	40 Ash Court, Mount Gambier	
<b>NATURE OF DEVELOPMENT</b>	Consent / Category 1	
<b>ZONING</b>	Residential	
<b>POLICY AREA</b>	N/A	
<b>HERITAGE</b>	N/A	N/A

**REPORT RECOMMENDATION**

- (a) That Council Assessment Panel Report No. AR18/383 be noted.
- (b) The Applicant and Owner be advised that having regard to the Development Plan and all supporting documentation, although the proposed development is at variance with Council's Development plan in part, it is considered not to be at serious variance and will be granted Development Plan Consent subject to the following condition:
- The development shall be carried out in accordance with the plan/s as approved by Council.
- (c) The Applicant and Owner be advised that the reasons for Council's Condition of Consent are:
- To ensure orderly and proper development.

The Council Assessment Panel moved:

Carried**3 COUNCIL ASSESSMENT PANEL REPORT NO.****AR18/455**

<b>DEVELOPMENT NUMBER</b>	381/0297/2017	
<b>APPLICANT</b>	McDonald's Australia Ltd	
<b>OWNER</b>	Bedford Industries Inc	
<b>DESCRIPTION</b>	To construct a restaurant (shop) with drive through facility, associated car parking, road works, signage and landscaping	
<b>ADDRESS</b>	38 Attamurra Road (part of Lot 601 Jubilee Highway), Worrolong	
<b>NATURE OF DEVELOPMENT</b>	Non-Complying / Category 3	
<b>ZONING</b>	Commercial	
<b>POLICY AREA</b>	N/A	

HERITAGE	N/A	N/A
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## REPORT RECOMMENDATION

- (a) That Council Assessment Panel Report No. AR18/455 be noted.
- (b) 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 Development Assessment Commission 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. The building and land shall not be used for purposes other than those approved by Council.
  3. All stormwater generated from the site needs to be contained and disposed of onsite as per EPA guidelines for stormwater management in Mount Gambier.
  4. The footpath crossover area/s shall be constructed in accordance with Council Policy F175 – Footways & Crossovers.
  5. The Applicant shall submit a works and service application to establish the new inverts and crossovers between the subject land and the road carriageway, and close the existing invert/s and crossover/s in accordance with the plans approved by Council and reinstate to footpath at the Applicant's expense and to the satisfaction of Council.
  6. Direction signs for traffic shall be placed on the site of the proposed development.
  7. Provision shall be made for all loading and unloading of goods on the subject land.
  8. Landscaping shall be undertaken and maintained at all times.
  9. All commercial wastes accumulated on the allotment shall be removed on a regular basis to the reasonable satisfaction of Council.
  10. The kerb and channel be continued from Attamurra road corner to the proposed crossover (entrance/exit) to the east on Jubilee Highway East. Parking shall be prohibited in this area.
  11. The advertising sign/s shall be maintained in a state of good repair and tidy condition at all times.
  12. The building/s and surroundings shall be maintained in a state of good repair and tidy condition at all times.
- (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. The proposed development improves and enhances 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 through to the Development Assessment Commission seeking their concurrence for the granting of the Development Plan Consent and therefore Development Approval of the development application.

The Council Assessment Panel moved:

Carried

**MOTIONS WITHOUT NOTICE** - Nil

The meeting closed at 6:54 p.m.

19 January, 2018  
AF17/507  
SM

CONFIRMED THIS

DAY OF

2018.

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PRESIDING MEMBER