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

**Date:** Thursday, 19 December 2019  
**Time:** 5.45 p.m.  
**Location:** Level 1 Committee Room  
10 Watson Terrace  
Mount Gambier

# **AGENDA**

## **Council Assessment Panel 19 December 2019**

**Andrew Meddle  
Chief Executive Officer**

**13 December 2019**

## Order Of Business

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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 - 21 November 2019

Special Council Assessment Panel Meeting - 4 December 2019

### **RECOMMENDATION**

That the minutes of the Council Assessment Panel meeting held on 21 November 2019 and the Special Council Assessment Panel meeting held on 4 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.
- 
- Ms Claire and Mr James Buckley the Applicant and Mr Frank Brennan the Planning Consultant has been invited for Item 5.2, DA 381/0261/2019
  - Mr Frank Brennan the Applicant / Consultant has been invited for Item 5.4, DA 381/0281/2019



## 5 REPORTS

### 5.1 41 BROLGA STREET, MOUNT GAMBIER – REPORT NO. AR19/63183

<b>Development No:</b>	<b>DA 381/0296/2019</b>
<b>Applicant:</b>	<b>Adam Fosdike – Mates Rates Australia</b>
<b>Property Address:</b>	<b>41 Brolga Street, Mount Gambier</b>
<b>Property Owner:</b>	<b>Chris Adams</b>
<b>Report No:</b>	<b>AR19/63183</b>
<b>CM9 Reference:</b>	<b>AF18/470</b>
<b>Author:</b>	<b>Emily Ruffin, Planning Officer</b>
<b>Authoriser:</b>	<b>Tracy Tzioutziouklaris, Manager Development Services</b>
<b>Nature of Development:</b>	<b>Consent/Category 1</b>
<b>Description:</b>	<b>To construct a residential outbuilding (garage) in association with the existing dwelling</b>
<b>Zoning:</b>	<b>Residential</b>
<b>Policy Area:</b>	<b>N/A</b>
<b>Heritage:</b>	<b>N/A</b>

#### REPORT RECOMMENDATION

1. That Council Assessment Panel Report No. AR19/63183 titled '41 Brolga Street, Mount Gambier' as presented on 19 December 2019 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 a serious variance with the Council's Development Plan, and the applicant 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.
  - (c) To maintain the amenity of the location in which the subject land is situated.



**5.2 6 WILSON STREET, MOUNT GAMBIER – REPORT NO. AR19/65518**

<b>Development No:</b>	<b>381/0261/2019</b>
<b>Applicant:</b>	<b>Claire &amp; James Buckley</b>
<b>Property Address:</b>	<b>6 Wilson Street, Mount Gambier</b>
<b>Property Owner:</b>	<b>Claire &amp; James Buckley</b>
<b>Report No:</b>	<b>AR19/65518</b>
<b>CM9 Reference:</b>	<b>AF18/470</b>
<b>Author:</b>	<b>Simon Wiseman, Senior Planning Officer</b>
<b>Authoriser:</b>	<b>Tracy Tzioutziouklaris, Manager Development Services</b>
<b>Nature of Development:</b>	<b>Non-complying/ Category 3</b>
<b>Description:</b>	<b>To change the use from an existing dwelling to consulting rooms and associated signage and car parking</b>
<b>Zoning:</b>	<b>Residential</b>
<b>Policy Area:</b>	<b>N/A</b>
<b>Heritage:</b>	<b>N/A</b>

**REPORT RECOMMENDATION**

1. That Council Assessment Panel Report No. AR19/65518 titled '6 Wilson Street, Mount Gambier' as presented on 19 December 2019 be noted.
2. 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 concurrence of the State Commission Assessment Panel (SCAP) along with any additional condition/s applied), with 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 all loading and unloading of goods on the subject land.
  3. All commercial wastes accumulated on the allotment shall be removed on a regular basis to the reasonable satisfaction of Council.
  4. The building/s and surroundings shall be maintained in a state of good repair and tidy condition at all times.
  5. The use of the property shall not create a nuisance and/or disturbance for any person/s and/or property in the immediate area.
  6. 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.
  7. Landscaping shall be undertaken and maintained at all times



3. The Applicant and Owner be advised that the reasons for Council's Condition of Consent are:
- (a) To ensure orderly and proper development
  - (b) It is not at serious variance with Council's Development Plan



**5.3 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 19 December 2019 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.



**5.4 68 JUBILEE HIGHWAY WEST, MOUNT GAMBIER – REPORT NO. AR19/66284**

<b>Development No:</b>	<b>381/0281/2019</b>
<b>Applicant:</b>	<b>Frank Brennan Consulting</b>
<b>Property Address:</b>	<b>68 Jubilee Highway West, Mount Gambier</b>
<b>Property Owner:</b>	<b>E &amp; T. C. Sakkers</b>
<b>Report No:</b>	<b>AR19/66284</b>
<b>CM9 Reference:</b>	<b>AF18/470</b>
<b>Author:</b>	<b>Simon Wiseman, Senior Planning Officer</b>
<b>Authoriser:</b>	<b>Tracy Tzioutziouklaris, Manager Development Services</b>
<b>Nature of Development:</b>	<b>Consent/ Category 3</b>
<b>Description:</b>	To construct a non-illuminated billboard sign on the site of an existing warehouse
<b>Zoning:</b>	<b>Local Centre</b>
<b>Policy Area:</b>	<b>N/A</b>
<b>Heritage:</b>	<b>N/A</b>

**REPORT RECOMMENDATION**

1. That Council Assessment Panel Report No. AR19/66284 titled '68 Jubilee Highway West, Mount Gambier' as presented on 19 December 2019 be noted.
2. The Council Assessment Panel move that 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 conditions
  - (a) The development shall be carried out in accordance with the Plan/s as approved by the Council and the Conditions of Approval.
  - (b) The advertising sign/s shall be maintained in a state of good repair and tidy condition at all times
  - (c) The sign, herein approved, must not be illuminated, flash or blink.
    - (i) To maintain the amenity of the locality
    - (ii) The approved development is considered not to be at variance with the Council's Development Plan.
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.





**5.5 294 COMMERCIAL STREET, MOUNT GAMBIER – REPORT NO. AR19/67048**

**Development No:** DA 381/0322/2019  
**Applicant:** Leon Thomson and Julia Holdman  
**Property Address:** 294 Commercial Street West, Mount Gambier  
**Property Owner:** Leon Thomson and Julia Holdman  
**Report No:** AR19/67048  
**CM9 Reference:** AF18/470  
**Author:** Emily Ruffin, Planning Officer  
**Authoriser:** Tracy Tzioutziouklaris, Manager Development Services  
**Nature of Development:** Consent/Category 1  
**Description:** To construct dwelling additions  
**Zoning:** Residential  
**Policy Area:** N/A  
**Heritage:** N/A

**REPORT RECOMMENDATION**

1. That Council Assessment Panel Report No. AR19/67048 titled '294 Commercial Street, Mount Gambier' as presented on 19 December 2019 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 applicant 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.



<b>5.6</b>	<b>182</b>	<b>-202</b>	<b>PENOLA</b>	<b>ROAD,</b>	<b>MOUNT</b>	<b>GAMBIER</b>
	<b>MINOR VARIATION TO APPROVED PLANS DA 381/092/2019</b>					<b>- REPORT NO.</b>
	<b>AR19/63419</b>					

**Development No:** Da 381/092/2019  
**Applicant:** Bird Group Pty Ltd  
**Property Address:** 182-202 Penola Road, Mount Gambier  
**Property Owner:** Shopping Centres Australasia Property Group RE LTD  
**Report No:** AR19/63419  
**CM9 Reference:** AF18/470  
**Author:** Emily Ruffin, Planning Officer  
**Authoriser:** Tracy Tzioutziouklaris, Manager Development Services  
**Nature of Development:** Minor Variation to approved plans under Part 8, 47a of the Development Regulations 2008  
**Description:** To vary the approved plans, including but not limited to additional signage, height restrictor gantry bar and associated signage, and amended dimensions of the plant area.  
**Zoning:** District Centre Zone  
**Policy Area:** N/A  
**Heritage:** N/A

#### **REPORT RECOMMENDATION**

1. That Council Assessment Panel Report No. AR19/63419 titled '182 -202 Penola Road, Mount Gambier Minor Variation to approved plans DA 381/092/2019 ' as presented on 19 December 2019 be noted.
2. That the Council Assessment Panel accept the variations would be deemed as minor and approve the variation to the existing approved plans (DA 381/092/2019)
3. The Applicant be advised that the minor variation proposed in relation to Development Application 381/092/2019 has been supported by the Council Assessment Panel.



**6 URGENT MOTIONS WITHOUT NOTICE**

**7 MEETING CLOSE**

