

COUNCIL DEVELOPMENT ASSESSMENT PANEL

Meeting held on Thursday, 18th September 2014 at 5.45 p.m. in the Conference Room, Level One - Operational Services, Civic Centre

MINUTES

PRESENT: Mrs E Travers (Presiding Member)
Cr D Mutton, Cr M White, Cr I Von Stanke, Mr B Beumer, Ms E Finnigan and Mr P Seebohm

APOLOGY/IES: Nil

COUNCIL OFFICERS: Senior Planner, Simon Wiseman
Planning Officer, Jessica Porter
Administrational Officer - Operational Services, Sarah Moretti

WE ACKNOWLEDGE THE BOANDIK PEOPLES AS THE TRADITIONAL CUSTODIANS OF 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 THE LAND.

MINUTES: Cr Von Stanke moved that the minutes of the Meeting held on Thursday, 21st August 2014 be taken as read and confirmed.

Mr Beumer seconded

Carried

REPRESENTATIONS: The Presiding Member read the following statement to the Applicant that attended the meeting:

- Every Council is required to establish a Development Assessment Panel to determine and make decisions on development applications as delegated to the Panel.
- The Panel operates under the Development Act.
- When the Panel is considering an application, it must assess the proposal against Council's Development Plan.
- This will involve a judgement based on whether or not the proposed development meets and satisfies planning principles.
- The Development Assessment Panel consists of four (4) Independent Members and three (3) elected Council Members.
- The meeting itself is informal, however all decisions made by the Development Assessment Panel are formal.
- There will be no talking or interacting from the public gallery. If there is, you may be asked to leave.
- Once the Panel has heard your representation we will ask you to leave as the Development Assessment Panel reaches its decision in confidence. You may ring your Council tomorrow afternoon to find out the results of tonight's meeting.
- You will each have five (5) minutes to make your presentation.

Development Application No: 381/0176/2014

- Mrs June Kain (Owner / Applicant), spoke in relation to her application at 5.51 p.m.

1. Development Number: 381/0261/2014
Applicant / Owner: Mr. Bradley Cutting
Description: To construct a detached dwelling
Address: 32 Jubilee Highway East, Mount Gambier
Nature of Development: Consent / Category 1
Zoning: Residential
Report: Council Development Assessment Panel Report No. 31 / 2014

Correspondence: Correspondence from Department of Planning, Transport and Infrastructure L.57

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 31 / 2014 be received;
- (b) The Applicant and Owner be advised that having regard to the Development Plan and all supporting documentation, that proposed development is considered not to be seriously at variance with the Mount Gambier (City) Development Plan and is granted Development Plan Consent, subject to the following conditions:
 - 1. The development shall be carried out in accordance with the plan/s as approved by Council and with the Conditions of Approval.
 - 2. The Applicant shall submit a Works and Service application to establish the new inverts and crossovers between the subject land and the carriageway in accordance with the plan approved by Council at the Applicants expense.
 - 3. The existing invert where the old gate/access to the be removed and reinstated to kerb and water table to the Applicant's expense.
- (c) The Applicant and Owner be advised that the reasons for Councils Conditions of Development Plan Consent are:
 - 1. To ensure that the proposed development is used for purposes associated with the existing residential land use of the subject site;
 - 2. To ensure orderly and proper development;
 - 3. The proposed development is not at serious variance to Councils Development Plan.

Carried

2. Development Number: 381/0242/2014
 Applicant / Owner: Mr. Craig Dixon
 Description: To construct a detached dwelling and a 189 square metre garage with a wall height of 3.6 metres.
 Address: 46-48 Dohle Road, Mount Gambier
 Nature of Development: Consent / Category 2
 Zoning: Country Living Zone
 Report: Council Development Assessment Panel Report No. 32 / 2014
 Correspondence: Letter from Applicant L.58

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 32 / 2014 be received;
- (b) The Applicant and Owner be advised that having regard to the Development Plan and all supporting documentation, that proposed development is considered not to be seriously at variance with the Mount Gambier (City) Development Plan and is granted Development Plan Consent, subject to the following conditions:
 - 1. The development shall be carried out in accordance with the plan/s as approved by Council and with the Conditions of Approval.
 - 2. The garage shall only be used for purposes associated with the existing residential land use of the subject property.

3. Dense landscaping shall be established on the eastern and western ends of the garage to provide a screen/buffer between the development and adjacent properties and to minimize the impact to any views from the Dohle Road.

(c) The Applicant and Owner be advised that the reasons for Councils Conditions of Development Plan Consent are:

1. To ensure that the proposed development is used for purposes associated with the existing residential land use of the subject site
2. To ensure orderly and proper development
3. The proposed development is not at serious variance to Councils Development Plan.

Carried

3. Development Number: 381/0208/2014
 Applicant / Owner: A R Norman
 Description: To construct an outbuilding (10.8m x 7.8m x 3.0m) on the site of an existing dwelling
 Address: 32 Willow Avenue, Mount Gambier
 Nature of Development: Consent / Category 1
 Zoning: Residential
 Report: Council Development Assessment Panel Report No. 33 / 2014
 Correspondence: Letter from Applicant L.59

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 33 / 2014 be received;
- (b) The applicant and owner be advised that having regard to the Development Plan and all supporting documentation, the proposed development is refused Development Plan Consent.
- (c) The applicant and owner be advised that the reasons for Council's refusal are:
 1. The total floor area of the proposed outbuilding exceeds 60 square metres in floor area.
 2. The proposed outbuilding exceeds the maximum total building height parameter and is closer to the public road than the minimum setback guidelines as contained within the Mount Gambier (City) Development Plan consolidated 10 May 2012.
 3. The proposed outbuilding will be highly visible to the streetscape and locality and will dominate the associated and adjoining dwellings.

Carried

4. Development Number: 381/035/2014
 Applicant: Sawley Lock Pty Ltd
 Owner: Quickmix Industries Pty Ltd
 Description: To create 230 residential allotments with associated roads and reserves – Stage 1 only, to create 29 residential allotments and associated roads and reserves
 Address: 1 and Section 268 Wireless Road West, Suttontown
 Nature of Development: Consent / Category 1
 Zoning: Residential / Low Density Residential Policy Area 7
 Report: Council Development Assessment Panel Report No. 34
 Correspondence: Letter from Applicant L.60

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 34 / 2014 be received;
- (b) The Applicant and Owner be advised that the amended Stage 1 plans, received by Council 4 September 2014, are considered to be a minor amendment to the overall subdivision and meet the provisions as contained within the Grant (DC) Development Plan – consolidated 17 January 2013.
- (c) Having regard to the provisions of the Development Plan and all supporting documentation, the Council Development Assessment Panel resolves to accept the amended plan for Stage 1, subject to the following Requirements and Conditions:

REQUIREMENTS OF THE DEVELOPMENT ASSESSMENT COMMISSION

1. The financial and augmentation requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water 90009/14).

The necessary easements shall be granted to the SA Water Corporation free of cost.
2. 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 Development Assessment Commission for Land Division Certificate purposes.

CONDITIONS OF THE ENVIRONMENTAL PROTECTION AUTHORITY

1. Prior to construction commencing, a Construction Environmental Management Plan must be developed to address the mitigation or minimisation of impacts (especially from dust, noise and waste) during the construction phase. The plan must be prepared to the satisfaction of the planning authority and submitted to the planning authority prior to the commencement of site works.
2. Prior to construction commencing, a Soil Erosion and Drainage Management Plan must be prepared to the satisfaction of the planning authority. This document must be prepared in accordance with the Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry, to prevent soil sediment leaving the site or entering the stormwater management infrastructure during development of the site or construction of dwellings.

NOTES OF THE ENVIRONMENTAL PROTECTION AUTHORITY

- The applicant is reminded of its general environmental duty, as required by Section 25 of the Environmental Protection Act, 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.
- Any information sheets, guidelines documents, codes of practices, technical bulletins, etc that are referenced in the EPA's correspondence dated 4 April 2014, can be accessed on the following website: <http://www.epa.sa.gov.au>
- Construction must be undertaken in accordance with Division 1 of part 6 of the *Environmental Protection (Noise) Policy 2007* at all times.

REQUIREMENTS OF THE CITY OF MOUNT GAMBIER

1. A 1.5 metre wide concrete footpath shall be established along both sides of Springview Drive up to the out limit of Stage 1, that is, the eastern boundary of Allotment 171 and part of Reserve 1001.

2. A 1.5 metre wide concrete footpath shall be established along southern side of Reserve 1004 up to the out limit of Stage 1, that is, the eastern boundary of Reserve 1004.
3. All services associated with the plan of division shall be constructed to the outer limits of the development, that is, the eastern boundary of Allotment 171, and the eastern boundary of Reserve 1001.
4. Council having designated the whole of the land in this application an underground mains area, the requirements of Section 33(1)(c)(iii) and (v) of the Development Act 1993 and Regulations 30(4) and 54(5) of the same Act, to be met.
5. Binding arrangements to be made between the Applicant, Council and SA Power Networks for the installation of street lighting.
6. Binding arrangements shall be made between the Applicant and Council for the construction of roads, disposal of stormwater, construction of watertables and kerbing and profiling of footpaths in accordance with Council Policy – L130 – Land Divisions and to the reasonable satisfaction and specification of Council.
7. A landscaping and street tree schedule for the landscaping of screening reserves and reserves 1004 and 1001 and planting of trees along each roadway shall be submitted to Council for approval, prior to Section 51 Clearance being issued.
8. Street names must be considered by and approved by Council, prior Section 51 Clearance being issued.

CONDITIONS OF THE CITY OF MOUNT GAMBIER

1. The stormwater management shall be in accordance with the Wright Civil Engineering Stormwater Management Plan, Issue 1, dated March 2014.
2. Landscaping shall be established and maintained in accordance with the landscaping and street tree schedule approved by Council and shall incorporate the use of established trees and shrubs, if available or such variations to the landscaping design, numbers and selection of species as may be requisite to meet the conditions of availability at the relevant time.
3. Landscaping must be completed in the first planting season concurrent with or following commencement of the use of this development and shall be maintained in good heart and condition at all times. Should any tree, shrub, ground cover or other plant die, become diseased or otherwise fail to thrive at any time, to shall be forthwith replaced.
4. The new road with access from Wireless Road West shall be called Springview Drive.
5. The new road which forms an extension to Springview Drive shall be called Carey Court.

Carried

5. Development Number: 381/0259/2014
 Applicant: City of Mount Gambier
 Owner: Minister of Water Resources
 Description: To install eighty-four (84) solar powered lights around the perimeter of the Blue Lake and within the Lakes State Heritage Area
 Address: 115 Bay Road, Mount Gambier
 Nature of Development: Consent / Category 3

Zoning: Lakes/Lakes State Heritage Policy Area
 Report: Council Development Assessment Panel Report No. 35 / 2014
 Correspondence: Statement of Representation from D Jordan L.61, Correspondence from Department of Environment, Water and Natural Resources - State Heritage Unit L.62, Correspondence from Applicant L.63

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 35 / 2014 be received;
- (b) The Applicant and Owner be advised that having regard to the Development Plan and all supporting documentation, that proposed development is considered not to be seriously at variance with the Mount Gambier (City) Development Plan and is granted Development Plan Consent and Development Approval, subject to the following conditions:
 - 1. The development shall be carried out in accordance with the plan/s as approved by Council and with the Conditions of Approval.
 - 2. The illumination from the lighting shall not spill over into adjacent residential areas.
 - 3. The illumination from the lighting shall not cause distraction to passing motorists.
- (c) The Applicant and Owner be advised that the reasons for Councils Conditions of Development Plan Consent are:
 - 1. To ensure orderly and proper development.
 - 2. The proposed development is not at serious variance to Councils Development Plan.

Carried

MOTION WITHOUT NOTICE

- 1. Development Number: 381/0176/2014
 Applicant / Owner: J E Kain
 Description: To construct a single storey detached dwelling with an associated 1.8 metre high masonry wall (along part of the northern property boundary) and within a Commercial Zone
 Address: 32 John Street, Mount Gambier
 Nature of Development: Non-complying / Category 3
 Zoning: Commercial
 Report: Council Development Assessment Panel Report No. 36 / 2014
 Correspondence: Statement of Effect from Access Planning L.64

The Council Development Assessment Panel moved it be recommended:

- (a) Council Development Assessment Panel Report No. 36 / 2014 be received;
- (b) Having regard to the provisions of the relevant Development Plan and all supporting documentation, Development Plan Consent be granted upon receipt of concurrence from the Development Assessment Commission subject to the following Conditions (and including any DAC conditions that may be applicable):
 - 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. The building and land shall not be used for purposes other than those approved by Council.

- 3. Provision shall be made for the disposal of stormwater and surface drainage to the reasonable satisfaction of Council.
 - 4. The footpath crossover area/s shall be constructed in accordance with Council Policy F175 – Footways & Crossovers.
 - 5. The Applicant shall submit a works and service application to establish the new inverts and crossovers between the subject land and the road carriageway, and close the existing invert/s and crossover/s in accordance with the plans approved by Council and reinstate to footpath at the Applicant’s expense and to the satisfaction of Council.
 - 6. All fences shall be constructed in accordance with the approved plans and be maintained in a useable condition at all times.
- (c) The Applicant and Owner be advised that the reasons for Councils Conditions of Consent are:
- 1. The proposed development is not at serious variance to the relevant Development Plan.
 - 2. The proposed development improves and enhances the amenity and character of the subject site and the area.
 - 3. To ensure orderly and proper development.
- (d) All relevant plans, reports and documentation be forwarded through to the Development Assessment Commission seeking their concurrence for the granting of the Development Plan Consent and therefore Development Approval of the development application.

Carried

The meeting closed at 6.25 p.m.

19 September 2014
AF13/399
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CONFIRMED THIS DAY OF 2014.

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PRESIDING MEMBER