

**MINUTES OF CITY OF MOUNT GAMBIER  
COUNCIL ASSESSMENT PANEL  
HELD IN THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT  
GAMBIER  
ON THURSDAY, 15 OCTOBER 2020 AT 5.45 P.M.**

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

**OFFICERS IN ATTENDANCE:** General Manager City Infrastructure - Mr N Serle  
Manager Development Services - Mrs T Tzioutziouklaris  
Planning Officer - Mrs J Porter

**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 17 September 2020 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**

**4 INVITEES**

- Mrs Robyn Glynn, the third party representor spoke in relation to Item Item 5.1, DA 381/0199/2020 at 5.55 p.m.
- Mr Nick Serle, the Applicant spoke in relation to Item 5.1, DA 381/0199/2020 at 6.00 p.m.
- Mr Mark Daniels, Planning and Development Manager, Borg Manufacturing, The Applicant spoke in relation to 5.3, DA 381/0005/2020 at 6.05 p.m.



## 5 REPORTS

Cr Paul Jenner disclosed a Conflict of Interest in Item 5.1 as he is a Member of Council, who is the Applicant and left the room for this Item.

Cr Jenner left the room at 5.45 p.m.

### 5.1 48 PENOLA ROAD, MOUNT GAMBIER

#### COMMITTEE RESOLUTION

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR20/65302 titled '48 Penola Road, Mount Gambier' as presented on 15 October 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 Paul Jenner resumed the meeting at 6.04 p.m.



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

Item withdrawn

**5.3 TO CONSTRUCT ALTERATIONS AND ADDITIONS TO AN EXISTING TIMBER PROCESSING PLANT**

**COMMITTEE RESOLUTION**

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR20/66070 titled 'To construct alterations and additions to an existing timber processing plant' as presented on 15 October 2020 be noted.
2. After consideration of the Development Application and supporting documentation, the development as proposed is not considered to be at serious variance to the provisions of the Development Plan and warrants the granting of Development Plan Consent subject to the following conditions and notes:

Conditions of the City of Mount Gambier

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 buildings, including the roof/s 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 linemarked and maintained in a useable condition at all times.
5. Driveways, parking and manoeuvring areas and footpaths must be lit in accordance with the relevant Australian Standards Association Code during the hours of darkness that they are in use. Such lights must be directed and screened so that overspill of light into nearby premises is avoided and the potential for driver distraction is minimised.
6. 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.
7. A detailed landscaping plan shall be submitted to Council prior to the granted of Development Approval with. Landscaping shall be established in accordance with the Plan and shall incorporate the use of established trees and shrubs, and be maintained in good condition at all times. Should any tree, shrub, ground cover or other plant die, become diseased or otherwise fail to thrive at any time, it shall be replaced.
8. (i) The black powder coated fence to be constructed on the southern property boundary adjacent to the gatehouse shall be extended in an easterly direction and finish at the carpark driveway entry and exit located at the south western corner of the visitor centre and canteen.



- (ii) All fences shall be upgraded, constructed and be maintained in a useable condition at all times in accordance with the plans as approved by Council.
9. 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.
  10. 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.
  11. The subject land and all improvements thereon shall be maintained in a state of good, tidy and attractive repair and condition at all times.
  12. During construction external impacts (i.e. noise, dust etc.) shall be managed to ensure external impacts are minimised and compliant with the relevant legislation. A construction management plan shall be provided as part of the Building Rules Consent application, prior to full Development Approval being obtained.
  13. A Soil Erosion and Drainage Management Plan (SEDMP) must be prepared and implemented in accordance with the EPA's *Code of Practice for the building and construction industry* to prevent soil sediment and pollutants leaving the site or entering the stormwater system and drainage bores during development of the site and construction of the building and carparking areas. This SEDMP must include (but not necessarily be limited to) the following elements:
    - a. the installation of a shaker pad at the entrance/exit to the development site
    - b. avoiding unnecessary cut and fill
    - c. protecting exposed soil through temporary vegetation or jute matting, hay bales or silt fences, and fencing and containing of stockpiles.
  15. All road works including footpath crossovers on Commercial Street West shall be designed and constructed to Council's standards and be in accordance with Austroads Guides/Australian Standards. All associated costs (including project management and any necessary road lighting and drainage upgrades) shall be borne by the Applicant.

Prior to undertaking any detailed design, the applicant shall contact Councils Manager Operations and Engineering, Mr Abdullah Mahmud on telephone 0407574629, or via email at amahmud@mountgambier.sa.gov.au to obtain approval and discuss any technical issues regarding the required works.
  16. All parcels of land comprised in the particular certificates of Title on which this development is proposed shall be amalgamated to form one allotment as defined for the purposes of the Development Act 1993. A copy of the Deposited Plan of Amalgamation and a copy of the new Certificate of Title shall be forwarded to Council when the amalgamation is complete.

#### Conditions of the Environment Protection Authority

1. The stormwater management system must be constructed (including vegetated swales and basins, concrete channels to capture sediment and gross pollutants, and a propriety device (such as a Humeceptor/Stormceptor) to remove hydrocarbons)) in accordance with the letter received from Tonkin Consulting dated 3 April, 2020 and the Stormwater Pollution Prevention Plan dated 21 November 2018, which includes the following:
  - (a) Stormwater treatment system must be sized to capture and treat a 1%AEP rain event.
  - (b) runoff must not be discharged to drainage bores and any active drainage bores on site that may currently receive runoff should be decommissioned.
  - (c) all chemicals stored on site must be stored within bunded areas, sized to capture and contain 120% - 130% of the tank volumes.



2. Prior to the operation of the development, the noise mitigation measures as recommended within Section 5.4 (pages 18-20) of the amended Environmental Noise Report (S610C2) prepared by SONUS dated July 2020, must be implemented at the site.
3. All isolation valves to be installed in the stormwater treatment train shall be alarmed and designed to operate automatically.

#### Notes of 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, including taking all reasonable and practicable operational steps to reduce off site noise. This includes fitting all trucks and forklifts with broadband reverse beepers.
- An environmental authorisation in the form of a licence is required for the operation of the development. The applicant is required to contact the Environment protection Authority before acting on this approval to ascertain licencing requirements. Information on applying for a licence (including licence application forms) can be assessed here: [http://www.epa.sa.gov.au/business\\_and\\_industry/applying\\_for\\_a\\_licence](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 noise from construction, demolition and site preparation activities is required to meet the mandatory provision of part 6 Division 1 of the Environment Protection (Noise) Policy 2007.
- 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>

#### Conditions of the Commissioner of Highways

1. Access arrangements serving the development shall be in accordance within the Tonkin Traffic Impact Assessment (Ref. 20181463R001B dated December 2019) and further information provided to DPTI (Ref. 20181463L001A/NC/TPT), dated 3 April 2020.
2. The basic left turn treatment on Jubilee Highway identified in the Tonkin report dated 3 April 2020 (Ref. 20181463L001A/NC/TPT), shall be completed and open to traffic prior to operation of the development.
3. All road works on Jubilee Highway West shall be designed and constructed to the satisfaction of the DPTI and be in accordance with Austroads Guides/Australian Standards. All associated costs (including project management and any necessary road lighting and drainage upgrades) shall be borne by the Applicant.

Prior to undertaking any detailed design, the applicant shall contact DPTI's Senior Technical Officer, Rural, Mr Tim Wilson on telephone 7223 6079, or via email at [Tim.Wilson@sa.gov.au](mailto:Tim.Wilson@sa.gov.au), to obtain approval and discuss any technical issues regarding the required works.

4. Prior to construction, a Construction Traffic Management Plan (CTMP)) shall be developed to DPTI's satisfaction. The CTMP shall show all traffic devices to be utilised and any proposed traffic restrictions the construction phase. The applicant shall notify DPTI's Traffic Management Centre on Ph. 1800018313 prior to undertaking any works that would impact the arterial road network and contractor(s) shall complete a 'Notification of Works' form via the following link:



[https://www.dpti.sa.gov.au/contractor\\_documents/works\\_on\\_roads\\_by\\_other\\_organisations](https://www.dpti.sa.gov.au/contractor_documents/works_on_roads_by_other_organisations)

5. All vehicles shall enter and exit the site in a forward direction.
6. Signage and/or line marking shall be installed to reinforce the desired flow of traffic to, from and through the site.
7. Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of the road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

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 minimise the impact of the development upon the adjoining properties during the construction phase
- (iv) To ensure the development minimises adverse impacts on the adjoining properties.
- (v) To ensure the development does not detrimentally impact upon the environment and does not degrade the water quality of the underground aquifer.

**CARRIED**

## **6 MOTIONS WITH NOTICE**

Cr Paul Jenner disclosed a potential Conflict of Interest in Item 6.1 as he is a Member of Council, who is the Applicant and that he intended to stay in the meeting and vote on the Item as he did not participate in this matter when it was determined by Council.

### **6.1 28 AND 28A PRESSEY STREET, MOUNT GAMBIER**

#### **COMMITTEE RESOLUTION**

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR20/68084 titled '28 and 28A Pressey Street, Mount Gambier' as presented on 15 October 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 and note:
  - (a) The development shall be carried out in accordance with the Plan/s as approved by Council.
  - (b) The 'pump track' and surroundings shall be maintained in a state of good repair and tidy condition as all times.
  - (c) Provision shall be made for the disposal of stormwater and surface draining.



**NOTE:**

The Council Assessment Panel requests that Council monitor the condition of the subject site and take action to manage any issues arising through the miss use of the subject site accordingly.

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

**CARRIED**

**7 MOTIONS WITHOUT NOTICE**

Nil

**8 MEETING CLOSE**

**The Meeting closed at 6.29 p.m.**

**The minutes of this meeting were confirmed at the Council Assessment Panel held on 19 November 2020.**

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**PRESIDING MEMBER**

