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I hereby give notice that a Council Assessment Panel will be held on:

Date: Thursday, 16 January 2020
Time: 5.45 p.m.
Location: Level 1 Conference Room
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Council Assessment Panel 16 January 2020

**Barbara Cernovskis
Acting Chief Executive Officer**

10 January 2020

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1 ACKNOWLEDGEMENT OF COUNTRY

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

2 APOLOGY(IES)

Nil

3 CONFIRMATION OF MINUTES

Council Assessment Panel - 19 December 2019

RECOMMENDATION

That the minutes of the Council Assessment Panel meeting held on 19 December 2019 be confirmed as an accurate record of the proceedings of the meeting.

4 INVITEES

The Presiding Member read the following statement to the Applicant/Owner/Representor 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.
 - 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.
 - Once the Panel has heard all representations, you will be asked to leave as the Assessment Panel holds its discussions and reaches its decision in confidence.
 - Council Officer's will advise you of the decision as soon as practical after the meeting.
-
- Mr Sam Ryan and Ms Amy Leenerth the owners and Mr Frank Brennan the Planning Consultant has been invited for Item 5.5, DA 381/01/2020



5 REPORTS

5.1 58 & 60 WEHL STREET SOUTH, MOUNT GAMBIER – REPORT NO. AR19/65732

Development No:	381/0155/2019
Applicant:	Mr. Leigh Winterfield
Property Address:	58 & 60 Wehl Street South, Mount Gambier
Property Owner:	Mr. Leigh Winterfield
Report No:	AR19/65732
CM9 Reference:	AF18/470
Author:	Simon Wiseman, Senior Planning Officer
Authoriser:	Tracy Tzioutziouklaris, Manager Development Services
Nature of Development:	Consent/ Category 1
Description:	Re-alignment of the property boundary
Zoning:	Residential
Policy Area:	Wehl Street South Historic (Conservation) Policy Area
Heritage:	Nil

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR19/65732 titled '58 & 60 Wehl Street South, Mount Gambier' as presented on 16 January 2020 be noted.
2. The Council Assessment Panel move that having regard to the Development Plan provisions and all supporting documentation, the proposed development is not considered to be at serious variance with the Council's Development Plan, and the Council Assessment Panel grant Development Plan Consent subject to the following condition;
 - (1) A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.
3. The Applicant and the Owner be advised that the reasons for Council consent are;
 - (a) To ensure orderly and proper development
 - (b) It is not at serious variance with Council's Development Plan.



5.2 5/165 COMMERCIAL STREET EAST, MOUNT GAMBIER – REPORT NO. AR20/428

Development No:	381/0367/2019
Applicant:	Lumidin Holdings P/L & LMC Holdings P/L
Property Address:	5/165 Commercial Street East, Mount Gambier
Property Owner:	Lumidin Holdings P/L & LMC Holdings P/L
Report No:	AR20/428
CM9 Reference:	AF19/488
Author:	Simon Wiseman, Senior Planning Officer
Authoriser:	Tracy Tzioutziouklaris, Manager Development Services
Nature of Development:	Non-Complying/ Category 1
Description:	Change of use from a laundromat to a hairdresser (shop) – Variation to Development Application 381/0353/2012
Zoning:	Commercial
Policy Area:	N/A
Heritage:	N/A

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR20/428 titled '5/165 Commercial Street East, Mount Gambier' as presented on 16 January 2020 be noted.
2. The Council Assessment Panel resolve to proceed with the assessment of the application.



5.3 LOT 201 GEORGE STREET, MOUNT GAMBIER – REPORT NO. AR20/836

Development No: DA 381/0332/2019
Applicant: PTK Building
Property Address: Lot 201 George Street, Mount Gambier
Property Owner: M & J Morton
Report No: AR20/836
CM9 Reference: AF19/488
Author: Emily Ruffin, Planning Officer
Authoriser: Tracy Tzioutziouklaris, Manager Development Services
Nature of Development: Consent/Category 1
Description: To construct a single storey detached dwelling with garage, portico and verandah under main roofline, and a detached residential outbuilding
Zoning: Residential
Policy Area: Wehl Street South Historic (Conservation) Policy Area
Heritage: Na

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR20/836 titled 'Lot 201 George Street, Mount Gambier' as presented on 16 January 2020 be noted.
2. The Applicant and Owner be advised that having regard to the Development Plan provisions and all supporting documentation, the proposed development is not considered to be at serious variance with the Council's Development Plan, and the application be granted Development Plan Consent subject to the following conditions:
 - (a) The development shall be carried out in accordance with the Plan/s as approved by Council, and maintained in good condition thereafter.
 - (b) The garage (outbuilding) shall only be used for purposes associated with the residential land use of the subject property and be used in association with the dwelling.
3. The applicant and owner be advised of the following reasons for Council's conditions of approval:
 - (a) The development is not seriously at variance with the provisions of the Council Development Plan.
 - (b) To promote orderly and proper development.



5.4 1 TENISON DRIVE, MOUNT GAMBIER – REPORT NO. AR20/1372

Development No:	DA 381/0370/2019
Applicant:	Ben Ramsey
Property Address:	1 Tenison Drive, Mount Gambier
Property Owner:	Ben Ramsey
Report No:	AR20/1372
CM9 Reference:	AF19/488
Author:	Emily Ruffin, Planning Officer
Authoriser:	Tracy Tzioutziouklaris, Manager Development Services
Nature of Development:	Consent/Category 1
Description:	To construct an outbuilding (garage) and to convert the existing garage under main roofline to a living space as part of the existing dwelling
Zoning:	Country Living
Policy Area:	N/A
Heritage:	N/A

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR20/1372 titled '1 Tenison Drive, Mount Gambier' as presented on 16 January 2020 be noted.
2. The Applicant and Owner be advised that having regard to the Development Plan provisions and all supporting documentation, the proposed development is not considered to be at serious variance with the Council's Development Plan, and the application be granted Development Plan Consent subject to the following conditions:
 - (a) The development shall be carried out in accordance with the Plan/s as approved by Council, and maintained in a good condition thereafter.
 - (b) The garage shall only be used for purposes associated with the existing residential land use of the subject property
3. The applicant and owner be advised of the following reasons for Council's conditions of approval:
 - (a) The development is not seriously at variance with the provisions of the Council Development Plan.
 - (b) To promote orderly and proper development.
 - (c) To maintain the amenity of the location in which the subject land is situated.



5.5 116 JUBILEE HIGHWAY WEST, MOUNT GAMBIER – REPORT NO. AR20/1568

Development No: DA 381/01/2020
Applicant: Sam Ryan and Amy Leenerth
Property Address: 116 Jubilee Highway West, Mount Gambier
Property Owner: Sam Ryan and Amy Leenerth
Report No: AR20/1568
CM9 Reference: AF19/488
Author: Emily Ruffin, Planning Officer
Authoriser: Tracy Tzioutziouklaris, Manager Development Services
Nature of Development: Non-Complying/Category 3
Description: To construct a store on the site of an existing dwelling and associated outbuilding
Zoning: Residential
Policy Area: N/A
Heritage: N/A

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR20/1568 titled '116 Jubilee Highway West, Mount Gambier' as presented on 16 January 2020 be noted.
2. As the proposed change of use is non-complying the Council Assessment Panel as the relevant planning authority resolves to:
 - (a) Refuse the application pursuant to Section 39(4)(d) of the Development Act and notify the Applicant accordingly



6 URGENT MOTIONS WITHOUT NOTICE

7 MEETING CLOSE

