



I hereby give notice that a Limestone Coast Southern Regional Assessment Panel will be held on:

Date: Tuesday, 21 March 2023

Time: 5.00 p.m.

Location: City Hall

AGENDA

Limestone Coast Southern Regional Assessment Panel 21 March 2023

A handwritten signature in black ink, appearing to read "Tracy Tzioutziouklaris".

**Tracy Tzioutziouklaris
Assessment Manager
15 March 2023**

Order Of Business

1	Acknowledgement of Country	3
2	Apology(ies).....	3
3	Confirmation of Minutes	3
4	Questions Without Notice	3
5	Invitees	3
6	Reports	4
6.1	DA 22035293 - Detached Dwelling and Outbuilding - 24 Springview Drive – Report No. AR23/15778	4
6.2	DA 22026832 - 400-410 Commercial Street West, Mount Gambier – Report No. AR23/15859.....	7
7	Urgent Motions without Notice	20
8	Meeting Close	20

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 FIRST NATIONS PEOPLES HAVE WITH THE LAND.

2 APOLOGY(IES)

Nil

3 CONFIRMATION OF MINUTES

Limestone Coast Southern Regional Assessment Panel - 20 December 2022

RECOMMENDATION

That the minutes of the Limestone Coast Southern Regional Assessment Panel meeting held on 20 December 2022 be confirmed as an accurate record of the proceedings of the meeting.

4 QUESTIONS WITHOUT NOTICE**5 INVITEES**

- As from 1 October 2017, every Council is required to establish an Assessment Panel under provisions within the Planning, Development and Infrastructure Act 2016 to determine and make decisions on development applications as delegated to the Panel.
- When the Panel is considering an application, it must assess the proposal against the Planning and Design Code.
- The meeting itself is informal, however, all decisions made by the Assessment Panel are formal.
- Representors will be allocated 5 minutes to make their presentation, after which, Panel Members may ask questions to clarify any issues. It is solely a question and answer session. There will be no debate entered into.
- Council Officers will advise you of the decision as soon as practical after the meeting.

Invitees for Item 6.2 – 400-410 Commercial Street West, Mount Gambier

The Applicant – Mark Daniels
The Representor – Ian Tollner
The Representor – Annette Yeates

6 REPORTS**6.1 DA 22035293 - DETACHED DWELLING AND OUTBUILDING - 24 SPRINGVIEW DRIVE – REPORT NO. AR23/15778**

Development No:	22035293
Applicant:	Blackbird Industries
Property Address:	24 Springview Drive
Property Owner:	Mr and Mrs Dedonatis
Report No:	AR23/15778
CM9 Reference:	AF22/276
Author:	Tracy Tzioutziouklaris, Manager Development Services
Authoriser:	Ritu Datta, Acting General Manager Corporate and Regulatory Services
Nature of Development:	Performance Assessed
Description:	To construct a detached dwelling and associated outbuilding
Zoning:	Suburban neighbourhood
Policy Area:	N/A
Heritage:	N/A

REPORT RECOMMENDATION

1. That Limestone Coast Southern Regional Assessment Panel Report No. AR23/15778 titled 'DA 22035293 - Detached Dwelling and Outbuilding - 24 Springview Drive' as presented on 21 March 2023 be noted.
2. Having had regard to the provisions of the Planning and Design Code, the Application and all supporting documentation, the development is seriously at variance to the provisions of the Planning and Design Code the decision of the Assessment Manager be upheld and Planning Consent be refused subject to the following reasons:
 - (a) The proposed outbuilding is seriously at variance to the provisions of the Planning and Design Code.
 - (b) The wall height is significantly greater than the maximum wall height of 3 metres.
 - (c) The length of wall to be constructed on the boundary is significantly greater than 45%.
 - (d) The total floor area of the outbuilding is significantly greater than 60 square metres.
 - (e) The bulk and scale of the outbuilding will dominate the dwelling to which it is associated and will dominate the character and amenity of the subject locality.



BACKGROUND

The subject site is currently vacant land and is part of a recently completed stage of the Springview Estate land division.

The allotment is irregular in shape, has a street frontage of 34.2 metres to Springview Drive, is 38 metres in depth, having a total site area of 1051 square metres. The rear allotment boundary is 16.14 metres in length.

PROPOSED DEVELOPMENT

The proposed development involves the construction of a detached dwelling with an 8 metre setback to Springview Drive, 1.05 metre setback to the eastern side boundary, 4.02 metre setback to the western side boundary and 12.6 metre setback to the rear boundary.

The dwelling is to be constructed using render finish over limestone walls, face finish brickwork and colourbond roof sheeting. The external wall height is to be 2.74 metres from the finished floor level to the ceiling, with a total building height of 6.16 metres.

The dwelling is to be comprised of four bedrooms, plan kitchen/living/meals area, formal lounge, double garage under the main roof of the dwelling and outside alfresco area. The total floor area of the residence is to be 336 square metres.

The proposed garage is to be constructed at the rear of the subject property, and is to be constructed on the rear (Northern) boundary, 600mm setback to the western boundary, 2.54 metre setback to the eastern boundary and a 1.07metre setback to the rear of the dwelling.

The garage is to be 13.2 metres by 12 metres, having a total floor area of 158 square metres. The garage is to have a wall height of 4 metres from the finished floor level to the fascia height and a total height of approximately 5.3 metres.

The garage is to be constructed using colour coated metal and will contain a toilet, sink and bench area.

The garage is to be used for the storage of a car collection of 4 cars, caravan, boat, trailer and car hoist.

DEVELOPMENT PLAN PROVISIONS

As per the Planning and Design Code extracts.

PLANNING ASSESSMENT

The site coverage for the detached dwelling is 32% and meets the requirements of the Planning and Design Code for Building heights, allotment size, setbacks, carparking and private open space. There are no concerns in respect to the proposed detached dwelling.

The total site coverage for the outbuilding is 14%. Together with the dwelling the total site coverage for the allotment is 46%, which meets the requirement for the development to not exceed 50% total site coverage for the allotment.

The provisions of the Planning and Design Code the garage does not meet are:

- The floor area exceeds 60 square metres;
- Exceeds the length of 11.5 metres for walls constructed on a boundary;
- The length of wall constructed on the boundary will exceed 45% of the length of the boundary;
- Has a wall height greater than 3 metres; and
- Has a roof height greater than 5 metres.

The garage as proposed will:

- Have a floor area of 150 square metres;



- Has a wall length of 13.2 metres on the boundary;
- The length of wall constructed on the boundary is approximately 82% of the boundary length;
- The wall height is to be 4 metres;
- The total height of the garage to the top of the Apex is approximately 5.2 metres.

The Planning and Design Code identifies ancillary buildings are to be sited and designed to not detract from the streetscape appearance of primary residential buildings on the site or neighbouring properties.

The primary land use of the allotment is the detached dwelling with the outbuilding being an ancillary building that is used in association with the dwelling. The size and scale of the garage is questionable as to whether it is of an appropriate size, bulk and scale and will not dominate the dwelling to which it is related. The wall height of the garage is approximately 1.3 metres higher than the wall height of the dwelling, and will be a significant visual feature on the allotment.

The height and length of the wall of the outbuilding to be constructed on the boundary will also be the visually dominant feature of the subject land when viewed from the adjoining properties and is anticipated will dominate the character and amenity of the locality when the surrounding allotments are constructed.

When considering the floor area, wall height and length of wall to be constructed on the boundary the outbuilding as proposed is not considered appropriate to be constructed within a residential area and is not supported. The bulk and scale of the building is significantly greater than what is anticipated for outbuildings within the Planning and Design Code.

The Application was required to be publicly notified as the length of wall of the garage to be constructed on the boundary exceeds 11.5 metres and the wall height exceeds 3 metres. At the conclusion of the public notification period no representation received, which was anticipated due to the surrounding area not yet developed.

CONCLUSION

The garage as proposed is significantly greater in wall height, floor area and length of wall to be constructed on the boundary than what the Planning and Design Code envisages within a residential area.

The height and length of the wall of the outbuilding to be constructed on the boundary will be the visually dominant feature of the subject land when viewed from the adjoining properties and is anticipated will dominate the character and amenity of the locality when the surrounding allotments are constructed.

When considering the floor area, wall height and length of wall to be constructed on the boundary the outbuilding as proposed is not considered appropriate to be constructed within a residential area and is not supported.

INVITES

Nil

ATTACHMENTS

1. Application snapshot - 24 Springview
2. Certificate of Title - 24 Springview
3. Plans - House - 24 Springview
4. Garage Plans - 24 Springview
5. Planning and Design Code - Outbuilding - 24 Springview
6. Planning and Design Code - Detached Dwelling - 24 Springview



6.2	DA 22026832 - 400-410 COMMERCIAL STREET WEST, MOUNT GAMBIER – REPORT NO. AR23/15859
------------	--

Development No:	22026832
Applicant:	Borg Manufacturing Pty Ltd
Property Address:	Lot 62 Milton Street, Mount Gambier (400-410 Commercial Street West, Mount Gambier
Property Owner:	Borg Manufacturing Pty Ltd
Report No:	AR23/15859
CM9 Reference:	AF22/276
Author:	Roslyn Snaauw, Senior Planner
Authoriser:	Ritu Datta, Acting General Manager Corporate and Regulatory Services
Nature of Development:	This application is for modifications to Development Application 381/05/2020 which was granted consent to construct alterations and additions to the existing particle board processing plant (Timber processing plant) including chemical works, waste processing and fuel burning
Description:	Variation to development application 381/05/2020 - relocation of the resin formaldehyde plant, new access and egress onto Commercial Street West, alterations and additions to existing particle board processing facility (timber processing plant).
Zoning:	Strategic Employment Zone
Policy Area:	City of Mount Gambier
Heritage:	N/A

REPORT RECOMMENDATION

That Limestone Coast Southern Regional Assessment Panel Report No. AR23/15859 titled 'DA 22026832 - 400-410 Commercial Street West, Mount Gambier' as presented on 21 March 2023 be noted.

Development Application Number 22026832, by Borg Manufacturing Pty Ltd is granted Planning Consent subject to the following conditions:

Conditions of the City of Mount Gambier

1. The development shall be carried out in accordance with the amended 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 landscape plan shall be submitted to Council prior to the granted Development Approval. 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. 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.
9. 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.
10. The subject land and all improvements thereon shall be maintained in a state of good, tidy and attractive repair and condition at all times.
11. 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.
12. 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.
13. 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 Council's 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.
13. 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 born by the Applicant.

Prior to undertaking any detailed design, the applicant shall contact Council's 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.
14. All parcels of land comprised in the particular Certificate/s of Title on which this development is proposed shall be amalgamated to form the one allotment as defined for 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 amalgamation is complete,

Conditions of the Commissioner of Highways (carried over from DA approval 381/005/2020)

15. 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.
16. 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.
17. 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.
18. 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, to obtain approval and discuss any technical issues regarding the required works.
19. 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_organisation
s
20. All vehicles shall enter and exit the site in a forward direction.
21. Signage and/or line marking shall be installed to reinforce the desired flow of traffic to, from and through the site.
22. 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.
23. 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

Conditions imposed by Environment Protection Authority under Section 122 of the Act

24. The detailed design and construction of the site stormwater management system must be consistent with the design principles as outlined in the 'Stormwater Management Plan – Expansion to Timber Processing Facility' prepared by Tonkin Consulting Pty Ltd and dated 20 May 2022, 'Drawing DA007 Proposed stormwater management plan' dated 13 December 2022 and in letters from Borg Manufacturing dated 20 December 2022 and 23 January 2023, including vegetated swales and detention basins, pit/trench infrastructure to capture



sediment and gross pollutant and proprietary devices (such as a Humeceptor/Stormceptor) to remove hydrocarbons. This incorporates the following outcomes, at a minimum:

- (a) stormwater run-off from all roof areas must be directed via downpipes to discharge directly into pits containing drainage bores, for the 1EY rain event.
 - (b) the stormwater system must be sized to capture a 1% AEP rain event, and to treat up to a 5% AEP rain event
 - (c) drainage bores located within detention swales shall only be engaged in the event of a 5% or less frequent AEP rain event
 - (d) stormwater must be adequately treated to remove gross pollutants, sediment, nutrients and hydrocarbons before entering any drainage bores.
25. All areas where liquids will be stored or used must have impervious bunds or secondary containment systems with a net capacity of at least 120% of the largest vessel within the bunded area.
26. Noise mitigation measures and equipment sound power levels as recommended in 5.4 of the acoustic report (SONUS, S6160.1C1) and updated information letter (SONUS, S6160.1C2) must be undertaken.

ADVISORY NOTES

Advisory Notes imposed by Environment Protection Authority under Section 122 of the Act

Advisory Note 1

The applicant/owner/operator are 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 activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.

Advisory Note 2

All trucks and forklifts should be fitted with broadband reverse beepers.

Advisory Note 3

An environmental authorisation (licence) is required for this development. Before commencing operation, the applicant/operator should contact the Environment Protection Authority on (08) 8204 2058 or email EPALicensing@sa.gov.au for information about the licensing application process and requirements.

Advisory Note 4

A licence application may be refused where conditions of Development Approval directed by the Environment Protection Authority have not been complied with.

Advisory Note 5

More information about the Environment Protection Authority and the Environment Protection Act and policies can be found at: www.epa.sa.gov.au



BACKGROUND

The subject site currently operates as timber sawmill.

Approved DA381/05/2020

The Council Assessment Panel granted Development Plan Consent for Development Application 381/05/2020 *to construct alterations and additions to the existing particle board processing plant (Timber processing plant) including chemical works, waste processing and fuel burning* in October 2020.

The Development Approval DA381/05/2020 involved the expansion of the existing timber particle board processing facility (Borg Manufacturing Pty Ltd) which would result in a proposed increase in production at the subject site up to 500,000m³ per year.

The particle board manufacturing involves both the processing of virgin wood, residual wood waste from sawmills and the recycling and processing of appropriate used wood to create suitable sized particles which are then processed to form particle board.

The development proposes the:

- Construction of a new and improved Particle Board Manufacturing facility, including a new chipping facility
- The installation of a new continuous particle board production line to replace the existing production line
- Installation of new finishing laminating lines and the expansion of a wood preparation area
- Construction of a new large-scale warehouse building to store finished products ready for distribution
- Construction of weather protected hardstand areas for raw material storage
- Construction of a chemical production and storage facility to create Amino resins to be used in the production of particle board.

The staging of the development is unchanged as follows:

- Stage 1 all site clearing, bulk earthworks, sediment and erosion controls, drainage, temporary construction access, essential utility services and demolition of an existing structures
- Stage 2 Construction of warehouse building and associated hardstand, driveways and drainage
- Stage 3 Installation and construction of production lines, machinery, equipment and associated infrastructure to support the operation of the new facility
- Stage 4 Chemical production and storage

This Application is for proposed changes to what was originally granted with details of the changes provided in the 'Detailed Description of the Proposal' as discussed above.

PROPOSED DEVELOPMENT

This application is for modifications to Development Application 381/05/2020. The following modifications are being proposed:

- Reduction in the size of the production hall, processing area and warehouse which is located toward the western portion of the subject land toward Milton Street.
- Adjustments to machinery layout including changes to wood chip infeed and recycled timber area centrally within the subject land to now be contained within shed that will incorporate this machinery.
- Relocation of proposed new entryway/access point from Commercial Street West to be further to the west closer to existing accessway toward Milton Street.
- Movement of chemical/resin production facility to the western end of the site near the corner of Commercial Street and Milton Street.
- Further demolition of older buildings on the site



- Changes to the proposed office layout
- Changes to the stormwater management system, which will now utilise a combination of new bores and infiltration swales.
- Changes to PMO building
- Provision of three (3) new storage/utility sheds. One shed will be located toward the western corner with the other two sheds closer to the main building.
- Adjustments to on site car parking

Plans identifying the amendments have been attached to this report showing the proposed changes (Attachment 1 and Attachment 16).

Further investigations and reports have also been undertaken in relation to this amendment with the following updated reports provided with this Application; Environmental Noise Assessment, Air Quality Assessment and Stormwater Management (Attachments 12, 13, 15 & 16).

DEVELOPMENT PLAN PROVISIONS

Planning Consent is required for the use of the land for general industry and for the construction of a warehouse.

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
General industry: Code Assessed - Performance Assessed
Industry
Warehouse: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code; General industry

SUBJECT LAND & LOCALITY:

Site Description:

The subject land is located at 400 – 410 Commercial Street West, Mount Gambier and has road frontages to Commercial Street West, Jubilee Highway West, Graham Road and Milton Street. The subject land is approximately 60 hectares in area and contains an existing reconstituted timber panels manufacturing plant, a disused commercial nursery, an existing administration building and various warehouses and sheds.

The subject site is located within the Strategic Employment Zone with land to the west and north west, located within the District Council of Grant and is zoned Strategic Employment Zone and to the north west, Rural Living Zone.

To the north of the subject site, the land is located within the City of Mount Gambier and is zoned Rural and Suburban Activity Centre Zone and Employment Zone with land to the east also located within the Employment Zone. To the south of the subject site is land zoned Rural Living and Employment Zone.

There is a diverse range of land uses within the subject locality ranging from residential to the south, agricultural to the west and commercial and industrial developments to the east.

Locality

The Borg Manufacturing site is located along Commercial Street West (south), Jubilee Highway West (north), Milton Street (west) and Graham Road (east) with the following titles forming the subject land.



PARCEL IDENTIFIER	TITLE	PROPERTY HOUSE	PROPERTY ST NAME	PROPERTY ST TYPE	PROPERTY SUBURB
F194645AL843	CT5443/282	LOT843	COMMERCIAL	ST	MOUNT GAMBIER
F194646AL844	CT5443/438	LOT844	COMMERCIAL	ST	MOUNT GAMBIER
D52440AL62	CT5741/61	LOT62	MILTON	ST	MOUNT GAMBIER
F194702 AL900	CT5753/441	410	COMMERCIAL	ST	MOUNT GAMBIER
D54738AL1	CT5799/475	LOT1	COMMERCIAL	ST	MOUNT GAMBIER
D54738AL2	CT6031/829	LOT2	JUBILEE	HWY	MOUNT GAMBIER
D54738AL3	CT6031/828	LOT3	COMMERCIAL	ST	MOUNT GAMBIER
D54738AL4	CT5799/478	LOT4	COMMERCIAL	ST	MOUNT GAMBIER
D54738AL5	CT5799/479	LOT5	COMMERCIAL	ST	MOUNT GAMBIER

PUBLIC NOTIFICATION

General Industry is not excluded from Table 5. Public Notification and as such notification was undertaken. Two (2) representations were received from this process as follows:

Representor 1

Ian Tollner
399-401 Commercial Street West
MOUNT GAMBIER SA 5290

Representor 2

Annette Yeates
431 Commercial Street West
MOUNT GAMBIER SA 5290

SUMMARY

A review of the submitted representations is as follows:

- Development of driveway directly opposite representors 399 Commercial Street West's residence which will be used by truck's unloading pine chips; and
- Soil embankment along southern boundary not long enough
- Amenity impact - noise
- Amenity impact – lights
- Amenity impact – airborne and odour



- Amenity impact - traffic
- Amenity impact - quality of life
- This size of development should not be allowed in City of Mount Gambier and moved away from people.

Copies of the representations have been attached (Attachment 5) to this report for Members information and perusal.

The Applicant has provided a written response to the representations. A copy of this response is attached to the report for Members information and perusal (Attachment 6).

In summary the Applicant has advised:

...The site is an operational particleboard manufacturing plant, located on industrial zoned land, which had historically (1960-2013) operated timber sawmilling and Pine moulding operations...The originally approved planning application 381/05/2020 proposed to modernise the particleboard manufacturing plant. This current modification proposes to relocate the resin manufacturing plant and one of the site access driveways further west along Commercial Street West and alter some of the onsite particleboard operations but is essentially the same development as approved...

...impacts were discussed with the resident prior to them making a submission. Borg have included mitigation measures in the form a large earthen bund as part of the proposed modification. These measures and the overall site layout will in our opinion minimise any impacts outside the site boundary...

...The modification proposed will maintain the overall approved modern-day air & noise quality at the site, this is an improvement on the current scenario as the new equipment will be required to be compliant with worlds best practice air emission and noise pollution standards.

Traffic in the general area will not change from the approved development and the proposed modification will utilise a historically approved/operational site access point. Furthermore, most heavy vehicle movements will utilise the site access point from Jubilee Highway. Commercial Street West is currently used by industrial vehicles, including b-doubles, and the development is considered appropriate for the proposed vehicular movements.

Commercial Street West was used during operation of the former large sawmill and pine moulding operation at site...It is expected that the use of Commercial Street West under the current approval 381/05/2020 and this proposed modification will be similar to, if not less than what was occurring during the operation of the sawmill.

Council Response:

The Council Assessment Panel granted Development Plan Consent for Development Application 381/05/2020 *to construct alterations and additions to the existing particle board processing plant (Timber processing plant) including chemical works, waste processing and fuel burning in 2020.*

The proposed modifications to this proposal will reduce the overall footprint of the previously approved development.

The Application was required to be referred to the Environment Protection Authority (EPA) with regards to any possible amenity impacts. The EPA have not objected to the amended proposal subject to conditions which have been placed within this Report.

The original application provided a Traffic Impact Assessment Report which detailed the direction and flow of traffic along Commercial Street. The relocation of the entrance further to the west along Commercial Street West, will not create any further impacts along this Street and will reduce amenity impacts from Representor 1 concerns with only a general entrance now being proposed at this location.

AGENCY REFERRALS



Environment Protection Authority (EPA)

This amended application was required to be referred to the EPA whose response in February 2023 can be summarised as follows:

Proposal

The proposal is a variation to a previously approved assessment; development application 381/05/2020.

The proposal is for the installation of a panel board manufacturing plant. The changes include relocation of the resin formaldehyde plant to the western end of the site; new access and egress onto Commercial Street West; considerable reduction in the size of the production hall, processing area and warehouse; changes to the wood chip infeed and recycled timber area; and major changes to the stormwater management system, which will now utilise a combination of new drainage wells and infiltration swales.

Air Quality

The proposed controls to prevent nuisance dust from wood residues are acceptable to the EPA. The undercover storage of recycled wood, sawdust and fresh chip in a building, with only the overflow stored outside, will help minimise any nuisance dust.

Noise

The information returned on 20 December 2022, including a letter from Sonus dated 02 December 2022, provided further modelling and proposed further noise attenuation to allow for the predicted noise impacts at receivers 17-21 to meet the indicative noise levels required for a development application as per the *Environment Protection (Noise) Policy 2007*.

As expected from a large-scale industrial facility, there are a large number of acoustic measures proposed to be imposed.

Water Quality

Provided that the detailed design ensures runoff is treated in accordance with the *Environment Protection (Water Quality) Policy 2015*, the *EPA Guideline for Stormwater management in Mount Gambier* and the *EPA Guideline Bunding and spill management* the risk associated with the development is acceptable.

Conclusion

With the changes in design that have been submitted, the EPA is satisfied with this development application from a potential environmental impact perspective, subject to the directed conditions provided.

PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

It is proposed to reduce the size of the production hall, processing area and warehouse by 23,840 square metres which will improve site traffic movement and construction footprint, but was required, in part, due to the current cost of construction material. Any future development of this area will require further planning approval.

The external machinery and plant layout has been changed to increase onsite efficiency of the flow of materials through the process. The recycled wood, saw dust and freshwood infeed with the overflow wood storage moved to the Commercial Street West side toward the location of the previously approved new entry area was.

It is proposed to relocate the previously approved entryway/access point centrally from Commercial Street West to the west (closer to Milton Street) next to the existing PMO building and existing access. This will assist in reducing any amenity impacts with adjoining properties with regard to the volume of traffic and headlight spill.



It is proposed to move the chemical/resin production facility to the western end of the site adjacent to the existing PMO building and old dwelling on-site. This location will separate the primary production area from the chemical storage and production. The facility will have a Commercial Street West boundary setback of approximately 69 metres and will be screened from the road by existing vegetation being retained, a batter and swale.

Significant changes are proposed to the stormwater management system which will now utilise existing and new bores on site for drainage with new swales proposed on the site. The application was referred to the Environment Protection Authority who required changes to the proposed amendment and have provided conditions to be provided in a permit if issued, but did not object to the proposal.

Minor configurations to the proposed office layout are proposed with amended plans also showing further demolition of older buildings on the site within the older part to the east which are in poor condition.

Minor changes are proposed for the PMO building which include new roller doors and opening with the approved extended area now amended and no longer being proposed.

It is proposed to provide three (3) new storage/utility sheds with 2 near the main processing building and the other near the proposed chemical/resin production facility.

Due to the reduction in the footprint of the proposed buildings and works, car parking and truck parking areas have been significantly modified. Previously, approval was granted for the provision of 390 car spaces which was considered acceptable for the type and nature of the development. This amended application is proposing the provision of 540 car spaces able to be provided which Council consider satisfactory due to the reduction in the footprint.

As a result of the formal referral processes with the Environment Protection Authority some minor amendments have been made to the proposed development (Attachment 9 (December 2022), 14 and 16).

As a result of the formal public notification process, a total of two (2) representations were received with regards to the amended proposal as discussed earlier in this Report.

Crime Prevention

The Applicant has stated:

The existing site incorporates CPTED principles to assure that the site is safe and secure. The proposed development will only enhance the existing measures in place, including updated and new fencing, security cameras and landscaping. Signage is used to direct visitors to the office areas and all new car parks will be clearly signposted along with pedestrian paths including way finding signage toward office areas. The site is consistent with the objectives and principles of crime prevention.

Design and Appearance

The Applicant has stated:

Whilst the proposed warehouse/particle board building is of a very large scale, it will be screened by existing and proposed vegetation and noise mound. The building will only be partially visible from surrounding roads. The height of the new building is consistent with other buildings on site and in close proximity, and essential to a modern manufacturing and warehouse requirement. The existing landscaping corridor on the Jubilee Highway side will be maintained, along with the single-entry driveway and large setback to the proposed building will minimise the impact of the new building on the Gateway precinct. The proposed development is consistent with the objectives and principles in regard to design and appearance.

Energy Efficiency

The Applicant has stated:



The proposed new warehouse and particle board building will incorporate a large solar system on the roof which will assist with energy use on site. Other renewable energy sources will also be investigated for the site.

Quantitative Provisions

- The existing infrastructure including roads and access are sufficient to handle the proposed scale of operations as approved in the original development application DA/381/05/2020
- Significant reduction of 23,840 square metres in the size of the production hall, processing area and warehouse .
- Relocation of proposed car and truck entryway/access and exit points, centrally, from Commercial Street West will now only provide an exit point in this location with two (2) new access points and an exit point to be located further to the west along Commercial Street West.
- Movement of chemical/resin production facility to the western end of the site near the corner of Commercial Street and Milton Street.
- Changes to the stormwater management system, which will now utilise a combination of new bores and infiltration swales.

Land Use

The site operated as a large-scale sawmill for a long time until the mill operations ceased in early 2003. At that time the mill saw 500,000m³ of raw log brought to the site and processed.

Development Plan approval DA381/05/2020 involved the expansion of the existing timber particle board processing facility (Borg Manufacturing Pty Ltd) which would result in a proposed increase in production at the subject site.

The existing facility currently operates 24 hours per day, seven days a week. There are no changes proposed to the existing hours of operation.

Building Height

Maximum height of a structure within the facility is presently 40 metres. The maximum height of the new development for the dryer chimney is 42 metres

Setbacks, Design & Appearance

Boundary setbacks will remain relatively unchanged.

The proposed modifications to the design are detailed above in the 'Description of the Proposal'.

Heritage

The subject site does not contain nor is it adjacent to any Heritage Overlay.

Traffic Impact, Access and Parking

The applicant has stated:

The traffic and access impacts have been assessed in section 4.4. The proposed development is suitable in relation to traffic impacts and the site has been designed to allow for safe manoeuvring of all vehicles. The new proposed access gate on Commercial Street West is suitable in relation to safety and site distances.

Pedestrian safety within the site is paramount, and designated pedestrian paths and vehicle no go areas are incorporated into the operational plans for the site.

Once completed this site will have a total of 540 car parks available. Table 3 in the MGCDP outlines that industrial uses require 1 space per 100sqm or 1 per 2 employees. The development has sought to maximise available parking on-site, with the 540 spaces far



outreaching the practical requirement on site. The development once operational will have approximately 200 staff, split over two to three shifts a day thus the proposed number of car parks provided in considered suitable for the site and the use.

Environmental Factors

An overview of the areas of environmental impact that this amended/modified application may be different to that which was originally approved.

These include:

- Groundwater and surface water

The site now proposes to utilise drainage bores to reduce the sizing of the original swale areas, creating more space on site for improved circulation and overall efficiency.

- Air quality

As a result of the revised site and machinery layout, the positioning of some of the emission stacks on site have been relocated. The amendments involved the relocation of 20 exhaust stacks but without any changes to their mass emission rates.

- Noise

A redesign of the redevelopment has been submitted, resulting in the requirement for a variation to the existing consent to be sought noting the proposed noise sources and their associated sound power levels remain unchanged from the previous assessment.

Amended noise treatments resulting from the amended goal noise levels and redesigned site layout.

The amended application was not referred to DPTI or internally to Council's Engineering Department as the intensity of the amendment was to decrease the proposed works and site coverage with no changes proposed from Jubilee Highway that would require referral. Conditions provided will be transferred to this amended application.

CONCLUSION

The subject site is operating as a timber saw mill. It is not a new facility where one did not previously exist. The existing infrastructure including roads and access are sufficient to handle the proposed increase to the scale of operations as approved in the original development application DA/381/05/2020 which was to modernise processes and is envisaged to reduce overall impacts on adjoining properties.

Modifications have been proposed to ensure the development will comply with the requirements of the Environment Protection Authority with conditions required to be placed in a permit to address the EPA requirements. Measurements indicate that noise emissions from the existing operations exceed the goal noise levels established under the Policy at some locations. The proposed development therefore offers the opportunity to significantly reduce noise emissions from an existing long-established operation and bring those emissions in-line with a level of amenity considered appropriate by the Policy for an existing operation at all locations.

When considering all of the relevant provisions within the Planning and Design Code, the Application and supporting documentation, referral advice and issues raised within the representations the proposed amended development warrants the support of the Council Assessment Panel and the granting of Consent

INVITES

Applicant – Mark Daniels



Representor 1 - Ian Tollner
Representor 2 - Annette Yeates

ATTACHMENTS

1. Appendix 1 Relevant P & D Code Policies
2. Attachment 1 Application Documents (Public Notice)
3. Attachment 2 Subject Land Map
4. Attachment 3 Zoning Map
5. Attachment 4 Representation Map
6. Attachment 5 Representations
7. Attachment 6 Response to Representations
8. Attachment 7 Prescribed Body Response (EPA) February 2023
9. Attachment 7 Prescribed Body Response (EPA) January 2023
10. Attachment 9 Applicants Response December 2022
11. Attachment 9 Applicants Response January 2023
12. Attachment 10 Development Approval - DNF and Conditions (original application)
13. Attachment 11 Planning Approval Plans DA 381 05 2020
14. Attachment 12 Environmental Noise Assessment
15. Attachment 13 Air Quality Report
16. Attachment 14 Amended Plans Part 1 of 2
17. Attachment 14 Amended Plans Part 2 of 2
18. Attachment 15 Stormwater Management Plan
19. Attachment 16 Stormwater Management Plan - modified December 2022
20. Attachment 17 Application snapshot (PlanSA)
21. Attachment 18 Traffic Management Plan Ref.20181463R0018B dated December 2019
22. Attachment 19 Traffic Management Plan - Outbound Traffic
23. Attachment 20 Traffic Management Plan Inbound Traffic
24. Attachment 21 DPTI Ref. 20181463L001A NC TPT dated 3 April 2020



7 URGENT MOTIONS WITHOUT NOTICE

8 MEETING CLOSE