

## COUNCIL DEVELOPMENT ASSESSMENT PANEL

Meeting held on Thursday, 17<sup>th</sup> November 2016 at 5.45 p.m. in the  
Conference Room, Level One - Operational Services, Civic Centre

### MINUTES

PRESENT: Mrs E Travers (Presiding Member)  
Cr I Von Stanke, Cr C Greco, Cr M Lovett, Ms E Finnigan and Mr P Seeborn

APOLOGY/IES: Cr Lovett moved the apology received from Mrs Trotter be accepted.

Ms Finnigan seconded

Carried

COUNCIL OFFICERS: Director Operational Services, Daryl Sexton  
Project Officer, Josh Wilson  
Administration Officer - Operational Services, Sarah Moretti  
Administration Officer - Operational Services, Elisa Solly

**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: Cr Lovett moved that the minutes of the Meeting held on Thursday, 20<sup>th</sup> October 2016 be taken as read and confirmed.

Cr Greco seconded

Carried

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

- Every Council is required to establish a Development Assessment Panel to determine and make decisions on development applications as delegated to the Panel.
- The Panel Operates under the Development Act.
- 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 Development Assessment Panel consists of four (4) Independent Members and three (3) elected Council Members.
- The meeting itself is informal, however all decisions made by the Development Assessment Panel are formal.
- There will be no talking or interacting from the public gallery. If there is, you may be asked to leave.
- Once the Panel has heard your representation we will ask you to leave as the Development Assessment Panel reaches its decision in confidence. You may ring your Council tomorrow afternoon to find out the results of tonight's meeting.
- You will each have five (5) minutes to make your presentation.

Development Application No: 381/0296/2016

- Herman Bersee, the Applicant and David Pike, the Draftsman, spoke in relation to this matter at 5.53 p.m.

Development Application No: 381/0108/2016

- Paul and Robyn Morrish, the Representors, spoke in relation to this matter at 6.03 p.m.
- Steve and Deb Razum, the Representors, spoke in relation to this matter at 6.07 p.m.

- Michael Byrne and Emma Kerslake, the Representatives, spoke in relation to this matter at 6.12 p.m.
- Frank Brennan, the Consultant, Ian and Shaun McDonnell, the Applicants, spoke in relation to this matter at 6.17 p.m.

1. Development Number: 381/0341/2016  
 Applicant: Greg Doll  
 Owner: Darren Doll  
 Description: To construct an outbuilding in front of an existing dwelling and existing garage  
 Address: 16 Oakridge Crescent, Mount Gambier  
 Nature of Development: Consent / Category 1  
 Zoning: Residential Zone/North Eastern Growth Area  
 Report: Council Development Assessment Panel Report No. 22 / 2016

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 22 / 2016 be received;
- (b) The Applicant and Owner be advised that having regard to the Development Plan and all supporting documentation, the Council Development Assessment Panel is not willing to support the application and the application is refused Development Plan Consent.
- (c) The reasons for the Council Development Assessment Panel's decision are:
  1. Development is not consistent with the desired character for the zone, in regards to the siting and setback of outbuildings from the primary street boundary.
  2. The proposed outbuilding is closer to the street than the dwelling with which it relates.
  3. The siting of the proposed outbuilding is not sympathetic to the existing dwelling or the adjacent residential dwellings and immediate locality (being Oakridge Crescent).
  4. The proposed development will visually dominate the existing dwelling.

Carried

2. Development Number: 381/0293/2016  
 Applicant/Owner: H Bersee  
 Description: To construct dwelling additions to a Local Heritage Place  
 Address: 66 Bay Road, Mount Gambier  
 Nature of Development: Consent / Category 1  
 Zoning: Residential - Local Heritage Place - Bay Road Historic (Conservation) Policy Area  
 Correspondence: Email from Richard Woods - Heritage Advisor  
 Report: Council Development Assessment Panel Report No. 23 / 2016

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 23 / 2016 be received;
- (b) The applicant and owner be advised that having regard to the relevant Development Plan and all supporting documentation, that proposed development is considered not to be seriously at variance with the Development Plan and is granted Development Approval, subject to the following conditions:
  1. The development shall be carried out in accordance with the plan/s as approved by Council and with the Conditions of Approval.

(c) The applicant and owner be advised that the reasons for Council's Conditions of Development Plan Consent are:

1. To ensure that the proposed development is used for purposes associated with the existing residential land use of the subject site.
2. To ensure orderly and proper development.
3. The proposed development is not at serious variance to Council's Development Plan.

Carried

3. Development Number: 381/0108/2016  
 Applicant/Owner: NF McDonnell and Sons  
 Description: To extend a Log and Timber Storage Yard on the site of an existing Industrial Timber Mill  
 Address: 126-128 Wireless Road West, Suttontown  
 Nature of Development: Consent / Category 2  
 Zoning: Industry (Timber Mill) Zone  
 Report: Council Development Assessment Panel Report No. 25 / 2016  
 Correspondence: Response from Planning Consultant, Correspondence from Planning Consultant, Statement of Representation from Paul and Robyn Morrish, Statement of Representation from Dylan Maloney, Statement of Representation from Steve Razum, Statement of Representation from Ian and Kerry McDonnell, Statement of Representation from Michael Byrne and Emma Kerslake, Statement of Representation from Geoff and Samantha Aslin, Response from Planning Consultant

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 25 / 2016 be received;
- (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:
1. The development shall be carried out in accordance with the Plan/s as approved by Council.
  2. The Log and Timber Storage Yard shall be maintained in a state of good repair and tidy condition at all times.
  3. The land shall not be used for purposes other than those approved by Council.
  4. All loading and off-loading of motor vehicles shall be conducted on the subject land.
  5. No loading or off-loading of motor vehicles shall be carried out on the adjacent public roads.
  6. Provision shall be made for the disposal of stormwater and surface drainage to the reasonable satisfaction of Council.
  7. Landscaping shall be undertaken and maintained at all times.
  8. The use of the property shall not create a nuisance and/or disturbance to a significant degree for any person/s and/or property in the immediate area.

9. Trucks shall only use the primary accesses provided at Suttontown Road to enter the Log and Timber Storage Yard.
  10. Provision of landscaping and screening be provided at the south-western corner of the Log and Timber Storage Yard to the reasonable satisfaction of Council.
  11. Dust is prevented and controlled to the reasonable satisfaction of Council.
  12. The hours of operation of the business and use of the property shall not create a nuisance and/or disturbance for any person/s and/or property to a significant degree in the immediate area.
  13. Buffer mounds are landscaped and dust is mitigated from the buffer mounds to the reasonable satisfaction of Council
- (c) The Applicant and Owner be advised that the reasons for Council's Condition of Consent are:
1. To ensure orderly and proper development.
  2. It is not at serious variance with Council's Development Plan.

Carried

Cr Greco left the meeting at 6.38 p.m.

4. Development Number: 381/0393/2016  
 Applicant: J.F. Wilson Building Designs  
 Owner: Catholic Church Endowment Society  
 Description: To construct additions to an existing office building located on a State Heritage Listed Place – St Paul's Roman Catholic Church Complex  
 Address: 1/20 Penola Road, Mount Gambier  
 Nature of Development: Non-complying / Category 1  
 Zoning: Residential / State Heritage Place  
 Report: Council Development Assessment Panel Report No. 27 / 2016  
 Correspondence: Letter from Applicant

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 27 / 2016 be received;
- (b) The Council Development Assessment Panel resolves to proceed with the assessment of the application.
- (d) Council Officers are to proceed with the assessment of the development application pursuant to the *Development Act 1993*.

Carried

### **MOTIONS WITHOUT NOTICE –**

1. Development Number: 381/01/2016  
 Applicant: Access Planning - David Hutchison  
 Owner: C J Ansink  
 Description: To demolish an existing dwelling and to construct a carpark extension to an existing McDonalds Restaurant  
 Address: 5 Jubilee Highway West, Mount Gambier  
 Nature of Development: Non Complying / Category 3

Zoning:	Residential
Report:	Council Development Assessment Panel Report No. 28 / 2016
Correspondence:	Supporting Statement from Applicant, Report from Applicant, Statement of Representation from Emilio Castignani, Statement of Representation from Noel Fox, Statement of Representation from Kirby Fox, Proposed Variation letter from Applicant

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 28 / 2016 be received;
- (b) The applicant and owner be advised that the Council Development Assessment Panel considers the proposed condition variation not at serious variance to the Mount Gambier (City) Development Plan, and the panel is willing to support the application, being the variation of conditions:
  - 4. Construct a timber fence to a height of 1.5 metres along the Southern boundary, as per amended plans and;
  - And;
  - 5. Construct a timber fence to a height of 1.5 metres along Francis Street to the Northern end of the parking bay.
- (c) Having regard to the provisions of the relevant Development Plan and all supporting documentation, Development Plan Consent be granted subject to 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 land shall not be used for purposes other than those approved by Council.
  - 3. Provision shall be made for the onsite management and disposal of stormwater and surface drainage to the reasonable satisfaction of Council.
  - 4. Construct a timber fence to a height of 1.5 metres along the Southern boundary, as per amended plans.
  - 5. Construct a timber fence to a height of 1.5 metres along Francis Street to the Northern end of the parking bay.
  - 6. Dense planting shall be established along the western boundary (adjacent Francis Street) and southern boundary to help create a buffer/screen to adjacent sites.
  - 7. Landscaping shall be undertaken and maintained at all times.
  - 8. All of the commercial wastes accumulated on the allotment shall be removed on a regular basis to the reasonable satisfaction of Council.
  - 9. The use of the property shall not create a nuisance and/or disturbance for any person/s and property in the immediate area.
  - 10. Any lights on the subject land must be directed and screened so that overspill of light into nearby properties is avoided.
  - 11. The car park and surroundings shall be maintained in a state of good repair and tidy condition at all times.
  - 12. The landscaping and fencing should not impair any vision for vehicles accessing / egressing Francis Street or McDonalds entrance / exit on Jubilee Highway West.
  - 13. No vehicles or pedestrian access on to Francis Street.

(d) The Applicant and Owner be advised that the reasons for Council's 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.

Carried

The meeting closed at 6.45 p.m.

18<sup>th</sup> November, 2016  
AF15/554  
ES

CONFIRMED THIS

DAY OF

2016.

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PRESIDING MEMBER