

COUNCIL DEVELOPMENT ASSESSMENT PANEL

Meeting held on Thursday, 18th May 2017 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 D Mutton, Mrs M Trotter, Ms E Finnigan and
Mr P Seebohm

APOLOGY/IES: Nil

COUNCIL OFFICERS: General Manager City Growth, Dr Judy Nagy
Manager Regulatory Services, Michael Silvy
Project Officer, Josh Wilson
Team Leader Administration (Operational Services), Sally Wilson

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 Greco moved that the minutes of the Meeting held on Thursday, 20th April 2017 be taken as read and confirmed.

Cr Mutton seconded

Carried

REPRESENTATIONS: The Presiding Member read the following statement to the Representors 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: 381/0281/2016

- K & M Langford, the Representors, spoke in relation to this matter at 5.51 p.m.

Development Application No: 381/0281/2016

- J & M McPherson, the Representors, spoke in relation to this matter at 6:01 p.m.

1. Development Number: 381/0115/2017
Applicant/Owner: R W & P G Knightly

Description:	To construct a garage 61 square metres in area, with a wall height of approximately 3.3 metres and a total height of approximately 5.5 metres
Address:	10 Chute Street, Mount Gambier
Nature of Development:	Consent / Category 1
Zoning:	Residential Zone / Contributory Place / Vansittart Park Historic (Conservation) Policy Area
Report:	Council Development Assessment Panel Report No. 14 / 2017
Correspondence:	Correspondence from Heritage Advisor

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 14 / 2017 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 garage shall only be used for purposes associated with the existing residential land use of the subject property.
- (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

2. Development Number:	381/0102/2017
Applicant:	Thomson Bilt
Owner:	A K & K Griffen
Description:	To construct two garages and a carport
Address:	12 Bellshire Place, Mount Gambier
Nature of Development:	Consent / Category 1
Zoning:	Residential
Report:	Council Development Assessment Panel Report No. 15 / 2017
Correspondence:	Correspondence from Applicant, Letter from Owner

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 15 / 2017 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 garage shall only be used for purposes associated with the existing residential land use of the subject property.

3. Existing landscaping shall be retained, where possible, 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

3. Development Number: 381/0281/2016
 Applicant / Owner: Gambier Earth Movers Pty Ltd
 Description: Alterations to an Asphalt Plant and the operation of a Special Industry
 Address: 29 Avey Road, Mount Gambier
 Nature of Development: Consent / Category 3
 Zoning: General Industry
 Report: Council Development Assessment Panel Report No. 16 / 2017
 Correspondence: Correspondence from Applicant, Applicant response to EPA, Gambier Earth Movers Pty Ltd EPA Licence, EPA response, Applicant's response to Representation from J & M McPherson, Applicant's response to Representation from M & K Langford, Correspondence from DPTI, Statement of Representation from M & K Langford, Statement of Representation from J & M McPherson,

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 16 / 2017 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:

CONDITIONS OF THE ENVIRONMENT PROTECTION AUTHORITY

1. Prior to bitumen being stored at the site, the two new bitumen tanks must be contained within a bunded area with a capacity of at least 120% of the total volume and be designed and must be constructed to prevent the escape of material into surface or underground water resources. Note: The EPA's *Guidelines for Bunding and Spill Management, August 2012* can be accessed via the following link: http://www.epa.sa.gov.au/xstd_files/Waste/Guidelines/guide_bunding.pdf.

NOTES OF THE ENVIRONMENTAL PROTECTION AUTHORITY

1. The applicant is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
2. EPA information sheets, guideline documents, codes of practice, technical bulletins etc. can be accessed on the following web site: <http://www.epa.sa.gov.au>.

CONDITION OF THE CITY OF MOUNT GAMBIER

1. The development shall be carried out in accordance with the Plan/s as approved by Council.
 2. The site shall be maintained in a state of good repair and tidy condition at all times.
 3. Provide dense landscaping and construct screening to adequately screen the Asphalt Plant.
 4. Provision shall be made for the disposal of stormwater and surface drainage to the reasonable satisfaction of Council.
 5. Landscaping shall be undertaken and maintained at all times and shall incorporate the use of established and evergreen trees and shrubs.
 6. Landscaping must be completed in the first planting season concurrent with or following commencement of the use of this development and shall be maintained in good heart and condition at all times. Should any tree, shrub, ground cover or other plant die, become diseased or otherwise fail to thrive at any time, it shall be forthwith replaced.
 7. Screening structure shall be constructed in accordance with the approved plans and be maintained in a useable condition 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 the Council.
 9. 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 in the immediate area.
- (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

Pursuant to Division 4, Part 4, Section 56A (7) of the Development Act, 1993, Mr Silvy disclosed a pecuniary interest in Item 2 (*has business dealings with the Applicant*) and did not:-

- (a) Take part in discussion by the Council Development Assessment Panel relating to the matter; or
- (b) While such discussion is taking place, be in, or in close vicinity of, the room in which or other place at which the matter is being discussed; or

Mr Silvy vacated the meeting at 6.24 p.m and did not return.

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| 4. | Development Number: | 381/086/2017 |
| | Applicant: | Eaglehawk Developments |
| | Owner: | R G King |
| | Description: | To demolish an existing dwelling and construct 5 single story detached dwellings with associated driveways and landscaping |
| | Address: | 4 Reginald Street, Mount Gambier |
| | Nature of Development: | Consent / Category 1 |
| | Zoning: | Residential |
| | Report: | Council Development Assessment Panel Report No. 17 / 2017 |

Correspondence: Correspondence from Applicant

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 17 / 2017 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 seriously at variance with the relevant Development Plan and is granted Development Plan Consent, 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. Provision shall be made for the disposal of stormwater and surface drainage to the reasonable satisfaction of Council.
 - 3. The car parking and driveway areas and footpath crossover as shown on the plan/s approved by Council, shall be graded, paved and sealed with bitumen or other similar material and maintained in a useable condition at all times.
 - 4. The car parking spaces shall measure not less than 2.6 metres in width and 5.5 metres in length.
 - 5. Landscaping shall be undertaken and maintained at all times and shall incorporate the use of established and evergreen trees and shrubs.
 - 6. Landscaping is provided along the Southern boundary adjacent the shared common driveway and shall incorporate the use of established trees and evergreen shrubs.
 - 7. Private open spaces are completely screened from public view, and are sized as per the sizes shown on the approved site plan
- (c) The applicant and owner be advised that the reasons for Council's Conditions of Development Plan Consent are:
 - 1. To ensure orderly and proper development.
 - 2. The proposed development is not at serious variance to the relevant Development Plan.

Carried

MOTIONS WITHOUT NOTICE - Nil

The meeting closed at 6:27 p.m.

19th May, 2017
AF16/445
SM