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

Date: Thursday, 20 February 2020
Time: 5.45 p.m.
Location: Council Chamber
Civic Centre
10 Watson Terrace
Mount Gambier

AGENDA

Council Assessment Panel 20 February 2020

A handwritten signature in black ink that reads 'Andrew Meddle'.

Andrew Meddle
Chief Executive Officer

14 February 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 - 16 January 2020

RECOMMENDATION

That the minutes of the Council Assessment Panel meeting held on 16 January 2020 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 Officers will advise you of the decision as soon as practical after the meeting.
-
- Mr Phillip Butcher the Applicant and Mr Frank Brennan the Planning Consultant have been invited for Item 5.1, 381/0341/2018
 - Phil Dachett, Michelle Coote & David Kensley, Ian & Amy Fenton, Patricia McQuade, Donna & Matthew Johnson, Bradley & Debbie Wilson Smith, Noel & Charmaine Gosden, Mark Cross & Paula Atkins, Mark & Jenn Dycer, Own Greenham and Caolan Buckley, Representors have been invited for Item 5.1, DA 381/0341/2018



- Peter Whitehead – to be represented by John Kyrimis, David McPherson – to be represented by Bradley Wilson-Smith, J & M McPherson – to be represented by Bradley Wilson-Smith have been invited for Item 5.1, DA 381/0341/2018



5 REPORTS

5.1 24 AVEY ROAD, MOUNT GAMBIER – REPORT NO. AR19/58703

Development No:	DA 381/0341/2018
Applicant:	Metal and Machinery Trust
Property Address:	24 Avey Road, Mount Gambier
Property Owner:	H Lotienfellner
Report No:	AR19/58703
CM9 Reference:	AF19/488
Author:	Emily Ruffin, Planning Officer
Authoriser:	Tracy Tzioutziouklaris, Manager Development Services
Nature of Development:	Category 3/Consent EPA Schedule 22 Referral - 3(3)
Description:	To change the use of the property to that of a Metal Recycling Depot
Zoning:	General Industry
Policy Area:	N/A
Heritage:	N/A

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR19/58703 titled '24 Avey Road, Mount Gambier' as presented on 20 February 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 considered to be at serious variance with the Council's Development Plan, and the application be refused Development Plan Consent. The reasons for refusal being;
 - (a) The location of the site of the proposed development and the proposed use of the site results in a significant variance to the objectives and principles of the General Industry Zone, and Industrial and Commercial Development Objectives.
 - (b) The proposed development includes the introduction of design elements which have not had consideration for the objectives and principles of development control pertinent to the proposed use, including visual amenity impacts.
 - (c) The proposed level of site development significantly varies from the objectives and principles of development control pertinent to the proposed use
 - (d) The proposed use of the site is not supported by the Interface Between Land Use provisions, and has not had consideration for future land uses in the locality as envisaged by the current zoning.



5.2 7 AMOR STREET, MOUNT GAMBIER – REPORT NO. AR20/6276

Development No:	381/0222/2019
Applicant:	Adam Fosdike
Property Address:	7 Amor Street, Mount Gambier
Property Owner:	Stephen McCourt
Report No:	AR20/6276
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 detached residential outbuilding (garage) in association with the existing residential dwelling (Contributory Place) in the Wehl Street South Historic (Conservation) Policy Area
Zoning:	Residential
Policy Area:	Wehl Street South Historic (Conservation) Policy Area
Heritage:	Contributory Place

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR20/6276 titled '7 Amor Street, Mount Gambier' as presented on 20 February 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.



5.3 22A HEDLEY STREET, MOUNT GAMBIER – REPORT NO. AR20/7553

Development No:	DA 381/0258/2019
Applicant:	PTK Building
Property Address:	22A Hedley Street, Mount Gambier
Property Owner:	P & K Dempsey and Trupa Pty Ltd
Report No:	AR20/7553
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 detached dwelling with garage, portico and deck under main roofline
Zoning:	Residential
Policy Area:	Nil
Heritage:	Nil

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR20/7553 titled '22A Hedley Street, Mount Gambier' as presented on 20 February 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) Landscaping shall be established and maintained in good health at all times in accordance with the plan as approved by Council, and shall include the use of mature trees and shrubs to a minimum height of 3 metres to the northern site boundary.
 - (c) The 1.5 metre batten screen located to the eastern side of the deck, as shown on the plan approved by council, shall be established and maintained at all times.
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.



5.4 22 LEXINGTON CRESENT, MOUNT GAMBIER – REPORT NO. AR20/9203

Development No: DA 381/012/2020
Applicant: R & M Homes Pty Ltd trading as G J Gardner Homes – Naracoorte
Property Address: 22 Lexington Crescent, Mount Gambier
Property Owner: Shayla Fry
Report No: AR20/9203
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 and pergola under main roofline
Zoning: Residential
Policy Area: N/A
Heritage: N/A

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR20/9203 titled '22 Lexington Crescent, Mount Gambier' as presented on 20 February 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 thereafter.
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.



5.5 COUNCIL ASSESSMENT PANEL - REVIEW OF TERMS OF REFERENCE – REPORT NO. AR20/7644

Committee: Council Assessment Panel
Meeting Date: 20 February 2020
Report No.: AR20/7644
CM9 Reference: AF19/488
Author: Tracy Tzioutziouklaris, Manager Development Services
Authoriser: Andrew Meddle, Chief Executive Officer
Summary: Review of the allowance paid to Council Assessment Panel Members in consideration of accreditation and training costs.
Community Plan Reference: Goal 1: Our People
Goal 3: Our Diverse Economy

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR20/7644 titled 'Council Assessment Panel - Review of Terms of Reference' as presented on 20 February 2020 be noted.
2. The City of Mount Gambier Council Assessment Panel, Terms of Reference be endorsed as shown in **Attachment 1**.
3. That the City of Mount Gambier Council Assessment Panel note that the Council has amended the sitting fees as follows:
 - (a) The sitting fees for the ordinary meetings of the CAP be increased to:

i. Independent Presiding Member	\$350.00
ii. Other Independent Members	\$300.00
iii. Council Member appointees	\$300.00
iv. Council Officer appointees	Nil
 - (b) The sitting fees for a special meeting of the CAP or a meeting held by phone link be increased to:

i. Independent Presiding Member	\$100.00
ii. Other Independent Members	\$80.00
iii. Council Member appointees	\$80.00
iv. Council Officer appointees	Nil
 - (c) The travel reimbursement available to a member of the Council Development Assessment Panel who is not a resident of either the City of Mount Gambier or the District Council of Grant be as per the travel reimbursement rate as specified by the Australian Taxation Office.
4. That following endorsement by the Council, the endorsed Terms of Reference will be made public on the relevant Council Assessment Panel part of the Council's website, alongside the Meeting Procedures.



5.6 COUNCIL ASSESSMENT PANEL - MEETING PROCEDURES – REPORT NO. AR20/7645

Committee: Council Assessment Panel
Meeting Date: 20 February 2020
Report No.: AR20/7645
CM9 Reference: AF19/488
Author: Andrew Meddle, Chief Executive Officer
Authoriser: Andrew Meddle, Chief Executive Officer
Summary: An update to the Council Assessment Panel Meeting Procedures to bring them into line with current legislative requirements and to introduce procedural fairness.
Community Plan Reference: Goal 1: Our People
Goal 2: Our Location
Goal 3: Our Diverse Economy
Goal 4: Our Climate, Natural Resources, Arts, Culture and Heritage

REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR20/7645 titled 'Council Assessment Panel - Meeting Procedures' as presented on 20 February 2020 be noted.
2. That Council endorse the City of Mount Gambier Council Assessment Panel Meeting Procedures, as attached this report.
3. That following endorsement by the Council Assessment Panel, the updated meeting procedures are made public on the relevant Council Assessment Panel part of the Council's website, alongside the updated Terms of Reference.

6 URGENT MOTIONS WITHOUT NOTICE

7 MEETING CLOSE

