

**MINUTES OF LIMESTONE COAST SOUTHERN REGIONAL ASSESSMENT PANEL
HELD AT THE CITY HALL
ON TUESDAY, 21 MARCH 2023 AT 5.00 P.M.**

PRESENT: Mr Mark Teakle (Presiding Member), Mr Ian Von Stanke, Ms Meg Redman, Ms Lamorna Alexander

OFFICERS IN

ATTENDANCE: Assessment Manager - Mrs T Tzioutziouklaris
Executive Administrator - Mrs S Dohnt

OFFICERS AS OBSERVERS: Senior Planning Officer, City of Mount Gambier - Mrs R Snaauw

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

COMMITTEE RESOLUTION

Moved: Meg Redman

Seconded: Ian Von Stanke

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.

CARRIED

4 QUESTIONS WITHOUT NOTICE

Nil

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 Representor, Ian Tollner spoke at 5:05 p.m.

The Representor, Ann Yeates spoke at 5:08 p.m.

The Applicant, Mark Daniels and Victor Bendevski spoke at 5.14 p.m.

6 REPORTS

6.1 DA 22035293 - DETACHED DWELLING AND OUTBUILDING - 24 SPRINGVIEW DRIVE

COMMITTEE RESOLUTION

The Limestone Coast Southern Regional Assessment Panel Moved:

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.

CARRIED

6.2 DA 22026832 - 400-410 COMMERCIAL STREET WEST, MOUNT GAMBIER

COMMITTEE RESOLUTION

The Limestone Coast Southern Regional Assessment Panel Moved:

1. 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.

2. 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 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.

14. 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.

15. 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)

16. 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.
17. 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.
18. 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.
19. 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.
20. 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_organizations
21. All vehicles shall enter and exit the site in a forward direction.
22. Signage and/or line marking shall be installed to reinforce the desired flow of traffic to, from and through the site.

23. 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.
24. 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

25. 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.
26. 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.
27. 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

CARRIED

7 MOTIONS WITHOUT NOTICE

Nil

8 MEETING CLOSE

The Meeting closed at 5.52 p.m.

The minutes of this meeting were confirmed at the Limestone Coast Southern Regional Assessment Panel.

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PRESIDING MEMBER