

**MINUTES OF CITY OF MOUNT GAMBIER  
COUNCIL ASSESSMENT PANEL  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT  
GAMBIER  
ON THURSDAY, 20 FEBRUARY 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 Growth  
Manager Development Services  
Planning Officer

- Dr J Nagy
- Mrs T Tzioutziouklaris
- Mrs E Ruffin

**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: Cr Paul Jenner  
Seconded: Mark Teakle

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.

**CARRIED**

**4 INVITEES**

Mr David Kensley the Representor spoke in relation to Item 5.1, DA 381/0341/2018 at 5.52 p.m.

Ms Donna and Mr Matthew Johnson the Representors spoke in relation to Item 5.1, DA 381/0341/2018 at 5.55 p.m.

Mr Bradley and Mrs Debbie Wilson-Smith the Representors spoke in relation to Item 5.1, DA 381/0341/2018 at 6.00 p.m.

Mr Bradley Wilson-Smith on behalf of Mr David McPherson and Mr J and Ms M McPherson the Representors in relation to Item 5.1, DA 381/0341/2018 at 6.00 p.m.

Mr Mark Cross and Ms Paula Atkins the Representors spoke in relation to Item 5.1, DA 381/0341/2018 at 6.12 p.m.



Mr Owen Greenham the Representor spoke in relation to Item 5.1, DA 381/0341/2018 at 6.21 p.m.

Mr Caolan Buckley the Representor spoke in relation to Item 5.1, DA 381/0341/2018 at 6.26 p.m.

Mr John Kyrimis on behalf of Mr Peter Whitehead the Representor spoke in relation to Item 5.1, DA 381/0341/2018 at 6.32 p.m.

Mr Frank Brennan the Planning Consultant on behalf of the Applicant spoke in relation to Item 5.1, DA 381/0341/2018 at 6.42 p.m.

Mr Mark Teakle vacated the meeting at 7.05 p.m.

Mr Mark Teakle resumed the meeting at 7.07 p.m.

## 5 REPORTS

### 5.1 24 AVEY ROAD, MOUNT GAMBIER

#### COMMITTEE RESOLUTION

The Council Assessment Panel moved

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.
  - (e) The proposed development will detrimentally impact upon the amenity of surrounding residential dwellings by noise, dust and visual amenity.
  - (f) The proposed fence will significantly detract from the character of the area and the visual amenity from the adjoining properties.

**CARRIED**



## 5.2 7 AMOR STREET, MOUNT GAMBIER

### COMMITTEE RESOLUTION

The Council Assessment Panel moved

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.

**CARRIED**

## 5.3 22A HEDLEY STREET, MOUNT GAMBIER

### COMMITTEE RESOLUTION

The Council Assessment Panel moved

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) Prior to the dwelling being occupied the 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) Prior to the dwelling being occupied 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.

**CARRIED**

#### 5.4 22 LEXINGTON CRESENT, MOUNT GAMBIER

##### **COMMITTEE RESOLUTION**

The Council Assessment Panel moved

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.

**CARRIED**

#### 5.5 COUNCIL ASSESSMENT PANEL - REVIEW OF TERMS OF REFERENCE

##### **COMMITTEE RESOLUTION**

The Council Assessment Panel moved

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.

**CARRIED**

## 5.6 COUNCIL ASSESSMENT PANEL - MEETING PROCEDURES

### COMMITTEE RESOLUTION

The Council Assessment Panel moved

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 with the wording of 1.6.5 of the Meeting Procedures amended to read:

Be given to a Council Assessment Panel Member by electronic means to the email address nominated by the Member or as per any other arrangement with a Council Assessment Panel Member should the electronic means fail.

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.

**CARRIED**



**6 MOTIONS WITHOUT NOTICE**

Nil

**7 MEETING CLOSE**

The Meeting closed at 7.55 p.m.

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

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**PRESIDING MEMBER**

