

**MINUTES OF CITY OF MOUNT GAMBIER
COUNCIL ASSESSMENT PANEL
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT
GAMBIER
ON THURSDAY, 3 DECEMBER 2020 AT 5.45 P.M.**

PRESENT: Presiding Member Ian Von Stanke, Cr Paul Jenner, Mr Mark Teakle and Mr Peter Seebohm

OFFICERS IN ATTENDANCE:	General Manager City Infrastructure	- Mr N Serle
	Manager Development Services	- Mrs T Tzioutziouklaris
	Planning Officer	- Mrs E Ruffin
	Building Officer	- Mr M Aberle
	Executive Administrator City Infrastructure	- Ms S Wilson

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

COMMITTEE RESOLUTION

Moved: Peter Seebohm

Seconded: Mark Teakle

That the minutes of the Council Assessment Panel meeting held on 19 November 2020 be confirmed as an accurate record of the proceedings of the meeting.

CARRIED

4 INVITEES

- Mr John Williamson from ASW Lawyers Pty Ltd, as agent on behalf of the third party representors, spoke in relation to Item 5.2 (DA 381/0190/2020) at 5:48 pm.
- Mr Nick Serle from City of Mount Gambier, the Applicant spoke in relation to Item 5.2 (DA 381/0190/2020) at 5:54 pm.
- Mr Peter Zukauskas, the third party representor, spoke in relation to Item 5.2 (DA 381/0190/2020) at 5:58 pm.
- Mr Frank Brennan, the Applicants Planning Consultant, spoke in relation to Item 5.3 (DA 381/0315/2020) at 6:04 pm.



5 REPORTS

5.1 11 - 17 WIRELESS ROAD EAST, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR20/59895 titled '11 - 17 Wireless Road East, Mount Gambier' as presented on 03 December 2020 be noted.
2. The decision of the application be deferred pending the provision of further information, including:
 - (a) Scaled site and elevation plan clearly illustrating the:
 - finish floor level of the proposed building;
 - natural ground levels;
 - site contours;
 - the yard area/driveways to be sealed.
 - (b) A stormwater management plan clearly identifying the proposed method of stormwater management and disposal.
 - (c) A landscaping plan clearly identifying the proposed location and type of any landscaping to be established on site.
3. Clarification and confirmation of total number of employees employed onsite and operating hours.
4. Clarification as to the anticipated noise emitted from the cutting of metal and other materials onsite, including the equipment to be used for the cutting of the materials.

CARRIED

Cr Paul Jenner disclosed a Conflict of Interest in Item 5.2 as he is a Member of Council, who is the Applicant, and left the room for this Item.

Cr Jenner left the room at 5:47 pm.

5.2 VARIABLE MESSAGE DISPLAY UNIT - 35 JUBILEE HIGHWAY EAST, MOUNT GAMBIER (DA 381/0190/2020)

COMMITTEE RESOLUTION

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR20/65168 titled 'Variable Message Display Unit - 35 Jubilee Highway East, Mount Gambier (DA 381/0190/2020)' as presented on 03 December 2020 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, with the following conditions;

- a) The advertising display of the Variable Message Display Unit does not exceed 4.6 square metres.
- b) No landscaping shall be damaged during the placement and removal of the Variable Messaged Display Unit.
- c) The Variable Message Display Unit shall be located on the subject site no longer than seven (7) days before an event.
- d) The Variable Message Display Unit must be removed within one (1) day after the event to which it is associated.
- e) Any damage to Council's infrastructure, such as the kerb and/or footpaths, during the placement and removal of the Variable Message Display Unit shall be made good to the satisfaction of Council.

3. The Applicant be advised the reasons for the conditions are:

- a) To ensure the development is proper and orderly; and
- (b) To ensure the development does not detract from the character and amenity of the subject locality.

CARRIED

Cr Jenner resumed the meeting at 6:03 pm.

5.3 11 WYATT STREET, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR20/73596 titled '11 Wyatt Street, Mount Gambier' as presented on 03 December 2020 be noted.
2. The Presiding Member of the Council Assessment Panel and the Assessment Manager be delegated the power, duty and authority to issue Development Plan Consent, subject to the provision of the following additional information:
 - a proposed lighting plan of the common driveway areas including how light spills into adjoining properties is to be managed;
 - a site plan identifying the carparking for the existing dwelling and proposed 2 two storey dwellings.
3. The Applicant be advised the Council Assessment Panel requires the 2 two storey dwellings to be constructed no greater than 300mm in total height from the total height of the existing dwelling recently constructed on site.

CARRIED



5.4 17A DUIGAN STREET, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR20/73600 titled '17A Duigan Street, Mount Gambier' as presented on 03 December 2020 be noted.
2. The Council Assessment Panel resolve to proceed with the assessment of the application.
3. The applicant be requested to provide the following additional information to assist in the assessment of the Development Application:
 - (a) A Statement of Effect which provides a brief statement in support of the application identifying where the development complies with the provisions of the Development Plan and the anticipated impacts of the development upon the surrounding locality.

CARRIED

5.5 22-36 ALLISON STREET, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR20/73611 titled '22-36 Allison Street, Mount Gambier' as presented on 03 December 2020 be noted.
2. The Council Assessment Panel resolve to proceed with the assessment of the application.

CARRIED

5.6 CONCRETE BATCHING PLANT WORKSHOP - 186 LAKE TERRACE EAST, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR20/73805 titled 'Concrete batching plant workshop - 186 Lake Terrace East, Mount Gambier' as presented on 03 December 2020 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, with the following conditions;
 1. The development shall be carried out in accordance with the Plan/s and associated documentation as approved by Council and with the Conditions of Approval.
 2. All of the building, including the roof, shall be constructed using a non-reflective material.



3. All of the carparking, driveway areas, footpath crossovers and vehicle manoeuvring areas shall be graded, paved and sealed with bitumen or other similar material and be maintained in a good condition at all times.
4. The carparking spaces shall measure not less than 2.6 metres in width and 5.5 metres in length and shall be line marked and maintained in a useable condition at all times.
5. The remainder of the yard areas shall be appropriately graded and surfaced at all times so as to ensure maximum dust suppression and to avoid dust and mud being carried out by vehicles onto public roads.
6. Any lights on the subject land must be directed and screened so that overspill of light into nearby premises is avoided and drivers are not distracted.
7. All waste generated on the site must be managed appropriately and removed on a regular basis so as to not unreasonably impact upon the adjacent properties.
8. The subject land and all improvements thereon shall be maintained in a state of good, tidy and attractive repair and condition at all times.
9. Prior to Development Approval being granted, a stormwater management plan shall be submitted to and approved by Council.

NOTES FROM THE ENVIRONMENT PROTECTION AUTHORITY

- The applicant is reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements. Information on applying for a licence (including licence application forms) can be accessed here: http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence
- A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
- The applicant is reminded that dust from excavation and construction activities should be controlled and minimised through implementation of dust suppression measures, including watering and screening where required. Similarly polluted stormwater and other construction waste should not leave the site or enter waters. The EPA's Stormwater Pollution Prevention: Code of Practice for the Building and Construction Industry (1999) http://www.epa.sa.gov.au/files/47790_bccop1.pdf can provide further guidance.
- The applicant is reminded that all reasonable and practical operational steps should be taken to reduce off site noise. This includes fitting all trucks and forklifts with broadband reverse beepers.
- The applicant is reminded that construction will need to be undertaken in accordance with Division 1 of Part 6 of the Environment Protection (Noise) Policy 2007 at all times. Activities, which include the operation of machinery, resulting in noise with an adverse impact on amenity need to be restricted to between 7:00am and 7:00pm Monday to Saturday and, if necessary, on Sunday between 9:00am and 7:00pm to minimise the potential for complaint from noise nuisance.
- EPA information sheets, guidelines documents, codes of practice, technical bulletins etc, can be accessed on the following web site: <http://www.epa.sa.gov.au>.



3. The Applicant be advised the reasons for the Conditions are:
- (i) To ensure the development does not detrimentally impact upon the character and amenity of the area.
 - (ii) To ensure orderly and proper development.
 - (iii) To ensure the development minimises adverse impacts on the adjoining properties.
 - (iv) To ensure the development does not detrimentally impact upon the environment and does not degrade the water quality of the underground aquifer.

CARRIED

5.7 LIMESTONE COAST PANTRY - 1/20 HARRALD STREET, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR20/74089 titled 'Limestone Coast Pantry - 1/20 Harrald Street, Mount Gambier' as presented on 03 December 2020 be noted.
2. Having had regard to the Development Application, all supporting documents and the provisions of the Development Plan, the development is considered to not be at serious variance to the Development Plan and Development Plan Consent be granted subject to the following conditions:
 - (a) The development shall be carried out in accordance with the Plan/s as approved by Council and with the conditions of approval.
 - (b) The onsite carparking spaces shall measure not less than 2.6 metres in width and 5.5 metres in length, with a car parking space identified for people with a disability and shall be line marked and maintained in a serviceable condition at all times.
 - (c) All waste materials and refuse shall be contained within the proposed building or alternatively a screened holding place for waste materials, and be removed on a regular basis.
 - (d) At all times but particularly during the hours of darkness, whomsoever may be making use of this planning consent, shall take all measure that are reasonably possible to keep within the boundaries of the subject land all noise associated with the operation of the business or the coming and going of persons to the subject land, the sound of voices, vehicle noise, radio sets or other amplified music, so as to not intrude upon the residential component of the locality.
 - (e) The development shall be consistent with the relevant provisions identified within the current *Environment Protection (Noise) Policy* as identified by the Environment Protection Authority, specifically in the provision of live entertainment and/or recorded music.
 - (f) Any lights on the subject land shall not cause a nuisance or overspill into the adjoining residential properties or cause a nuisance to passing motorists.
 - Lighting be installed within the onsite carparking and walkways to provide adequate security lighting.
2. The applicant and Owner be advised that the reasons for Council's Condition of Consent are:
 - (a) To ensure orderly and proper development



- (b) To ensure the proposed development improves and enhances the amenity and character of the area.
 - (c) To minimise the potential for the development to impact upon the adjoining residential properties.
3. The Council Assessment Panel requests Council to investigate the installation of lighting within the subject area.

CARRIED

5.8 LAND DIVISION - 11 WYATT STREET, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR20/74739 titled 'Land Division - 11 Wyatt Street, Mount Gambier' as presented on 03 December 2020 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 Land Division Consent and Development Approval, with the following requirements;

Requirements of the State Commission Planning Assessment

1. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0097820).

SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

The developer must inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

2. Payment of \$6,116.00 into the Planning and Development Fund (2 allotment/s @ \$3,058.00 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Infrastructure and Transport marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.

3. 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.

CARRIED

Cr Paul Jenner disclosed a Conflict of Interest in Item 5.9 as he is a Member of Council, who is the Applicant and left the room for this Item.

Cr Jenner left the meeting at 6:52 pm.



5.9 2-10 BISHOP ROAD, MOUNT GAMBIER

COMMITTEE RESOLUTION

Moved: Mark Teakle

Seconded: Peter Seebohm

1. That Council Assessment Panel Report No. AR20/75652 titled '2-10 Bishop Road, Mount Gambier ' as presented on 03 December 2020 be noted.
2. The Council Assessment Panel resolve to proceed with the assessment of the application.

CARRIED

Cr Jenner resumed the meeting at 6:59 pm.

6 MOTIONS WITHOUT NOTICE

Nil

7 MEETING CLOSE

The Meeting closed at 7:15pm.

The minutes of this meeting were confirmed at the Council Assessment Panel held on 17 December 2020.

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PRESIDING MEMBER

