

COUNCIL DEVELOPMENT ASSESSMENT PANEL

Meeting held on Thursday, 21st August 2014 at 5.45 p.m. in the
Conference Room, Level One - Operational Services, Civic Centre

MINUTES

PRESENT: Mrs E Travers (Presiding Member)
Cr D Mutton, Cr M White, Cr I Von Stanke, Mr B Beumer, Ms E Finnigan and
Mr P Seebohm

APOLOGY/IES: Nil

COUNCIL OFFICERS: Director - Operational Services, Daryl Sexton
Senior Planner, Simon Wiseman
Planning Officer, Jessica Porter
Administrational Officer - Operational Services, 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: Cr Mutton moved that the minutes of the Meeting held on Thursday, 17th July 2014 be taken as read and confirmed.

Cr Von Stanke seconded

Carried

REPRESENTATIONS: The Presiding Member read the following statement to the 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: 381/0208/2014

- Mr A Norman (Owner / Applicant), spoke in relation to his application at 5.50 p.m.

1. Development Number: 381/0162/2014
Applicant: J F Wilson Building Design Pty Ltd
Owner: Peter Lamb & Melissa Bucik
Description: To construct a swimming pool, to demolish and replace an existing garage and to construct a verandah on the property boundary.

Address: 3 McDonald Street, Mount Gambier
 Nature of Development: Consent / Category 2
 Zoning: Residential

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 22 / 2014 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 variance with Councils Development Plan and be 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 Council.
 - 2. The garage shall only be used for purposes associated with the existing residential land use of the subject property.

PLEASE NOTE:

- 1. Your attention is drawn to the Fences Act 1975, which describes your responsibility to notify adjoining property owners in relation to the removal and construction of fences on the property boundary.
 - 2. When constructing a building on the boundary, it is the Builder's responsibility to ensure it is sited on the true boundary. It is recommended that a professional Surveyor be engaged to locate and peg the boundary prior to commencing building work.
- (c) The Applicant and Owner be advised that the reason for Councils 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: 381/0207/2014
 Applicant: MasterPlan SA Pty Ltd
 Owner: Australian Leisure & Hospitality Group
 Description: To erect four (4) new signs on an existing shop and on the site of an existing Local Heritage Place
 Address: 112 Commercial Street East, Mount Gambier
 Nature of Development: Consent / Category 1
 Zoning: City Centre
 Correspondence: Correspondence from Applicant L.43, Correspondence from Richard Woods L.44, Letter from Applicant L.45

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 23 / 2014 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 Council and with the Conditions of Approval.

2. The advertising signs shall be maintained in a state of good and tidy condition at all times.
 3. The advertising signs, herein approved, must not blink, flash or rotate on any manner.
- (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

3. Development Number: 381/0194/2014
 Applicant / Owner: S Di Censo
 Description: To construct a single storey detached dwelling and an outbuilding (17.75m x 7.5m x 3.6m), where the wall of the outbuilding exceeds 3.0 metres in height and is to be constructed along part of the western property boundary
 Address: 20 King Grove, Mount Gambier
 Nature of Development: Consent / Category 2
 Zoning: Residential
 Correspondence: Correspondence from MasterPlan L.46

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 24 / 2014 be received;
- (b) The applicant / owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is refused Development Plan Consent.
- (c) The applicant / owner be advised that the reasons for the Council's refusal are:
 1. The total floor area of the proposed outbuilding exceeds 60 square metres in floor area.
 2. The proposed outbuilding exceeds the maximum wall height and total building height parameters as contained within the Mount Gambier (City) Development Plan.
 3. The proposed outbuilding will be highly visible to the streetscape and locality and will dominate the associated and adjoining dwellings.

Carried

4. Development Number: 381/0181/2014
 Applicant: C A Freeman
 Owner: Spec Enterprises No 2 Pty Ltd & Andami Supermarkets Pty Ltd
 Description: To construct an upper storey addition to an existing shop
 Address: 5/16 Swallow Drive, Mount Gambier
 Nature of Development: Consent/Category 2
 Zoning: Local Centre
 Correspondence: Letter from Applicant L.47, Letter from Applicant L.48, Statement of Representation from I Cutting L.49, Correspondence from Applicant L.50

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 25 / 2014 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 Council (Plan reference 14_105, 1 of 5, Rev B; 14_105, 2 of 5, Rev B; 14_105, 3 of 5, Rev B; 14_105, 4 of 5, Rev B; 14_105, 5 of 5, Rev B) 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 wall cladding, roofing material and external finishes used on the addition must be in a colour that matches those used on the existing building.
 - 4. Provision shall be made for the disposal of stormwater and surface drainage to the reasonable satisfaction of Council.
 - 5. The buildings and surrounds 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 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

- 5. Development Number: 381/0210/2014
 Applicant: Blackbird Industries
 Owner: P & L Moligin
 Description: To construct three carports, where one of the carports is to be constructed in front of an existing dwelling
 Address: 11 Duigan Street, Mount Gambier
 Nature of Development: Consent / Category 1
 Zoning: Residential

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 26 / 2014 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 Council and with the Conditions of Approval.
 - 2. Landscaping and fencing shall be established and maintained in accordance with the plan/s as approved by Council.

PLEASE NOTE:

1. Development approval maybe required for the construction of the front fence. Please contact Council Officers for further advice.
- (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

6. Development Number: 381/0208/2014
 Applicant / Owner: A R Norman
 Description: To construct an outbuilding (10.8m x 7.8m) that has a wall height of greater than 3 metres on the site of an existing dwelling
 Address: 32 Willow Avenue, Mount Gambier
 Nature of Development: Consent / Category 2
 Zoning: Residential
 Correspondence: Letter from Applicant L.51

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 27 / 2014 be received;
- (b) The matter be left to lie on the table pending further information from the applicant.

Carried

7. Development Number: 381/0244/2014
 Applicant / Owner: J P Amoroso
 Description: To construct an outbuilding on a vacant allotment
 Address: 1/48 Elizabeth Street, Mount Gambier
 Nature of Development: Consent / Category 1
 Zoning: Residential / St. Andrew's Local Heritage Policy Area
 Correspondence: Correspondence from Applicant L.52, Correspondence from Applicant L.53

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 28 / 2014 be received;
- (b) The Applicant and Owner be advised that having regard to the Development Plan and all supporting documentation, that proposed development is considered not to be seriously at variance with the Mount Gambier (City) 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 Council and with the Conditions of Approval.
 2. The outbuilding shall only be used for purposes associated with the existing residential land use of the subject site.

(c) The Applicant and Owner be advised that the reasons for Councils 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 Councils Development Plan.

Carried

MOTION WITHOUT NOTICE

1. Development Number: 381/0243/2014
 Applicant: Thomson Bilt
 Owner: Dave Ashworth
 Description: To extend an existing garage and to construct a lean to
 Address: 85 North Terrace, Mount Gambier
 Nature of Development: Consent / Category 1
 Zoning: Residential
 Report: Council Development Assessment Panel Report No. 29 / 2014
 Correspondence: Letter from Applicant L.54, Correspondence from Applicant L.55

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 29 / 2014 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 variance with Councils Development Plan and be granted Development Plan Consent subject to the following conditions:
 3. The development shall be carried out in accordance with the Plan/s as approved by Council.
 4. The garage shall only be used for purposes associated with the existing residential land use of the subject property
 5. Dense landscaping at the front of the site shall be maintained at all times.
 6. A landscaped garden area shall be establish along the eastern boundary of the site.
- (c) The Applicant and Owner be advised that the reason for Councils Condition of Consent are;
 3. To ensure orderly and proper development
 4. It is not at serious variance with Councils Development Plan

Carried

2. Development Number: 381/0219/2014
 Applicant / Owner: Rob Lockwood
 Description: To construct a carport
 Address: 16 Navajo Drive, Mount Gambier
 Nature of Development: Consent / Category 1
 Zoning: Residential
 Report: Council Development Assessment Panel Report No. 30 / 2014
 Correspondence: Letter from Applicant L.56

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 30 /2014 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 variance with Councils Development Plan and be 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 Council.
 - 2. Dense landscaping at the front of the site shall be maintained at all times.
 - 3. A landscaped garden area shall be established along the front boundary of the site.
 - 4. Access to the site shall be from existing invert and crossover only.
- (c) The Applicant and Owner be advised that the reason for Councils Condition of Consent are;
 - 1. To ensure orderly and proper development.
 - 2. It is not at serious variance with Council's Development Plan

The Motion was lapsed for want of a seconder.

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 30 / 2014 be received;
- (b) The applicant / owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is refused Development Plan Consent.
- (c) The applicant / owner be advised that the reasons for the Council's refusal are:
 - 1. The proposed carport will visually compromise the adjoining properties.
 - 2. The proposed carport does not contribute to the desired character of the area.
 - 3. The proposed carport will impact the safety of road users.
 - 4. The proposed carport will dominate the appearance of the dwelling from the street.

Carried

The meeting closed at 6.47 p.m.

22 August 2014
AF13/399
SM

CONFIRMED THIS

DAY OF

2014.

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PRESIDING MEMBER