

**MINUTES OF CITY OF MOUNT GAMBIER  
COUNCIL ASSESSMENT PANEL  
HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, 10 WATSON TERRACE, MOUNT  
GAMBIER  
ON THURSDAY, 21 JANUARY 2021 AT 5.45 P.M.**

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

<b>OFFICERS IN ATTENDANCE:</b>	General Manager City Infrastructure	- Mr N Serle
	Strategy, Development and Research Coordinator	- Mrs J Porter
	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: Cr Paul Jenner

Seconded: Mark Teakle

That the minutes of the Council Assessment Panel meeting held on 3 December 2020 be confirmed as an accurate record of the proceedings of the meeting.

**CARRIED**

**4 INVITEES**

- Mr Frank Brennan, the Applicants Planning Consultant, spoke in relation to Item 5.1 (DA 381/0517/2020) at 5:45 pm (*via telephone*).



## 5 REPORTS

### 5.1 26 ALEXANDER STREET, MOUNT GAMBIER

#### COMMITTEE RESOLUTION

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR20/83576 titled '26 Alexander Street, Mount Gambier' as presented on 21 January 2021 be noted.
2. The applicant be advised:
  - (a) The Council Assessment Panel (CAP) has significant concern with the proposal in its current form, in particular:
    - (i) The length and height of the walls to be built on the southern, eastern and western property boundaries;
    - (ii) The carparking provided on site; and
    - (iii) The lack of onsite landscaping.
  - (b) The Development Plan specifies where commercial/industrial buildings adjoin residential properties setbacks to rear and side boundaries should be progressively increased as the building height increases to reduce the visual impacts, overshadowing effects and enable adequate provision of sunlight. Industrial and commercial buildings which exceed 3 metres in height should be constructed a minimum of three metres away from the boundary of an adjoining residential property and an additional 500 millimetres for every metre the building exceeds this height.
  - (c) The applicant be requested to reconsider the design of the proposed building and site layout to deliver reduced walls heights, increased side and rear boundary setbacks and increased onsite landscaping to reduce the impact on adjoining and adjacent residential land uses.
  - (d) Further consideration be undertaken in relation to the provision of the onsite carparking spaces.
  - (e) The Council Assessment Panel requests the following information be provided;
    - A scaled streetscape elevation drawing of the southern side of Alexander Street, illustrating the proposed development relative to the existing buildings located on the adjoining properties and the immediate locality (including 43 Percy Street, 39 Percy Street and 22 Alexander Street).
    - A revised site plan and elevation drawings which include the proposed finished floor level and proposed finished building levels relative to the natural ground level.
    - A detailed overshadowing plan, which clearly illustrates the sun path and overshadowing impact of the proposed development (with the existing development amendments as listed above) on the existing buildings located on the adjoining properties (i.e. 43 Percy Street, 41 Percy Street and 39 Percy Street).
    - A detailed landscaping site plan and schedule of proposed landscaping.
    - Details of any/all proposed outdoor lighting that is to be installed as part of the development.
    - Confirmation of the proposed hours of operation.

upon receipt of the information as requested, the development application is to be presented to the Council Assessment Panel for a decision to be made.

**CARRIED**

**5.2 DA 381/0143/2016 - LAND DIVISION CREATING 293 ALLOTMENTS, 109 PINEHALL AVENUE, SUTTONTOWN - REQUEST FOR AN EXTENSION**

**COMMITTEE RESOLUTION**

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR21/359 titled 'DA 381/0143/2016 - Land Division creating 293 allotments, 109 Pinehall Avenue, Suttontown - Request for an extension' as presented on 21 January 2021 be noted.
2. When considering the impacts of COVID19 and the transition to the new eplanning system a twelve month extension be granted in which to commence the development.
3. The Applicant be advised:
  - (a) The Council Assessment Panel (CAP) is willing to grant a further 12 month extension in which to commence the land division subject to the following:
    - (i) As South Australia is transitioning to a new planning/development system early in 2021 this is the final extension of time that will be granted for this development approval. If you require another extension in time in which to commence the development, a new Development Application will be required to be submitted to Council and it will be assessed against the new requirements for development. The new development system is designed to facilitate development with a focus on good design outcomes.

**CARRIED**

**5.3 103 WEHL STREET NORTH, MOUNT GAMBIER**

**COMMITTEE RESOLUTION**

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR21/1239 titled '103 Wehl Street North, Mount Gambier' as presented on 21 January 2021 be noted.
2. Having regard to the relevant provisions of the Mount Gambier (City) 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 that Development Plan Consent be granted subject to the following condition:
  - (a) The development shall be carried out in accordance with the Plan/s as approved by Council, and maintained in good condition thereafter.
  - (b) The solid colourbond fencing located to the Wehl Street North frontage of Lot 101 Deposited Plan 84988, and returning along the driveway of the subject property between Lot 101 and Lot 102 Deposited Plan 84988, be retained in its current position and maintained in a good condition at all times. Should the fence become unsound,



any replacement fence shall not be visually permeable, and shall be of a height no less than 1.8 metres.

3. The applicant and owner be advised of the following reasons for Council's conditions of approval:
  - (a) To promote orderly and proper development.
  - (b) To ensure the proposed development has an acceptable streetscape impact and does not dominate the dwelling with which it is associated
4. The following note be provided to the applicant and owner and included with the Decision Notification Form:
  - (a) The applicant and owner be advised that should the allotment (Lot 101 Deposited Plan 84988) on which the proposed residential outbuilding is to be located be sold separately from the allotment on which dwelling with which it is associated (Lot 102 Deposited Plan 84988), a new Development Application will be required to either change the use of the outbuilding, or to demolish the outbuilding.

**CARRIED**

Cr Paul Jenner disclosed a Conflict of Interest in Item 5.4 as he is a Member of Council, who is the Applicant and left the room for this Item.

Cr Jenner left the meeting at 6:28 pm.

#### **5.4 2-10 BISHOP ROAD, MOUNT GAMBIER**

##### **COMMITTEE RESOLUTION**

The Council Assessment Panel moved:

1. That Council Assessment Panel Report No. AR21/1790 titled '2-10 Bishop Road, Mount Gambier' as presented on 21 January 2021 be noted.
2. The Council Assessment Panel requests that prior to granting Development Plan Consent and Development Approval a revised plan be submitted clearly indicating the location from the 50 metre setback from the junction of Penola and Bishop Road, upon receipt of the revised plan the Panel delegates to the Manager Development Services that approval be granted as follows;
3. 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 and subsequent Development Approval, 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.

(f) The Variable Message Display Unit must not be located within 50 metres from the road junction of Penola and Bishop Roads.

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

(c) To avoid interfering with the operation of the Penola Road/Bishop Road junction and potential distraction to motorists.

**CARRIED**

Cr Paul Jenner returned to the meeting at 6:31 pm.

## **6 MOTIONS WITHOUT NOTICE**

Nil

## **7 MEETING CLOSE**

**The Meeting closed at 6:41 pm.**

**The minutes of this meeting were confirmed at the Council Assessment Panel held on 18 February 2021.**

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**PRESIDING MEMBER**

