

COUNCIL DEVELOPMENT ASSESSMENT PANEL

Meeting held on Thursday, 20th October 2016 at 5.45 p.m. in the Conference Room, Level One - Operational Services, Civic Centre

MINUTES

PRESENT: Cr C Greco, Cr I Von Stanke, Cr M Lovett, Mrs M Trotter, Ms E Finnigan and Mr P Seebohm

APPOINTMENT OF ACTING PRESIDING MEMBER: The Director Operational Services invited nominations for the position of Acting Presiding Member for this meeting of the Council Development Assessment Panel due to the absence of Mrs E Travers.

Ms Finnigan nominated Cr Greco to be Acting Presiding Member of this meeting.

There being no further nominations, Cr Greco was elected as Acting Presiding Member of the Council Development Assessment Panel for this meeting only.

Carried

The Acting Presiding Member took the chair for the following business:

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

Cr Von Stanke seconded

Carried

COUNCIL OFFICERS: Director Operational Services, Daryl Sexton
Planning Officer, Jessica Porter
Team Leader Administration (Operational Services), Sally Wilson
Administrational 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 Von Stanke moved that the minutes of the Meeting held on Thursday, 18th August 2016 be taken as read and confirmed.

Ms Finnigan seconded

Carried

REPRESENTATIONS: The Acting 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: 381/0251/2016

- Kevin and Margaret Johnston, the Representors, spoke in relation to this matter at 5:55 p.m.
- Frank Brennan (Frank Brennan Consulting) and Jamie Pohlner, the Applicant, spoke in relation to this matter at 6.00 p.m.

1. Development Number: 381/0330/2016
 Applicant: Thomson Bilt
 Owner: D MacDonald and M Prosser
 Description: To construct a carport in front of an existing dwelling and existing garage
 Address: 14 Marlow Court, Mount Gambier
 Nature of Development: Consent / Category 1
 Zoning: Residential Zone/North Eastern Growth Area
 Report: Council Development Assessment Panel Report No. 20/2016
 Correspondence: Letter from Thomson Bilt (Applicant); Letter from D MacDonald M Prosser (Owner)

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 20/2016 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 carports from the primary street boundary.
 2. The proposed carport is closer to the street than the dwelling with which it relates.
 3. The siting of the proposed carport is not sympathetic to the existing dwelling or the adjacent residential dwellings and immediate locality (being the eastern section of Marlow Court).
 4. The proposed development will visually dominate the existing dwelling.

Carried

2. Development Number: 381/0251/2016
 Applicant / Owner: Jaka Assets Pty Ltd
 Description: To construct a ten (10) unit storage shed facility in association with an existing bus servicing and repairs workshop
 Address: 4 Turnbull Drive, Worrolong
 Nature of Development: Non Complying / Category 3
 Zoning: Country Living
 Report: Council Development Assessment Panel Report No. 21/2016
 Correspondence: Statement of Representations from S Gooden; M Johnston; B Williamson and L Turnbull; Response to Representations (Frank Brennan Consulting Services); Statement of Effect (Frank Brennan Consulting Services)

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 21/2016 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 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. The building and land shall not be used for purposes other than those approved by Council.
 3. All of the building, including the roof, shall be constructed of a colour coated metal material that is of an unobtrusive, non-reflective colour.
 4. The car parking and driveway areas and footpath crossover as shown on the Plan/s as approved by Council, shall be graded, paved and sealed with bitumen or other similar material and be maintained in a useable condition at all times.
 5. Car parking spaces shall be appropriately identified, line-marked and maintained in a useable condition at all times.
 6. The car park shall be sealed and line-marked prior to the occupation of the building.
 7. All loading and unloading of goods must be carried out on the subject land.
 8. No loading or unloading of goods is to occur on the adjacent public roadways.
 9. Vehicular access to the subject land shall not be permitted from Turnbull Drive.
 10. Provision shall be made for the disposal of stormwater and surface drainage in accordance with the Plan/s approved by Council and to the reasonable satisfaction of Council.
 11. Landscaping shall be established in accordance with the Plans as approved by the Council and shall incorporate the use of established trees and shrubs.
 12. Landscaping must be completed in the first planting season concurrent with or following commencement of the use of the approved 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.
 13. All fences shall be constructed in accordance with the Plan/s as approved by the Council and must be maintained in a useable condition at all times.
 14. All waste materials and refuse accumulated on the subject land shall be removed on a regular basis.
 15. The hours of operation of the storage facility and the use of the property shall not create nuisance and/or disturbance for any person/s and/or property in the immediate area.
 16. The storage facility shall only be accessible during the following times:
6:00am to 10:00pm, seven (7) days per week
 17. Any lighting on the subject land must be directed and screened so that overspill of light into nearby premises is avoided and drivers are not distracted.
 18. The building/s and surroundings shall be maintained in a state of good repair and tidy condition at all times.

19. The subject land shall not be used/occupied for the purposes as approved by Council, until conditions 3, 4, 6, 10 and 13 are completed.

(c) The Applicant and Owner be advised that the reasons for Council's Condition of Consent are:

- 1. To ensure orderly and proper development.

Carried

MOTIONS WITHOUT NOTICE - Nil

The meeting closed at 6:13 p.m.

21st October, 2016
AF15/554
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CONFIRMED THIS DAY OF 2016.

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PRESIDING MEMBER